

**MOUNT AIRY, NORTH CAROLINA
REGULAR MEETING MINUTES
August 19, 2021**

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

APPROVAL OF AGENDA:

Mayor Niland asked that an item be added to agenda to discuss Willow Street water line. On motion by Commissioner Cawley, the amended agenda was approved unanimously.

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

- **APPROVAL OF MINUTES:**
 - July 15, 2021 Regular Meeting Minutes

(end of consent agenda)

PUBLIC HEARING:

Board to Hear Public Comment Regarding Autumn Leaves Festival Ordinance (Chapter 9 – Section 9-82) Amendment:

Carol Burke, Lebanon Hill Historic District, stated that she is happy to see the festival return this year, and wanted to go on record of endorsing this amendment to the festival ordinance. She expressed appreciation to the Chamber for the work they do for the benefit of many people.

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

PUBLIC FORUM:

Mayor Niland declared the public forum open.

Ann Vaughn, 566 Crossingham Road (outside city limits), introduced speakers to follow regarding the Satterfield House also known as the Sandy Level Community Center.

Shelby King, President of the Sandy Level Community Council. She spoke of their desire to preserve the historic Satterfield House, to be used for the Sandy Level community, and also offer to Surry Community College, Hospice, Mount Airy Police Department and Surry County Sheriff's Department. They are asking for help to complete the house so that it can be opened to the community.

Carol Burke, Lebanon Hill Historic District, spoke regarding the ongoing efforts to renovate the Satterfield House. Their goal is to complete the renovations so that the site can be on prominent historic trails and to preserve the history and legacy of the Sandy Level community. They would like to request that the Board provide funding for the completion of this historical site.

Ann Vaughn, 566 Crossingham Road, spoke in support of doing the right thing for the Sandy Level Community Center. They have been working on this property for 35 years. The funds raised through the Autumn leaves Festival is not enough to complete the renovations. She believes it can be used for community functions, classes, fundraisers, and educational programming. She asked the Board to do the right thing by granting them the chance to see a long time dream become a reality.

Thomas Williams, 198 Gordon Street, member of Hope for the City committee and pastor of Shiloh Missionary Baptist church, stated his support for completion of the Satterfield House. He asked the Board to stand on the right side of history and support the completion of this historical project. He would like to see the Board approve necessary funding to see this dream fulfilled.

Rodney Rosser, resident of Mount Airy, original member of Hope for the City committee, expressed his support for the Sandy Level Community's request for financial assistance to complete the Satterfield House. This property is part of the history including being a Rosenwald School site. It is a symbol of black heritage for Mount Airy and hopes that the Board will show their support financially.

Teresa Lewis, Mount Airy resident, provided new information to the Board regarding her expressed interest in the vacant Commissioner seat. She noted her ownership of Workforce International, her previous service on the Board filling the unexpired term of former Mayor Deborah Cochran. During her two-year tenure, she was the swing vote to begin the City's recycling program. She believes she has the qualifications to fill the vacant seat.

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

NEW BUSINESS:

a) Board to Consider Project Ordinance Amendment I for Spencer's Mill Development Phase II

Mayor Niland explained that additional asbestos abatement has been deemed necessary and this amendment is necessary to reflect the additional funding needed. He noted that the developer had agreed to pay the additional money so there would be no additional money from the City funds.

Commissioner Yokeley made a motion to approve Ordinance 2022-007, and it was approved unanimously:

**ORDINANCE # 2022-007
PROJECT ORDINANCE AMENDMENT #1
FOR
SPENCERS DEVELOPMENT PHASE II PROJECT**

WHEREAS the City of Mount Airy adopted a project ordinance for the Spencer's Development Phase II Project on May 20, 2021;

AND WHEREAS it is necessary to amend this project ordinance to reflect the additional funding for the asbestos abatement.

BE IT ORDAINED by the Board of Commissioners of the City of Mount Airy, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the project ordinance is hereby amended as follows:

Section 3

The following amounts are appropriated for the project:

Economic and physical development	\$ 25,000
	<u>\$ 25,000</u>

Section 4

The following revenues are anticipated to be available to complete this project:

Miscellaneous Revenue	25,000
	<u>\$ 25,000</u>

Adopted this 19th day of August, 2021

b) Board to Consider Ordinance Amending Chapter 9 – Section 9-82 of the City of Mount Airy Code of Ordinances

Commissioner Wood made a motion to approve Ordinance 2022-008, and it was approved unanimously:

ORDINANCE NUMBER 2022-008

AN ORDINANCE TO AMEND CHAPTER 9 – SECTION 9-82 OF THE CITY OF MOUNT AIRY CODE OF ORDINANCES

BE IT ORDAINED BY THE CITY OF MOUNT AIRY BOARD OF COMMISSIONERS:

Section 1. That Chapter 9- Section 9-82 of the City of Mount Airy Code of Ordinances be amended as follows (in bold):

Section 9-82. Festival Area Designated for Chamber of Commerce.

a) The Mount Airy Chamber of Commerce is authorized to utilize all public property, streets, sidewalks, and City-owned parking lots to set up crafts and other booths or activities in the following boundaries hereafter referred to as the "festival area," which is defined and limited as follows:

- (1) On Main Street, south from Independence Boulevard to Pine Street, inclusive of Independence and exclusive of Pine Street.
- (2) East on all streets in the Central Business District from Main Street to Renfro Street, exclusive of Renfro St.
- (3) West on all streets from Main Street to Market Street, excluding Market Street.
- (4) From Independence Blvd., North to Rawley Ave., exclusive of Rawley Ave.**

Section 2. This ordinance shall become effective upon approval.

