

Minutes
Town of Chadbourn, North Carolina
Chadbourn Council Regular Meeting
January 3, 2017

The Regular Council Meeting of the Chadbourn Town Council was held Tuesday, January 3, 2017 at 7:00 p.m., in the Council Meeting Room.

Members Present: Mayor Phillip Britt; Councilmembers: Rashad Roberts, Donald Ray Bass, James Green, Colene Kelly and David Worley

Members Absent: None

Others Present: Patricia Garrell, Interim Town Manager; Linda Gaddy, Deputy Town Clerk; Steven Price, Public Works Director; Rene Trevino, Police Department Lieutenant, John Ganus, Code Enforcement Officer and Harold Pope, Town Attorney.

CALL TO ORDER AND ROLL CALL

Mayor Britt called the meeting to order at 7:00 p.m. Linda Gaddy, Deputy Town Clerk took roll call.

INVOCATION

Pastor Danny Russell led the assembly in prayer.

Mayor Britt led the assembly in the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Britt asked Council to make a motion to approve the agenda.

A motion was made by Councilmember Bass to approve the agenda.

Motion by: Bass
Motion Seconded by: Worley
Votes: Ayes - 5
Nays - 0
Abstained - 0

APPROVED

APPROVAL OF MINUTES OF TOWN COUNCIL MEETINGS

1. Regular Meeting Minutes – December 6, 2016
2. Special Called Meeting Minutes – December 14, 2016

Mayor Britt asked Council to make a motion to approve the minutes listed above.

A motion was made by Councilmember Kelly to approve the minutes listed above as one.

Motion by: Kelly
Motion Seconded by : Bass
Votes: Ayes - 5
Nays - 0
Abstained - 0

APPROVED

ANNOUNCEMENTS

- *Town Hall will be closed for Dr. Martin Luther King, Jr., day on January 16th.*
- *Mr. Brian Steven started as the ORC over the WWTP.*
- *Ms. Garrell informed the Board that the Town had to purchase a new influent pump for the Waste Water Treatment Plant. (\$15,000).*

PUBLIC COMMENTS AND CITIZEN REQUEST

Anyone seeking to speak under Public Comments must complete a comment card and submit it to the Town Clerk prior to the start of the Town Council Meeting. When you come up to speak, you will need to state your name, address, what organization that you represent and your topic of concern.

Mayor Britt opened the floor for Public Comments from the comment cards he received.

Mr. Phillip Edwards, Chadbourn, NC

- Mr. Edwards thanked the Chadbourn Police Chief, Police Department and Council for doing a fine job for the Town of Chadbourn and its citizens.

Mr. Russell Gause, Chadbourn, NC

- Mr. Gause spoke in reference to what he considered to be discouraging and degrading remarks posted on Facebook in reference to some of the Town's Councilmembers. Mr. Gause stated that the proper way to confront issues with the Town's Councilmembers is to talk with them directly.

Mayor Britt closed the Public Comments.

PUBLIC HEARINGS

3. NONE

ACTION AGENDA

4. **Draft Amendments to the Code of Ordinances.** Staff is requesting Council's approval to update the Code of Ordinances.

Presented by: Mr. John Ganus, Code Enforcement Officer

Mr. Ganus stated that upon review of the Town's Code of Ordinances, it was found that some chapters are outdated and have multiple versions. Mr. Ganus stated that it is Staff's intent to update the adopted ordinances, remove/repeal multiple versions and to correct those sections which relate to property maintenance and enforcement issues.

Mr. Ganus stated that the purpose of the amendments is to provide for more up-to-date compliance with the NC General Statutes, acceptable practices and streamlining of processes for notices and compliance measures. The proposed draft Ordinance Amendments are as follows:

Ordinance Number 2017-1: An Ordinance Concerning General Penalties, Amending Chapter 1, Section 1-23 of the Code of Ordinances of the Town of Chadbourn.

