



**TOWN OF ELM CITY
REGULAR TOWN COUNCIL MEETING MINUTES
October 15, 2024, at 6:00 PM
Elm City Train Depot 101 Nash St.**

In attendance:

Mayor Pro Tem Tammie Atkinson (hereinafter, Commissioner Atkinson)
Commissioner Gil Wheeler (hereinafter, Commissioner Wheeler)
Commissioner Bridget Wimberley (hereinafter, Commissioner Wimberley)
Commissioner Tim Bridgers (hereinafter, Commissioner Bridgers)
Commissioner Vonica Carr (hereinafter, Commissioner Carr)

Also in Attendance:

Town Clerk Melissa Younger (hereinafter, Clerk Younger)
Zoning Officer Shawn Lucas (hereinafter, Zoning Officer Lucas)
Finance Officer Tiondra Fields (hereinafter, Finance Officer Fields)

Absent:

Mayor Tawanda Moore (hereinafter, Mayor Moore)
Town Attorney Slade Rand (hereinafter, Slade Rand)
Public Works Supervisor Wilbur Etheridge (hereinafter, Wilbur Etheridge)

Call To Order: Mayor Pro Tem Atkinson called the Regular Council Meeting to order on October 15, 2024 at 6:00pm.

Invocation: Mayor Pro Tem Atkinson

Pledge Of Allegiance: Mayor Pro Tem Atkinson

Approval of Agenda: Mayor Pro Tem Atkinson asked for a motion to approve the agenda for October 15, 2024 with the adjustment of beginning with the presentations/discussions portion and adding resolutions from Mack Gay Associates and ARP Grant Funds to action items. **Commissioner Wheeler** made a motion to approve the agenda for October 15, 2024 with the adjustment of beginning with the presentations/discussions portion and adding resolutions from Mack Gay Associates and ARP Grant Funds to action items. **Commissioner Wimberley** seconded the motion. **The motion passed unanimously.**

Presentations/Discussions:

Judge Farris joined us to perform the swearing in of Commissioner Vonica Carr.

Zoning Officer Shawn Lucas joined us via video call. **Mayor Pro Tem Atkinson** asked for a motion to go into Public Hearing. **Commissioner Wheeler** made a motion to go into Public Hearing.

Commissioner Wimberley seconded the motion. **The motion passed unanimously.**

Mayor Pro Tem Atkinson opened the floor for public comment pertaining to questions and/or concerns for: Vape Shops Tobacco Shop, Text Amendment allowing murals in the Town of Elm City Zoning Ordinance, Text Amendment allowing Automobile Rental or Leasing in a B2 Zoning District, Doublewides not allowed in RA Zoning District, and Allowance of Accessory Structures on Adjacent lot that is the Property Owner.

Linda Boyle opposes the idea of a vape shop in Elm City. She believes it can cause health risks to adults and children.

Marsha Wells opposes the idea of a vape shop in Elm City. She stated lights they usually display will be a disturbance and believes that having one in town would discourage other businesses who may otherwise want to operate in Elm City.

Darryn Bynum, a business owner, opposes the idea of a vape shop and is completely against it. He believes that having a vape shop in Elm City would entice younger people. He also feels that it would bring a negative image to the town.

Gabe Merando clarified that the ordinance would keep vape shop out of Town limits.

Shawn Lucas also clarified that the ordinance would exclude said businesses from being able to operate in Town limits.

Joshua Robinson, a non-resident, civic organizer, inquired about maps and/or graphs pertaining to vape shop locations so it would help citizens visualize where certain zoning is.

Mayor Pro Tem Atkinson asked for a motion to close the Public Hearing. Commissioner Wheeler made a motion to close the Public Hearing. Commissioner Wimberley seconded the motion. **The motion passed unanimously.**

- **Vape Shops Tobacco Shop:**

Staff recommends adopting the new ordinance to the Town of Elm City Zoning Ordinance allowing Vape Shops/Tobacco Shop be a minimum of 500ft from each other, school, day/child care center, church, or playground private or public park facility and only be located in a B-3 Highway Business or Light Industrial Zoning District.

