



**REGULAR
MEETING *MINUTES*
MAYODAN TOWN COUNCIL
August 14, 2023
6:00 p.m.
James A. Collins Municipal Building**

MAYOR AND COUNCIL PRESENT:

Mayor Chad Wall
Melanie Barnes
Doug Cardwell
Letitia Goard
Dwight Lake
Buck Shelton

STAFF PRESENT:

Town Attorney Eugene Russell
Town Manager Kathleen Patterson
Town Clerk Sarah Hopper

The Mayodan Town Council met at 6:00 pm on August 14, 2023, in the Council room of the James A. Collins Municipal Building, and with a quorum present, Mayor Wall called the meeting to order.

INVOCATION:

Invocation given by Michael Lindsay with Westside Baptist Church.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Mayor Chad Wall and Town Council members.

PUBLIC COMMENTS:

John Miller, 103 Mountain St. Mayodan spoke to Town Council about the Fireman's Association having their annual Christmas parade on December 9, 2023 at 1pm. Mr. Miller stated that the Fireman's Association would be working with the Madison-Mayodan Recreation Center this year. The Madison-Mayodan Recreation Center would help in taking money and applications. Mr. Miller also stated that they would be closing roads around 10am near Elliott Duncan Park in order to organize parade participants.

PRESENTATION:

Madison Rockingham Rescue Squad

Steve Boles with the Madison Rescue Squad ask that council consider taking action of a county wide 3 cent increase per \$100 for a county wide district. The cost to call volume has increased. He also stated that there would be board representation from towns and county on the Rescue Squad board. The 3 cents would have to be approved by Town Council in addition to the County Commissioners.

APPROVAL OF MINUTES:

Approval of Agenda and Regular Meeting Minutes of July 6 and 10, 2023.

Motion by Councilmember Barnes, seconded by Councilmember Goard, to approve minutes for agenda, and regular meeting minutes July 6 and 10, 2023 as presented.

Ayes: Councilmembers Barnes Cardwell, Goard, Lake and Shelton.

Nays: None.

Motion carried unanimously.

PUBLIC HEARINGS:

A. Quasi-Judicial Hearing for 314 West Main St. for self-storage/mini-storage warehouse

The owners of the property located at 314 W Main Street parcel number 120159 are requesting a special use permit to allow self-storage units at the location. The property is zoned C1-Downtown Commercial, which requires a special use permit for self-storage/ministorage warehouse. The special use permit is supported by the Planning Board, who voted to approve the special use permit on Thursday, July 20, 2023 and for it to be sent to Council for approval.

Motion by Councilmember Lake, seconded by Councilmember Shelton to open Quasi-Judicial hearing.

Ayes: Councilmembers Barnes Cardwell, Goard, Lake and Shelton.
Nays: None.
Motion carried unanimously.

Mayor Chad Wall opened the Quasi-Judicial Hearing at 6:18pm

Town Clerk Sarah Hopper swore Town Manager Kathleen Patterson, Brandon Griffin property owner 312 W Main Street, and David Vaden property owner 314 W Main Street.

Mayor Wall asked if any of the council members needed to disclose anything regarding the property in question including visiting the property or talking to the property owner. No disclosures were made.

Town Manager Patterson read the staff report as follows:

Subject: SPU-2023-02 – Special Use Permit Request for 314 W Main Street.

Applicants: David and Renee Vaden, Ross and Natalie Vaden

Request for special use permit to allow Warehouse, Mini-Storage/Self-Storage at 314W Main Street, which is in a C1 Zoning District.

A. Actions to be Requested of Town Council

1. Motion to accept the Town's exhibits into the record.
2. Motion to approve/revise Findings of Fact for the Special Use Permit.
3. Motion to approve (approve with conditions) (deny) the issuance of the Special Use Permit.
4. Motion to Issue Order of Approval.

B. Required Votes to Pass Requested Action

A majority vote is required to approve, approve with conditions, or deny the requested actions.

C. Background

The applicants, David and Renee Vaden with Ross and Natalie Vaden, are requesting a Special Use Permit (SUP) to allow for a mini-storage/self-storage facility in the Central Commercial District (C1) zoning district. This property is located at 314 W Main Street, parcel number 120159, which is on the corner of N 4th Avenue and W Main Street.