A motion was made by Councilmember Worley to approve adopting Ordinance Number 2017-1 as written.

Motion by: Worley
Motion Seconded by: Bass
Votes: Ayes - 5
Nays - 0
Abstained - 0

APPROVED

A copy of Ordinance 2017-1 is hereby attached and made a part of these minutes.

Ordinance Number 2017-2: An Ordinance affecting the Regulation of Public Nuisance Conditions, Private Property; Amending Chapter 26 of the Code of Ordinances of the Town of Chadbourn.

A motion was made by Councilmember Kelly to approve adopting Ordinance Number 2017-2 as written with one change as noted. Page 1; under Part One change 26-XX to 26-24.

Motion by: Kelly
Motion Seconded by: Worley
Votes: Ayes - 5
Nays - 0
Abstained - 0

APPROVED

A copy of Ordinance 2017-2 is hereby attached and made a part of these minutes.

Ordinance Number 2017-3: An Ordinance Concerning Abandoned, Junked and Nuisance Vehicles; Amending Chapter 26 of the Code of Ordinances of the Town of Chadbourn.

A motion was made by Councilmember Worley to approve adopting Ordinance Number 2017-3 as written.

Motion by: Worley
Motion Seconded by: Bass
Votes: Ayes - 5
Nays - 0
Abstained - 0

APPROVED

A copy of Ordinance 2017-3 is hereby attached and made a part of these minutes.

Town Council tabled their consideration of the following proposed Ordinances until a Public Hearing could be held.

- 1: **Ordinance Number 2014-4:** An Ordinance Concerning Minimum Housing Standards Amending Chapter 14, Article III of the Code of Ordinances of the Town of Chadbourn.
- 2: **Ordinance Number 2017-5:** An Ordinance concerning Non-Residential Building or Structure Standards; Chapter 15 of the Code of Ordinances of the Town of Chadbourn.

A motion was made by Councilmember Worley to table consideration of Ordinance 2017-4 and Ordinance 2017-5 listed above until after a public hearing is held at their Town Council meeting on Tuesday, February 7, 2017 at 7:00 p.m.

Motion by: Worley
Motion Seconded by: Bass
Votes: Ayes - 5
Nays - 0
Abstained - 0

TABLED

**5. Report from John Ganus, Code Administrator, on the Non-Conforming Status Review.
Presented by: Mr. John Ganus, Code Enforcement Officer**

Mr. Ganus reviewed the Zoning Violation Case and Notice of Violation which was issued to the owner of the vacant lot (parcel # 24835) on Strawberry Blvd at North Oak Street owned by Terry Andrews and Wanda Andrews. Mr. Ganus stated that the Violation was issued to the owner for not obtaining a permit from the Town to use the property as a storage for vehicles and/or creating a junkyard as required by the Town of Chadbourm Zoning Ordinance, Section 86-50 and others.

Mr. Andrews had stated that when he purchased the property, the previous owner used the property to store vehicles so he continued to store vehicles on the property. Mr. Ganus stated that if this was true, Mr. Andrews' use of the property may be considered a legal non-conforming use.

Mr. Ganus stated that upon researching the use of the property, the previous owner did not use the property in the manner in which Mr. Andrews is utilizing the property, therefore Mr. Andrews is in violation of the Town of Chadbourm Zoning Ordinance and will be required to cease the use of the property in the manner in which it is being used.

Mr. Ganus stated that if Mr. Andrews intends to use the property for storage of vehicles and/or junkyard, he must obtain a zoning permit from the Town of Chadbourm for the intended use of his property and comply with the current standards of the current Zoning Ordinance.

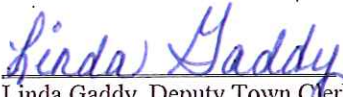
NO MOTION

ADJOURNMENT

With no further business, Mayor Britt adjourned the meeting at 8:23 p.m.


Phillip C. Britt, Mayor

Attest:


Linda Gaddy, Deputy Town Clerk