Mayor Pro Tem Atkinson asked for a motion to accept Town of Elm City Zoning Ordinance, allowing Vape Shops/Tobacco Shop be a minimum of 500ft from each other, school, day/child care center, church, or playground private or public park facility and only be located in a B-3 Highway Business or Light Industrial Zoning District. **Commissioner Wheeler** made a motion to accept Town of Elm City Zoning Ordinance allowing Vape Shops/Tobacco Shop be a minimum of 500ft from each other, school, day/child care center, church, or playground private or public park facility and only be located in a B-3 Highway

Business or Light Industrial Zoning District. **Commissioner Wimberley** seconded the motion. **The motion passed unanimously.**

- **Text Amendment Allowing Murals in the Town of Elm City Zoning Ordinance:**

Mural can be installed in the B2, B3, or LI Zoning District. Murals must meet a maximum of 500 square feet on the existing wall façade. Needs to be on one side of the wall and not the front façade facing the street. All submission needs to be submitted to the Town of Elm City for review by the Town of Elm City Planning Board with a final review and approval held through a Public Hearing comment session with the Town Council before picking a final one to be painted.

Mayor Pro Tem Atkinson asked for a motion to accept the Text Amendment allowing murals in the Town of Elm City Zoning Ordinance. **Commissioner Wheeler** made a motion to accept the Text Amendment allowing murals in the Town of Elm City Zoning Ordinance. **Commissioner Wimberley** seconded the motion. **The motion passed unanimously.**

- **Text Amendment Allowing Automobile Rental or Leasing in a B2 Zoning District**

To allow U-Haul leasing (rental) be allowed in a B2 Zoning District as a Special Use, with the permit be given to the applicant by the Board of Adjustment through an evidentiary Quasi-Judicial Hearing. Where the Public will receive notice from the Town before the Hearing.

Mayor Pro Tem Atkinson asked for a motion to accept allowing U-Haul leasing (rental) be allowed in a B2 Zoning District as a Special Use, with the permit be given to the applicant by the Board of Adjustment through an evidentiary Quasi-Judicial Hearing. Where the Public will receive notice from the Town before the Hearing. **Commissioner Wheeler** made a motion to allow U-Haul leasing (rental) be allowed in a B2 Zoning District as a Special Use, with the permit be given to the applicant by the Board of Adjustment through an evidentiary Quasi-Judicial Hearing. Where the Public will receive notice from the Town before the Hearing. **Commissioner Wimberley** seconded the motion. **The motion passed unanimously.**

- **Allowance of Accessory Structures on Adjacent lot that is the Property Owner:**

Proposed new Text

Establishment of an Accessory Use

No new accessory use shall be established and no accessory structures shall be allowed until approval of all required permits for the principal use or activity.

Notwithstanding the foregoing, in the RA, R-40, R-20, R-15, R-7, and R-10 districts, one or more accessory uses to a residential principal use may be established and conducted on a lot that is adjacent to and in the same ownership as the lot, if no structure associated with the accessory use has a permanent building

foundation or heated enclosed floor area, and if all applicable setbacks for all lot lines are met. For example, an above-ground swimming pool for household use or a tool shed may be erected on a lot adjacent to a lot in the same ownership that contains a house. No commercial or residential structure shall qualify for this exception

Mayor Pro Tem Atkinson asked for a motion to accept the Allowance of Accessory Structures on Adjacent lot that is the Property Owner Ordinance. **Commissioner Wimberley** made a motion to accept the Allowance of Accessory Structures on Adjacent lot that is the Property Owner Ordinance. **Commissioner Wheeler** seconded the motion. **The motion passed unanimously.**

- **Doublewides not allowed in RA Zoning District**

Staff recommends adopting the new ordinance to the Town of Elm City Zoning Ordinance allowing Manufactured Homes Class A Doublewides in a RA Zoning District. With the Condition that it must be at least a 10-year window that must be seen by the Zoning Administrator, Town Administrator or he/her designee before allowance of the Zoning Permit.

Mayor Pro Tem Atkinson asked for a motion to accept the new ordinance allowing Manufactured Homes Class A Doublewides in a RA Zoning District. **Commissioner Wheeler** made a motion to accept the new ordinance allowing Manufactured Homes Class A Doublewides in a RA Zoning District, with the Condition that it must be at least a 10-year window that must be seen by the Zoning Administrator, Town Administrator or he/her designee before allowance of the Zoning Permit. **Commissioner Wimberley** seconded the motion. **The motion passed unanimously.**

Greg Redman – Mr. Redman came to give an update for the completed audit report for June 2022. He presented his findings to the Board. Mr. Redman was not able to provide a time frame of when they would be able to begin the audit for 2023.

David Batts, a candidate for the Wilson County School Board came to speak to citizens and expressed his reasons for running.

Dana Hill with Clearwater Solutions came to discuss the company's proposal for Elm City. Where the original proposal was \$491k a year, he offered an updated one of \$457k a year. He listed some of the services as: leak repairs, capital planning, and experienced staff to oversee the town.

