



REGULAR MINUTES
MAYODAN TOWN COUNCIL
May 10, 2021
6:00 p.m.
101 N. 10th Ave

MAYOR AND COUNCIL PRESENT:

Mayor James “Bud” Cardwell
Darrell Allred
Melanie Barnes
Doug Cardwell
David Holland
Chad Wall

STAFF PRESENT:

Town Attorney Eugene Russell
Town Manager Melessa Hopper
Town Clerk Sarah Hopper

OTHERS PRESENT:

Mike Moore, Mike Moore Media

The Mayodan Town Council met at 6:00pm on May 10, 2021, at 101 N. 10th Avenue, and with a quorum present Mayor Cardwell called the meeting to order.

PUBLIC HEARINGS:

1. Taxi Franchise 2021-2022 (First of Two Votes)

Town Manager Lessa Hopper reported that Hampton’s Taxi, owned by Annette and Michael Lilly, applied for the taxi franchise for 2021-2022. They have operated the taxi service and been awarded the franchise for many years. She stated that all paperwork was in order and there have been no complaints lodged regarding the taxi service.

Mayor Bud Cardwell opened the public hearing to hear public comment regarding the 2021-2022 Taxi Franchise at 6:03 p.m.

No questions or comments from the public.

Mayor Cardwell declared the public hearing closed at 6:05 p.m.

Motion by Councilmember Wall, seconded by Councilmember Cardwell to approve the 2021-2022 Taxi Franchise for Hampton’s Taxi Service.

Ayes: Councilmembers Allred, Barnes, Cardwell, Holland, and Wall

Nays: None.

Motion carried unanimously.

PUBLIC COMMENTS:

No one wished to speak.

APPROVAL OF MINUTES:

Motion by Councilmember Holland, seconded by Councilmember Allred, to approve minutes for agenda and regular meeting minutes of April 8 and 12, 2021, and Special Meeting Minutes of April 26, 2021 as presented.

Ayes: Councilmembers Allred, Barnes, Cardwell, Holland, and Wall

Nays: None.

Motion carried unanimously.

OLD BUSINESS:

A. Excavator Purchase

There was discussion during the budget workshop that the water/sewer department needed an excavator. The excavator would cost approximately \$55,000.00. The staff asked Council to consider the purchase of the Excavator using the line item for contingency funds in the sewer department. The Excavator will be ordered in June.

Motion by Councilmember Wall, seconded by Councilmember Holland, to approve the purchase of an Excavator with the use of contingency funds from line item 30-822-2900.

Ayes: Councilmembers Allred, Barnes, Cardwell, Holland, and Wall

Nays: None.

Motion carried unanimously.

B. Resolution Authorizing the disposal of town property

A resolution to approve the declaration of surplus property for a 2004 Backhoe was presented to Council. The equipment, if surplus, would be sold on govdeals.com.

Motion by Councilmember Wall, seconded by Councilmember Barnes to approve a Resolution to declare surplus property of a 2004 JCB 214 Backhoe.

Ayes: Councilmembers Allred, Barnes, Cardwell, Holland, and Wall

Nays: None.

Motion carried unanimously.

RESOLUTION AUTHORIZING THE DISPOSITION OF TOWN PROPERTY

WHEREAS, the Town Council of the Town of Mayodan, North Carolina desires to declare surplus and dispose of certain Town-owned property,

NOW, THEREFORE, BE IT RESOLVED by the Mayodan Town Council that the 2004 JCB 214 Backhoe, serial number SLR214TC4U0904056, is hereby declared to be surplus to the needs of the Town of Mayodan.

BE IT FURTHER RESOLVED that the Town Manager is hereby authorized to dispose of the aforementioned vehicle by any means allowable to include offering for sale at public auction, donation to a nonprofit organization, Internet on-line offering, private negotiation and sale, upset bid process, or destruction. The Town Manager shall report the result of the sale of this item at the next regular meeting of the Town Council following the sale.

ADOPTED this 10th day of May 2021.