Pursuant to Article IV, Section 1 – Table of Permitted Uses of the Mayodan Zoning Ordinance issuance of a SUP is required for warehouse, mini-storage/self-storage in the C1 zoning district. Per Article VI – Special Uses and Development Standards page 6-25, Warehouse, Self-Storage, the applicants have met the following criteria as shown on the plan provided:

- A. The applicant shall submit a concept plan, showing the general layout including the building footprints and the access points.
- B. Self-storage warehouse spaces shall be used for storage only. No space shall be leased for any other purpose.
- C. All storage shall be located within the building, and outside storage of any type, including the outside storage of moving vans, vehicles and boats shall not be permitted.
- D. All driveways and parking areas between and around buildings shall be paved with asphalt or concrete.
- E. Storage units shall not be visible off site, and access to individual storage units shall be from corridors internal to the building.
- F. Security cameras shall be installed.
- G. Shall comply with all other Zoning, Fire, Building, Engineering, Utility and other Municipal Ordinances, and all applicable laws.

D. Fiscal Consideration

None

E. Policy Issues

Article VI, Section 3.4 of the Mayodan Zoning Ordinance requires that the responsible party, Town Council, approve, modify, or deny the application based on the following criteria.

Staff Findings of Fact

YES NO That the use requested is listed as a special use in the district for which the application is made.

Yes. Warehouse, Self-Storage is listed as a special use in C1.

That the use or development is located, designed, and proposed to be operated so as to maintain or promote public health, safety, and general welfare.

Yes. The location is on the corner of N 4th Avenue and W Main Street. The plans follow all of the requirements for a self-storage facility.

That the use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations.

Yes. The plans for the structure and operations comply with all required regulations and standards of this ordinance and with all other applicable regulations.

That the use or development is located, designed, and proposed to be operated so as not to substantially injure the value of the adjoining or abutting property, or that the use or development is a public necessity.

Yes. The rehabilitation of the structure includes interior, exterior, and façade improvements that should not substantially injure the value of the adjoining or abutting property.

That due consideration has been given to the suitability of the property for the use applied for with respect to trends of growth and change; the effect of the proposed use upon the community; requirements for transportation, schools, parks, playgrounds, recreational areas, conservation of natural resources, preservation of floodplains, and encouraging the most appropriate use of the land.

Yes. Due consideration has been given to the suitability of the property for the use as a self-storage facility. With the growth of the area, more individuals are looking for storage facilities.

F. Legal Issues

Town Council Findings of Fact – Based on application review and public hearing.

In order to determine whether a special use permit is warranted, the Council must decide that each of the six findings as outlined below has been met and that the additional approval criteria has been satisfactorily addressed. If the Board concurs completely with the findings of the staff, no additional findings of fact are necessary, and the staff findings should be approved as part of the decision. However, if the Board wishes to approve different findings (perhaps as a result of additional evidence or testimony presented at the public hearing), alternate findings need to be included as part of the six criteria below. Should a special use permit be approved, the Board may place conditions on the use as part of the approval to assure the adequate mitigation measures are associated with the use.

YES NO That the use requested is listed as a special uses in the district for which application is made; and
That the use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare; and
That the use or development complies with all required regulations and standards of this ordinance and with all other applicable regulations; and
That the use or development is located, designed, and proposed to be operated so as not to substantially injure the value adjoining or abutting property, or that the use or development is a public necessity; and
That due consideration has been given to the suitability of the property for the use applied for with respect to trends of growth and change; the effect of the proposed use upon the community; requirements for transportation, schools, parks, playgrounds, recreational areas, conservation of natural resources, preservation of floodplains, and encouraging the most appropriate use of the land.
The use or development conforms with the general plans for the land use and development of the Town of Mayodan as embodied in Mayodan Land Use Plan and Mayodan Zoning Ordinance.

G. Recommendation

Based on the above findings, staff recommends approval of the Special Use Permit based on the Staff Findings of Fact (or as modified by the Council), the renovation plan, and compliance with all local, state, and federal requirements.

The Town Council should consider all facts and testimony after conducting the Public Hearing and render a decision accordingly to approve, approve with conditions, or deny the Special Use Permit.

H. Attachments

1. Special Use Permit Application
2. Map
3. Renovation Plan
4. PowerPoint with site images
6. List of notified properties
7. Notice to adjacent property owners
8. Posted Public Notice

Issue Reviewed By:

Town Manager Kathleen Patterson and Town Attorney Eugene Russell

Town Manager Kathleen Patterson stated quickly you can see the map the location is at the corner of 4th Avenue and West Main. We, unfortunately, had to nail the sign to the post as there isn't an area in front of the building to actually put the sign. We provided public notice and posted the sign on August 4, 2023 and letters were mailed to adjoining property owners on July 31, 2023. This is an image of the building from February 2023. This is front of the building. There a shot of the side of the

building. This is the current state of the building as of 8/9. You can see that they have already been upgrading the facade of the building and making improvements to the door. In the back of the building that has no access to the storage building is an apartment.

Mayor Wall thanked Kathleen.

Mayor Wall asked Brandon Griffin to approach the podium. Do you have some testimony you would like to add?

