

**MOUNT AIRY, NORTH CAROLINA
REGULAR MEETING MINUTES
April 15, 2021**

MEMBERS PRESENT: Mayor Pro Tempore Ron Niland, Commissioners Jon Cawley, Tom Koch, Marie Wood, and Steve Yokeley

APPROVAL OF AGENDA:

Commissioner Cawley requested to add an item to New Business regarding the recent Vision-Economic Development meeting. With a motion by Commissioner Wood, the board voted unanimously to approve the agenda.

CONSENT AGENDA: On motion by Commissioner Cawley and passed unanimously, the following items were approved by way of the consent agenda:

- **APPROVAL OF MINUTES:**
 - April 1, 2021 Regular Meeting Minutes

(end of consent agenda)

SPECIAL PRESENTATION:

Market Street Arts & Entertainment District Update: Lizzie Morrison

Lizzie Morrison presented the Board with options to implement for the Market Street program. Option A reflects what was presented at their March 18 meeting, which is that the MSAED would occur in May and June, with a break in the summer, starting back in September and October. The street closure would be Saturdays only from 12 p.m. – 11 p.m. Open containers would be allowed in the pedestrian area anytime, regardless of whether the street is closed. Option B street closure would be Friday at 5 p.m. – Sunday at 7 p.m. from May through October. Open containers would only be allowed in the pedestrian areas only when the street is closed. Both options would include permanently make Market Street a one-way one-lane northbound traffic, opposite of Main Street. There would be six parking spaces and the slanted-line no-parking area would be converted to permanent painted pedestrian parklets for seating, art vendors, and food trucks. Both options include that MAD, Inc. would program and coordinate the space during the MSAED hours. They also request on both options for the speed limit to be lowered on Market Street. In addition to the programming beginning in mid-May, they are also requesting closure for May 13 to prep the district, including preparation of the parklets by art students at Mount Airy City Schools. She explained the reasoning for the two options, noting that Option A is the option that reflects the comfort and opinions of the majority of the businesses located on Market Street. Option B reflects the recommendations of the MAD Board because of public safety concerns. It is also more practical in how it can be enforced and advertised to the public.

PUBLIC HEARING:

Board to Hear Public Comments Regarding Request to Rezone Four Parcels Located at 1021 Worth Street, 1002 S South Street, 1008 S South Street, and 1016 S South Street

Board to Hear Public Comments Regarding Request to Rezone Property Located at 810 Worth Street

Andy Goodall, Planning Director, informed the Board that both proposals are from Northern Hospital to rezone the properties from M-1 Industrial and/or B-3 Neighborhood Business to B-5 Medical. This request is to clean up the zoning for the hospital-owned properties for future growth for their facilities. The comprehensive plan designates this area as an employment center around the hospital. The Planning Board reviewed these in March and agreed that the requests were consistent with the plan and unanimously recommended approval of both requests. Letters have been sent to adjacent property owners, the property has been posted, and it was advertised twice in the newspaper, with no communications received regarding these requests. The Planning Department recommends approval of both requests.

Mayor Pro Tem Niland declared the public hearing open for both requests.

With no one else wishing to speak, Mayor Pro Tem Niland declared the public hearing closed.

On motion by Commissioner Cawley and approved unanimously, the following Statement of Consistency was approved: The request to rezone these parcels is consistent with the land use recommendation (Employment Center) in the City of Mount Airy Comprehensive Plan and the adjacent (24-acres) B-5 zoning district; therefore, the Board finds that the request is reasonable and in the public interest.

On motion by Commissioner Wood and passed unanimously, Ordinance 2021-021 was approved as follows:

ORDINANCE NUMBER 2021-021

**AN ORDINANCE TO REZONE PROPERTIES IN THE CORPORATE LIMITS OF
THE CITY OF MOUNT AIRY, NORTH CAROLINA
(1021 Worth Street, 1002 South South Street, 1008 South South Street,
1016 South South Street)**

WHEREAS, the City of Mount Airy Board of Commissioners has received a request from Greg Casstevens-Northern Regional Hospital to rezone four (4) parcels (total of 7.69 acres) located at 1021 Worth Street, 1002 S. South Street, 1008 S. South Street, and 1016 S. South street (Tax ID Numbers 5020-19-40-9791, 5020-19-50-2640, 5020-19-50-4409, 5020-19-50-4269) from M-1 (Industrial) to B-5 (Medical Business); and

WHEREAS, the City of Mount Airy Planning Board has reviewed the petition and recommended the request to the Board of Commissioners for their consideration and approval; and

WHEREAS, the Board of Commissioners of the City of Mount Airy adopted a resolution directing that a public hearing be conducted on the 15th day of April, 2021; and

WHEREAS, the Board of Commissioners, having conducted the public hearing and reviewed the recommendations of the Planning Board, concur that the property herein described be rezoned and adopt the following Statement of Consistency:

STATEMENT OF CONSISTENCY

“The request to rezone the four (4) parcels is consistent with the land use recommendation (Employment Center) in the *City of Mount Airy Comprehensive Plan* and the adjacent (24-acres) B-5 zoning district; therefore, the Board finds that the request is reasonable and in the public interest.”