NEW BUSINESS:

A. Resolution Opposing HB401/SB349 Zoning

Town Manager Lessa Hopper spoke before Town Council about Local Government Zoning and Land Use control that would eliminate single family housing zoning districts in NC if either of these bills passed in the N.C.

Legislature. Both bills undermine the rights of existing property owners and would damage existing homes

values she stated. The legislation would allow for there to be more than one residential use on a single lot. The

North Carolina League of Municipalities is not in favor of this legislation and has asked that local authorities

oppose the two-bills presented to the General Assembly.

Motion by Councilmember Cardwell, seconded by Councilmember Allred to adopt Resolution Opposing HB401/SB349 Zoning.

Ayes: Councilmembers Allred, Barnes, Cardwell, Holland, and Wall

Nays: None.

Motion carried unanimously.

WHEREAS, recognizing the importance of zoning to the peace and prosperity of North Carolina's municipalities, the State of North Carolina has allowed municipalities to regulate local government for generations, which in turn, residents have relied upon in making their most important financial investments, the purchase of their homes; and

WHEREAS, the Town of Mayodan has responsibly exercised the zoning and land use authority granted to it by the State of North Carolina; and

WHEREAS, SB 349 and HB 401 are now pending in the North Carolina General Assembly and represents a broad and comprehensive attack on local land-use decision-making and the ability of local property owners to weigh in on what is and is not appropriate development in their neighborhoods; and

WHEREAS, SB 349 and HB 401 would obstruct the ability of locally elected officials to consider all interests when making land-use decisions, including those of existing homeowners and property owners, who stand to lose the most if incompatible uses are allowed adjacent to their property; and

WHEREAS many North Carolina cities and towns have led the way when it comes to making investments and policy changes designed to encourage affordable housing options, but have done so with community involvement and neighborhood-appropriate measures; and

WHEREAS, SB 349 and HB 401 would force municipalities to allow duplexes, triplexes, quadplexes and townhouses into all residential zones, including all low-density zoning districts, for the stated purpose of expanding housing opportunities in towns; and

WHEREAS, SB 349 mandates the allowance of "one accessory dwelling," which can consist of a duplex, on each lot on which there is a single-family residence, circumventing all usual approval processes such as conditional district zoning, and trumping all local parking requirements and utility approval protocols without regard to the impacts of a potential tripling of density; and

WHEREAS, SB 349 and HB 401, under the guise of creating affordable housing, is actually a usurpation of local zoning authority, further eroding the rights of local homeowners and property owners to work through their locally elected officials to determine how development should occur in their communities and neighborhoods, and if passed, will undermine the long-term stability of the Town of Mayodan for its residents.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Mayodan, North Carolina respectfully requests that the General Assembly not adopt SB 349 or HB 401.

Adopted this the 10th day of May 2021.

B. Resolution of Authorizing Foreclosure on Certain Properties

Town Attorney Eugene Russell suggested to the Town Council to look at vacant properties that have liens on them and proceed to foreclose in an effort to recoup taxes due and funds expended to maintain vacant property. The properties are located on Washington Street and North 7th Avenue. He stated that it could take some time to foreclose on these properties but thought that the Town could benefit from the sale of these properties.

Motion by Councilmember Cardwell, seconded by Councilmember Barnes to adopt a Resolution of Authorizing foreclosures on certain properties.

Ayes: Councilmembers Allred, Barnes, Cardwell, Holland, and Wall

Nays: None.

Motion carried unanimously.

**A copy of the Resolution of Authorizing Foreclosure on certain properties are hereby by reference made a part of these minutes and a copy is on file in the Town Clerk's office for public viewing.

MANAGER COMMENTS/ANNOUNCEMENTS:

Town Manager Lessa Hopper gave the financial report for April 2021.

Motion by Councilmember Wall, seconded by Councilmember Cardwell, to adjourn meeting.

Ayes: Councilmember Allred, Barnes, Cardwell, Holland, and Wall

Nays: None.

Motion carried unanimously.

Meeting adjourned at 6:43pm

ATTEST:

Sarah Hopper, Town Clerk

James Cardwell, Mayor