Mr. Brandon Griffin stated "My only concern... I ain't against doing what he wants to do but I've noticed that where I own the property at 312 if I park in front of my building people have a hard time seeing around the corner when coming off of 4th avenue. I was just wondering where they would be unloading and loading, for the storage place. If they plan on doing it in the front it's gonna cause problems. I was thinking maybe on 4th Avenue put some parking spaces along the side right there to keep traffic from, you know, from having T-bones and head on accidents right there."

Mayor Wall asked David Vaden if he would like to address that concern.

Mr. David Vaden stated "I'm surprised it wasn't brought up before now to be honest with you."

Mayor Wall asked the applicants if they had any evidence that this is going to cause problems. "It had been brought up on the other side of the street. There was one parking space that was denied in front of Quint's old building."

Mr. Vaden stated "I was going to suggest designating two spots going down the 4th avenue side just for loading and unloading. I don't think it's really safe right there in that crossed hatched area in front of the building. You would have to get out into the road and would have to look down both sides.

Mayor Wall asked "Are you suggesting a loading and unloading area on 4th Ave but not on Main Street?"

Mr. Vaden stated "That is correct."

Councilmember Goard asked "Will it be marked that way?"

Mr. Vaden: "I hope the town could do that somehow."

Mayor Wall asked "Would the time limit be 1 hour, 2 hour, or 30 minute parking?"

Mr. Vaden stated "I am not opposed to that and believe it should be on the 4th avenue side".

Mr. Vaden asked "Is there anything else?"

Mayor Wall stated "It will be up to Council to add that street parking on that side."

Town Manager Patterson stated "Council can make it a condition of the Special Use Permit that a loading zone be designated, which would not be a parking area."

Ms. Patterson said "You could give them 15 or 30 minutes to unload their stuff and move on."

Ms. Patterson stated "I would caution you to consider where the loading zone is located should depend on the parking for the apartment. The parking for that apartment may need to somehow be created as a regular parking space or leave it empty. Just know that the apartment parks there as well."

Councilmember Goard asked "Do we need to provide signs that the area ahead of the parking spaces in front of the building is not an unloading zone."

Ms. Patterson stated "You shouldn't park in a crossed hatched space anyway as it is a no parking zone. Just laying that out there."

Ms. Patterson stated "It is up to 'Council' to handle that issue. You can always ask David to add signs or you can put up a sign stating a loading zone is on the side somewhere"

Mayor Wall stated "Let's end the public hearing and move on for discussion."

Mayor Wall asked "Is there a motion to accept the town's exhibits into the record?"

Councilmember Cardwell moved acceptance of the Town's exhibits into the record.

Councilmember Barnes seconded his motion.

Motion by: Councilmember Cardwell, seconded by Councilmember Barnes, to accept the Town's exhibits into the record.

Ayes: Councilmembers Barnes Cardwell, Goard, Lake and Shelton.

Nays: None.

Motion carried unanimously.

Motion Councilmember Lake, seconded by Councilmember Cardwell to approve/revise Findings of Fact for the Special Use Permit.

Ayes: Councilmembers Barnes Cardwell, Goard, Lake and Shelton.

Nays: None.

Motion carried unanimously.

Motion Councilmember Lake, seconded by Councilmember Barnes, to close the Quasi-Judicial hearing.

Ayes: Councilmembers Barnes Cardwell, Goard, Lake and Shelton.

Nays: None.

Motion carried unanimously.

Mayor Wall declared the Quasi-Judicial hearing closed at 6:30pm.

Motion Councilmember Lake, seconded by Councilmember Shelton to approve this Special Use Permit based upon reasonableness determination and the statements that are included therein, including a requirement that a loading zone be created on the 4th Avenue side of the building. That condition has been discussed and agreed upon which is incorporated in this motion to be included in these minutes and board ordered.

Ayes: Councilmembers Barnes Cardwell, Goard, Lake and Shelton.

Nays: None.

Motion carried unanimously.

OLD BUSINESS:

A. Cemetery Advisory Committee Appointments

Discussion arose at the March meeting regarding the upkeep of the cemeteries in Mayodan and the request to create an advisory committee. The list of individuals that would like to serve on the advisory committee are Tim Simpson, Donna Bennett, Sammy Martin, Delores Fulcher, Bud Cardwell, Kathy Haley, Ashley Tepfer, and Janelle Johnson. Town manager Kathleen Patterson asked Council to appoint a councilmember to be on the Cemetery Advisory Committee.

Councilmember Lake nominated Councilmember Barnes to be appointed to the Cemetery Advisory Committee.

Motion by Councilmember Lake, seconded by Councilmember Goard, to appoint Councilmember Barnes to the Cemetery Advisory Committee.