Action Items:

ARP Grant Funds – **Finance Officer Tiondra Fields** asked that the remaining ARP Funds in the amount of \$15,125.00 be obligated to the Water and Sewer Department. **Mayor Pro Tem Atkinson** asked for a motion for the remaining ARP Funds in the amount of \$15,125.00 be obligated to the Water and Sewer Department. **Commissioner Bridgers** made a motion for the remaining ARP Funds in the amount of \$15,125.00 be obligated to the Water and Sewer Department. **Commissioner Wimberley** seconded the motion. **The motion passed unanimously.**

Mack Gay Associates – **Mayor Pro Tem Atkinson** read two resolutions for the Viable Utility Reserve Grant offer; one in the amount of \$60,000 and one in the amount of \$125,000.

Mayor Pro Tem Atkinson asked for a motion to accept the Viable Utility Reserve Grant offer in the amount of \$60,000. **Commissioner Wheeler** made a motion to accept the Viable Utility Reserve Grant offer in the amount of \$60,000. **Commissioner Wimberley** seconded the motion. **The motion passed unanimously.**

Mayor Pro Tem Atkinson asked for a motion to accept the Viable Utility Reserve Grant offer in the amount of \$125,000. **Commissioner Bridgers** made a motion to accept the Viable Utility Reserve Grant offer in the amount of \$125,000. **Commissioner Wimberley** seconded the motion. **The motion passed unanimously.**

Public Hearings/Comments: Mayor Pro Tem Atkinson opened the floor for public comments.

Ms. Rachel Robinson was not pleased with an interaction she had with Commissioner Wheeler when he came to her house and inquired about her allowing Habitat for Humanity to use part of her property for an easement where they are building the organizations current house.

Carla Stutts stated she was thankful to see some of the leaks around town have been fixed and she would like the town to revisit her property where a leak has been present for a while and not fixed yet. Ms. Stutts also recommended coming up with an "at risk list" for citizens when there is a water violation. She feels it would be helpful to notify people that are not currently on social media and/or don't have access to the TextMyGov service. She also expressed her concern to have direct patrol return to town. She spoke of an attempted home invasion that happened recently, as well as other situations she was made aware of when she contacted the Sheriff Dept.

Joshua Robinson was thankful to see the park updates taking place. Mr. Robinson also asked if there was a timeline for the water issues to be fixed, and if there is more testing that could be done. He feels as though they have been going on for far too long.

Marsha Wells feels that the tax increase is a burden. She then questioned what the plans for the money would be.

Gabe Merando apologized for his outburst at the September meeting. He has been coming to meetings consistently for 3+ years and is passionate about what is going on in town. He would like answers and solutions to the water issues. He feels that the town is in a worse position now with water infrastructure issues than it was 3 years ago.

Old Business: None

New Business: None

Town Staff Reports:

Melissa Younger asked the Board to approve street closures for the Elms Fest on October 26, 2024. The streets included: North & South Railroad St., Main St., and Nash St.

Mayor Pro Tem Atkinson asked for a motion for said street closures. **Commissioner Bridgers** made a motion to close, North & South Railroad St., Main St., and Nash St. for the Elms Fest on October 26, 2024. **Commissioner Wheeler** seconded the motion. **The motion passed unanimously.**

Mayor & Commissioner's Reports:

Commissioner Wimberley requested that Cedar Ridge Trail be placed on the list of streets that need to be repaved. It has caused damage to citizens vehicles.

Commissioner Bridgers spoke about a new internet service available in town by the company Brightspeed. He has begun service with them and looks forward to giving everyone an update on how it goes.

Commissioner Wheeler stated that he is waiting on several other quotes for the arch at Cedar Grove Cemetery and hopefully by the next meeting he will be able to present them.

Mayor Pro Tem Atkinson is in talks with a gentleman by the name of Randy Welch out of Charlotte who provides water testing and he is planning to visit in November.

Approval of Minutes: **Mayor Pro Tem Atkinson** asked for a motion to approve the meeting minutes from the Regular Monthly Council Meeting on September 10, 2024. **Commissioner Bridgers** made a motion to approve the meeting minutes from the Regular Council Meeting on September 10, 2024. **Commissioner Wheeler** seconded the motion. **The motion passed unanimously.**

Adjournment: **Mayor Pro Tem Atkinson** asked for a motion to adjourn the October 15, 2024 Regular Monthly Council Meeting. **Commissioner Bridgers** made a motion to adjourn the October 15, 2024 Regular Monthly Council Meeting. **Commissioner Wheeler** seconded the motion. **The motion passed unanimously.** Meeting was adjourned at 7:49PM.