Approved and adopted this the 19th day of August, 2021.

c) Board to Consider Resolution Approving Development Agreement for Spencer's Mill Development

Commissioner Koch made a motion to approve Resolution 2022-011 and it was approved unanimously:

RESOLUTION NUMBER 2022-011

RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR SPENCER'S MILL REDEVELOPMENT

WHEREAS, the City of Mount Airy purchased the Spencer's Mill property with the goal of facilitating adaptive reuse and redevelopment; and

WHEREAS, the property sits in the core of the downtown area and its redevelopment and rehabilitation will address Mount Airy's housing and economic needs while supporting and strengthening the County's rapidly growing tourism and recreation industry; and

WHEREAS, the city entered into an option agreement with Sunhouse Hospitality LLC for the purchase of said property for redevelopment; and

WHEREAS, the purpose of the proposed development agreement is to facilitate the development of said property in a way that best realizes the public benefits to the city and the developer; and

WHEREAS, there are numerous benefits received by the city and developer from the implementation of the development; and

WHEREAS, the terms and conditions of the agreement have undergone extensive review by city staff and the Board of Commissioners and have been found to be fair, just, and

reasonable and after careful review and deliberation, the City Board has determined and concluded that the development agreements meet the goals and needs of the city and complies with all statutory requirements:

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 accept and approve the development agreement between the City and Sunhouse Hospitality, LLC.
- Section 2. The Board of Commissioners does hereby authorize the Mayor to execute said document per final review and approval by the City Attorney.
- Section 3. This resolution shall become effective upon approval.

Approved and adopted this the 19th day of August, 2021.

d) Board to Discuss Rescinding Amendment #1 to Covid-19 State of Emergency

The Board discussed rescinding the amendment that allowed certain businesses to have dedicated on-street parking spaces for the purposes of providing carryout meal service at the time when restaurants were not allowed to serve indoors. After discussion regarding the potential for new restrictions due to increased Covid cases, **Commissioner Cawley motioned to table the item, which was approved unanimously.**

e) Board to Discuss Covid-19 Protocols

Mayor Niland stated the current concerns and status regarding the increase in Covid cases. He referenced the information distributed by the N.C. League of Municipalities and encouraged people to be respectful of others especially elderly, children, and those with compromised immune systems to prevent further outbreaks.

f) Discussion of Willow Street Water Line

Mayor Niland noted that following completion of the Merritt Street water and sewer project, there was approximately \$180,000 leftover that would need to be returned if unspent. It is has been determined that the Willow Street water line needs to be replaced, and that estimated cost is \$140,000-\$170,000. He asked the Board to consider a motion to authorize City staff to begin the process to bid out this project, with the appropriate budget amendment being presented to the Board at their next meeting.

Commissioner Cawley made a motion to authorize staff to prepare a budget amendment to use these leftover funds from the Merritt Street project to fund the Willow Street water line project, which was approved unanimously.

REMARKS BY OFFICIALS:

Commissioner Koch: Encouraged others to get their vaccine. Expressed thanks to volunteers and staff for getting the development agreement accomplished for the Spencer's project. This is an important step in Mount Airy's future.

Commissioner Yokeley: Encouraged everyone to get their vaccination to reduce illnesses and deaths.

Commissioner Cawley: The Board mourns the passing of former Mayor David Rowe. Thanks to those who have asked to be considered for the vacant board seat. Asked for information regarding what comes next with the results of the Vision Committee roundtable discussion, and would like to see this stay on the front burner.

Mayor Niland: Stated that he hopes to have a report ready on how we plan to move forward on the Vision Committee results by the next meeting.

City Manager Barbara Jones: Expressed her appreciation for the service and life of former Mayor David Rowe.

Commissioner Wood: Excited about the approval on the Spencer's Development Agreement. Thanks to those who worked on getting this agreement together.

City Attorney Hugh Campbell: Mr. Campbell stated that two amendments are necessary to the previously approved option agreement on the Spencer's project due to the timing of the development agreement approved today.

To be consistent between these two agreements, he asked first for a motion to amend the option agreement to extend the financial close date from February 28, 2022 to July 31, 2022.

Commissioner Wood made a motion to amend the option agreement to extend the financial close date from February 28, 2022 to July 31, 2022, which was approved unanimously.

Mr. Campbell further explained that the option agreement spelled out the second option period to be due by August 31, 2021 and required a 10-day written notice, which would be exceeded based on action taken today on the development agreement. He asked for a motion to amend the option agreement to waive the "ten-day notice" requirement, stating that the developer fully intends to make the payment by August 31, 2021 as required.

Commissioner Cawley made a motion to waive the ten-day notice spelled out in the option agreement for the Spencer's project, which was approved unanimously.

Mayor Niland: Appreciated the guests including those who spoke tonight. He appreciates the diversity in our community and it is important for us to not forget history. We will be working on how to distribute the ARP funds and if so, how that process will work for non-profits to request some of that funding. Noted the passing of former Mayor David Rowe and his involvement in getting the Spencer's project off the ground. He encouraged everyone to get vaccinated in the interests of keeping everyone healthy.

ADJOURN:

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

Approved and adopted this the 2nd day of September, 2021.

Ronald M. Niland, Mayor

ATTEST:

Melissa N. Brame, City Clerk