NOW, THEREFORE BE IT ORDAINED by the City of Mount Airy Board of Commissioners that these four (4) parcels (total of 7.69 acres) shown on the attached Exhibit A identified as 1021 Worth Street, 1002 S. South Street, 1008 S. South Street, and 1016 S. South street (Tax ID Numbers 5020-19-40-9791, 5020-19-50-2640, 5020-19-50-4409, 5020-19-50-4269) be rezoned from M-1 (Industrial) to B-5 (Medical Business).

BE IT FURTHER ORDAINED that the Zoning Map of the City of Mount Airy be amended to reflect this change.

Approved and adopted this the 15th day of April, 2021.

On motion by Commissioner Wood and passed unanimously, Ordinance 2021-022 was approved as follows:

ORDINANCE NUMBER 2021-022

**AN ORDINANCE TO REZONE PROPERTY IN THE CORPORATE LIMITS OF
THE CITY OF MOUNT AIRY, NORTH CAROLINA
(810 Worth Street)**

WHEREAS, the City of Mount Airy Board of Commissioners has received a request from Greg Casstevens-Northern Regional Hospital to rezone a 0.64 acre parcel located at 810 Worth Street (Tax ID Number 5020-19-61-2041) from B-3 (Neighborhood Business) to B-5 (Medical Business); and

WHEREAS, the City of Mount Airy Planning Board has reviewed the petition and recommended the request to the Board of Commissioners for their consideration and approval; and

WHEREAS, the Board of Commissioners of the City of Mount Airy adopted a resolution directing that a public hearing be conducted on the 15th day of April, 2021; and

WHEREAS, the Board of Commissioners, having conducted the public hearing and reviewed the recommendations of the Planning Board, concur that the property herein described be rezoned and adopt the following Statement of Consistency:

STATEMENT OF CONSISTENCY

“The request to rezone the parcel is consistent with the land use recommendation (Employment Center) in the *City of Mount Airy Comprehensive Plan* and the adjacent (24-acres) B-5 zoning district; therefore, the Board finds that the request is reasonable and in the public interest.”

NOW, THEREFORE BE IT ORDAINED by the City of Mount Airy Board of Commissioners that the 0.64 acre parcel located at 810 Worth Street (Tax ID Number 5020-19-61-2041) be rezoned from B-3 (Neighborhood Business) to B-5 (Medical Business).

BE IT FURTHER ORDAINED that the Zoning Map of the City of Mount Airy be amended to reflect this change.

Approved and adopted this the 15th day of April, 2021.

Board to Hear Comments Regarding Proposed Amendments to Chapter 14 of the City of Mount Airy Code of Ordinances

Andy Goodall explained that his department has reviewed and updated the Subdivision Ordinance to meet the updated requirements of General Statute Chapter 160D, as well as the entire ordinance in terms of subdivision design requirements based on current review practices and the Design Standards adopted by the City in 2006.

Mayor Pro Tem Niland declared the public hearing open.

With no one else wishing to speak, Mayor Pro Tem Niland declared the public hearing closed.

On motion by Commissioner Wood and approved unanimously, the following statement of consistency was approved: The proposed amendments to Chapter 14 of the City of Mount Airy Code of Ordinances are consistent with NCGS Chapter 160D.