Ayes: Councilmembers Barnes Cardwell, Goard, Lake and Shelton.

Nays: None.

Motion carried unanimously.

NEW BUSINESS:

A. Resolution joining HOME Consortium

Town Manager Kathleen Patterson spoke to town council about approving a Resolution joining HOME Consortium. Town manager Patterson stated that this would be an opportunity to join governments in the Triad Region to obtain grant funding for housing initiatives such as weatherization initiatives and rental assistance. Ms. Patterson also stated that there is no required funding to be a part of the consortium. Funding is only required when we propose a project that is accepted. Town manager Patterson stated that PTRC has provided a PowerPoint explaining the program and the need for all of the governments in the region to join the consortium.

Motion by Councilmember Goard, seconded by Councilmember Lake, to approve resolution joining HOME Consortium.

Ayes: Councilmembers Barnes, Cardwell, Goard, Lake and Shelton.

Nays: None.

Motion carried unanimously.

B. Resolution for What the Hay Fest

Town Manager Kathleen Patterson is asking Council to approve a resolution which is required by our ordinance allowing for the consumption of beer and wine on the public streets during the What the Hay Festival, which is scheduled for Saturday, October 14, 2023.

She stated that the beverages will only be allowed to be consumed on public streets and sidewalks in the area identified for the event. This area begins at Adams Street down 2nd Avenue to Jefferson Street and 3rd Avenue down to the parking lot behind Downtown Jr's on Main Street.

Motion by Councilmember Lake, seconded by Councilmember Goard, to approve the resolution for What the Hay Festival.

Ayes: Barnes, Lake, Goard and Shelton

Nays: Cardwell.

Motion carried 4-1.

C. Budget amendments FY2023-2024 #1-5

This budget amendment #1 is bringing in the remainder of a \$700,000 payment on the Sewer Agreement with Rockingham County for 250,000 gallons per day capacity. The monies will be used to complete the bar screen replacement project, which experienced unexpected repairs to the channel. The totals received from Rockingham County are the initial \$298,000 used to purchase the bar screen and this payment of \$402,000 totaling \$700,000.

Budget amendment #2 was money received as a reimbursement for grant #SRP-W-ARP-0187.1, which is to address I&I issues in Mayodan. The total spent so far is \$66,500.

Budget amendment #3 brings in monies received from Rockingham County as payment for capacity purchased in the sewer agreement. These funds will be used to address the necessary upgrades and required to the sewer plant as agreed to in the agreement. The total received is \$1,250,000. The money will pay for the design of the sewer plant upgrades and repairs. We

will report expenditures to Rockingham County as part of the monthly updates during construction and for ARP reporting requirements.

Budget amendment #4 brings in \$8,995.00 from fund balance to address the replacement of the HVAC unit on the Police Department building. The air conditioning unit failed and despite repair attempts was not able to be made functional again leading to the replacement of the unit. The HVAC unit was a split system. The furnace was from 1983 and 40 years old and the air conditioner was 26 years old. By replacing the entire unit versus just the air conditioning unit, the efficiency would increase from approximately 60% to 90-95%. This will help save money in energy costs and alleviate the potential for other emergency repairs. This budget amendment brings in \$8,995.00 from fund balance to address the replacement of the HVAC unit on the Police Department building.

Budget amendment #5 is money received from insurance claim payouts for damage to a 2010 Chevrolet and 2019 Ford. The total amount received is \$10,478 to pay for repairs to the vehicles.

Motion by Councilmember Barnes, seconded by Councilmember Cardwell to approve budget amendments FY 2023-2024 #1-5.

Ayes: Councilmembers Barnes, Cardwell, Goard, Lake and Shelton.

Nays: None.

Motion carried unanimously.

Motion by Councilmember Cardwell, seconded by Councilmember Goard, to enter into closed session pursuant to N.C.G.S. 143-318.11(a)(3)], consult with the Attorney.

Ayes: Councilmembers Barnes, Cardwell, Goard, Lake and Shelton.

Nays: None.

Motion carried unanimously.

Entered into closed session at 6:30 p.m.

Motion by Councilmember Lake, seconded by Councilmember Goard, to return to open session.

Ayes: Councilmembers Barnes, Cardwell, Goard, Lake and Shelton

Nays: None.

Motion carried unanimously.

Returned to open session at 7:19 p.m.

Motion to adjourn by Councilmember Lake, seconded by Councilmember Cardwell, adjourned

Ayes: Councilmembers Barnes, Cardwell, Goard, Lake and Shelton

Nays: None.

Motion carried unanimously.

Adjourned at 7:20 p.m.

ATTEST:

Sarah Hopper, Town Clerk

Chad Wall, Mayor