On motion by Commissioner Yokeley and passed unanimously, Ordinance 2021-023 was approved as follows:

ORDINANCE NUMBER 2021-023

**ORDINANCE AMENDING CHAPTER 14 OF THE
CITY OF MOUNT AIRY CODE OF ORDINANCES**

WHEREAS, the City of Mount Airy Board of Commissioners desires amending Chapter 14 (Subdivisions) of the City of Mount Airy Code of Ordinances as it relates to NCGS Chapter 160D; and

WHEREAS, in 2019, the NC General Assembly adopted the complete reorganization of the State's planning and development regulation statutes; and

WHEREAS, the new Chapter 160D consolidates the previous county enabling statutes and city enabling statutes into a single, unified chapter. Related statutes on city and county development regulation previously scattered throughout the General Statutes are also relocated to Chapter 160D; and

WHEREAS, the intent is to have a uniform set of statutes applicable to cities and counties common to all development regulations and places the development regulation statutes into a more logical, coherent organization; and

WHEREAS, the new law doesn't make any policy changes or shifts in scope of authority, it provides many clarifying comments and consensus reforms that will need to be incorporated into local development regulations; and

WHEREAS, the City Clerk caused a notice of public hearing on the request to be published on the 7th and 14th day of April, 2021; and

WHEREAS, the Board of Commissioners, having conducted a public hearing and reviewed the proposed amendments, concur that the proposed amendments be made to Chapter 14 of the City of Mount Airy Code of Ordinances:

NOW, THEREFORE, BE IT ORDAINED by the City of Mount Airy Board of Commissioners that the following Statement of Consistency is hereby adopted:

STATEMENT OF CONSISTENCY

“The proposed amendments to Chapter 14 of the City of Mount Airy Code of Ordinances are consistent with NCGS Chapter 160D.”

BE IT FURTHER ORDAINED that Chapter 14 of the City of Mount Airy Code of Ordinances be amended to reflect the NCGS Chapter 160D updates with said amendments available for viewing at the following web address:

https://library.municode.com/nc/mount_airy/codes/code_of_ordinances

BE IT FURTHER ORDAINED that this ordinance shall become effective upon approval.

Approved and adopted this the 15th day of April, 2021.

PUBLIC FORUM:

Mayor Pro Tem Niland declared the public forum open.

In-Person Comments:

Joseph Zalescik, 1541 West Devon Drive: Updated the Board on the schedule for the upcoming Farmers Market, which will begin on April 23. He noted new leadership and approximately 30 vendors signed up for this year, which includes produce and crafters. Relocating to Mount Airy has been great and he appreciates the support for the Farmers Market.

Parks and Recreation Director Darren Lewis commended the Zalescik family for adopting three streets to clean up during the recent Community Challenge Clean-Up event. Mayor Pro Tempore Niland noted their contributions to several organizations and committees since they came to town.

With no one else wishing to speak, Mayor Pro Tem Niland declared the public forum closed.

NEW BUSINESS:

BOARD TO CONSIDER BUDGET ORDINANCE AMENDMENT TO PROVIDE FUNDING FOR MURAL GRANT PROGRAM, MARKET STREET UPDATE, FLAGS, AND SPENCER'S SITE PLAN UPDATE: ORDINANCE 2021-024:

Lizzie Morrison explained that this request is for the Municipal Service District funds. Several items are included in this amendment, including an additional \$6,000 for the Mural Grant Program, \$3,000 for payment on the Easter Brothers mural, \$20,000 for the MSAED parklets upgrades, signage/safety precautions, improvements in Melva's Alley, music programming as well as garden-size "open" flags for the district, and \$20,000 to update the Spencer's Conceptual Site Plan.

Commissioner Cawley noted that this money is held by the City, but is paid through a downtown tax that the downtown taxpayers impose on themselves. It is not taxes from the General Fund.

On motion by Commissioner Yokeley and adopted unanimously, the following budget ordinance amendment was approved:

A21-012

**ORDINANCE # 2021-024
BUDGET ORDINANCE AMENDMENT**

WHEREAS the City of Mount Airy adopted the 2020-21 budget on June 11, 2020;

AND WHEREAS the Board of Mount Airy Downtown, Inc. has requested that the City of Mount Airy amend the budget for the Municipal Service District in order to provide funding for additional funds for the Mural Grant Program, flags, update to Spencer's conceptual site plan and Market Street upgrades;

AND WHEREAS General Statute 159-15 of the North Carolina Government Fiscal Control Act provides authority to amend a current municipal budget;

NOW, THEREFORE, be it ordained that authorization is hereby given to make the following adjustments:

	Increase (Decrease)
Section 3. <u>Municipal Service District Fund Appropriations</u>	
Economic and Physical Development	49,000
	<u>49,000</u>
Section 4. <u>Municipal Service District Fund Revenue Estimates</u>	
Appropriation of Fund Balance	49,000
	<u>49,000</u>

Adopted this 15th day of April, 2021

OPTION DISCUSSION FOR MARKET STREET ARTS AND ENTERTAINMENT DISTRICT :

On motion by Commissioner Koch, and passed unanimously, the Board approved Option B (see attached Exhibit A) with the following amendment:

Amending the following item proposed for action: “Close Market Street from barrier to Franklin Street from 5:00 PM Friday until 7:00 PM Sunday. 2021 period from May 1, 2021 to October 30, 2021.” to read: “Close Market Street from barrier to Franklin Street from 5:00 PM Friday until 7:00 PM Sunday. 2021 period from **May 14, 2021** to October 30, 2021. **In addition, said street to be closed May 13, 2021 for prepping of the District.**”

BOARD TO CONSIDER RESOLUTION APPROVING AGREEMENT BETWEEN CITY OF MOUNT AIRY AND CHARLES W. VAUGHN; RESOLUTION NO 2021-062:

On motion by Commissioner Koch and passed unanimously, the following resolution was approved:

RESOLUTION NUMBER 2021-062

RESOLUTION APPROVING CONTRACT BETWEEN THE CITY OF MOUNT AIRY AND CHARLES W. VAUGHN

WHEREAS, the City of Mount Airy desires to enter into a contract to appoint Charles W. Vaughn as the Construction Coordinator for the Spencer’s Redevelopment Project; and

WHEREAS, the City believes Mr. Vaughn has the experience, knowledge, and skill set necessary to serve the City in an advisory role during the redevelopment of a portion of the Spencer’s Redevelopment Project; and

WHEREAS, the anticipated construction work is being undertaken by Sunhouse Hospitality, LLC and the City in accordance to a Development Agreement and other construction documents; and

WHEREAS, it is recommended that the City of Mount Airy enter into a contract with Charles W. Vaughn appointing him as the Construction Coordinator for the redevelopment of a portion of the Spencer's Redevelopment Project:

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF MOUNT AIRY BOARD OF COMMISSIONERS MEETING IN OPEN SESSION THAT:

- Section 1. The Board of Commissioners does hereby approve the contract between the City of Mount Airy and Charles. W. Vaughn.
- Section 2. The Board of Commissioners does hereby authorize the Mayor Pro Tempore to execute said contract per review and approval by the City Attorney.
- Section 3. This resolution shall become effective upon approval. Approved and adopted this the 15th day of April, 2021.

DESIGNATE VOTING DELEGATE FOR NCLM CITYVISION CONFERENCE:

Mayor Pro Tem Niland made a motion to appoint Commissioner Jon Cawley as the City's voting delegate for the NCLM Annual Conference business. This motion was unanimously approved.

BOARD TO CONSIDER APPOINTING COMMISSIONER WOOD TO THE MAD, INC. BOARD:

On motion by Commissioner Cawley and passed unanimously, this appointment was approved.

DISCUSSION OF VISION COMMITTEE FOR ECONOMIC DEVELOPMENT ITEM (MAC):

Commissioner Cawley explained that this Vision Committee recently discussed networking and connecting with regard to the area job force and knowing what jobs are available locally. It was suggested that the City website add a page for "Mount Airy Connects" or "MAC" that would list upcoming events or job openings. He stated if you pay City taxes, you would have the opportunity to have the City place things like job opportunities, cultural events, educational opportunities, on this page. They believe this will help connect businesses with those who are seeking employment. He understands that the Chamber already does something similar for their members, but this would be possibly be an easier one-point target. One of the Vision Committee members has volunteered to work with City's IT personnel to make this work.

Commissioner Cawley made a motion to allow members of the Vision Committee for Economic Development to work with the City's I.T. Department to accomplish this task. The motion passed by a unanimous vote.

REMARKS BY OFFICIALS:

Commissioner Yokeley: Thanks to people like the Zalesciks who make our community better, Charlie Vaughn who has helped at Spencer's, Lizzie Morrison for all that she does, and Chris Lumsden with Northern Hospital and all that they bring to our community.

Commissioner Koch: Distributed a handout regarding automated garbage collection and noted the potential savings of converting completely to automated collection including the cost of brush carts and the savings by eliminating 4 positions. Also thanks to all of the volunteers.

Commissioner Cawley: No comments

Commissioner Wood: No comments.

Mayor Pro Tem Niland: Thanks to everyone for being here, in particular Mayor David Rowe, Paul Madren, and Joe Zalescik.

ADJOURN:

On motion by Commissioner Koch and approved unanimously, the meeting was adjourned.

Approved and adopted this the 6th day of May, 2021.

ATTEST:

Ronald M. Niland, Mayor Pro Tempore

Carolyn Hegler, Deputy Clerk