

November 12, 2019 (REGULAR MEETING)

Minutes of the regular meeting of the Mayor and Board of Commissioners of the Town of Elkin, November 12, 2019, 6:00 p.m. at Town Hall.

Present: Mayor Sam Bishop, Commissioners Cecily McCulloch, Robert Ball, Will Gwyn and Tommy Wheeler. (Absent: Commissioner Jeff Eidson)

Also present: Town Manager Brent Cornelison, Assistant Town Manager and Recreation and Parks Director Adam McComb, and Town Clerk Cathie Tilley. (Absent: Town Attorney Raymond Parker)

Mayor Bishop welcomed everyone and called the meeting to order. He asked Police Chief Monroe Wagoner to lead our Pledge of Allegiance.

Mayor Bishop explained that Commissioner Jeff Eidson and Town Attorney Raymond Parker were absent tonight. He asked the Board to consider excusing Commissioner Eidson. Commissioner Wheeler made a motion to excuse Commissioner Eidson from tonight's meeting. Upon a second by Commissioner McCulloch, the motion was unanimously approved.

CONSENT AGENDA (Tab A)

The following items were presented for the consent agenda:

- Minutes of October 14, 2019 (Regular Meeting)
- Tax Releases and Discoveries (included as Exhibit A)

Mayor Bishop told the town clerk there was a correction that needed to be made to the minutes. He noticed this afternoon that the word, "alumni" had been left out of Item 5 of the Regular Meeting portion of the minutes. The town clerk made a note to make the correction(s). Mayor Bishop requested consideration of the corrected minutes. A motion by Commissioner Wheeler to approve the corrected minutes was seconded by Commissioner McCulloch and was unanimously approved. Next, Mayor Bishop requested consideration of the Tax Discovery. A motion by Commissioner McCulloch to approve the tax discovery was seconded by Commissioner Ball and was unanimously approved.

PUBLIC COMMENTS

Mayor Bishop asked how many people in attendance were here to speak regarding the new traffic pattern. Several members of the public raised their hands. Mayor Bishop said he was going to make a change in our Agenda by moving the first item from the Regular Agenda Items to this time. He asked the town manager to present an update on the new traffic pattern. Brent Cornelison presented the following information:

- Commissioners Ball and Gwyn were not on the Board at the time this item was discussed.
 - o This will help them understand the process the commissioners went through regarding this matter.
- Have heard comments that the Board of Commissioners heard about the proposed traffic pattern and then passed it.
 - o That is not what happened.

- Town Manager Cornelison presented the following meeting dates and information from those meetings regarding this matter:
- February 17, 2012 (town's annual retreat): Dean Ledbetter from the Department of Transportation spoke to the commissioners. One of the topics he addressed was an Elkin Traffic Concept using roundabouts where he stated:
 - o Will give Elkin a "people friendlier" environment.
 - o Would result in fewer accidents.
 - o Allows for bike lanes.
 - o Makes it safer for pedestrians.
 - o Will be traffic calming.
 - o Town could explore a road enhancement plan.
- March 13, 2017: Dean Ledbetter presented the following information to the commissioners regarding a NCDOT repaving project:
 - o Bridge Street from the Yadkin River Bridge through Church Street will be repaved this summer.
 - o Looking at the possibility of making changes when re-striping Bridge Street after the paving is completed.
 - o Although these changes are not required, we wanted to give Board members an opportunity to have the chance to make changes while this project is being planned.
 - o Town Staff and DOT have been looking at going from four lanes to three lanes from Standard Street to Spring Street.
 - o Also looking at removing the traffic signals at the intersections and replace with all-way stop signs.
 - In lighter intersections (like Standard Street), there will be two-way stop signs on side roads coming into Bridge Street.
 - o We believe it will be in the best interest of the town to make these changes.
 - o If you are wondering why we are looking at this:
 - Traffic volumes are not what they used to be.
 - People are not coming and going to work at the same times as they once did.
 - Would be going from four narrow lanes to three lanes.
 - From pedestrian standpoint, this is not very comfortable.
 - Going to three lanes would move traffic away from people on sidewalks.
 - Will make it easier to cross the street.
 - o Mayor Bishop had him clarify the following:
 - Change from four lanes to three lanes from Standard Street to Spring Street.
 - Remove traffic signals and replace with all-way stop signs.
 - Mr. Ledbetter confirmed both statements are correct.
 - o Commissioner Kennedy:
 - Think 4-way stop signs will cause more accidents.

- Mr. Ledbetter: From our experience, where we have done this, we actually see a reduction going from traffic signals to all-way stops.
 - Also think we need to revisit our decision to remove the stoplight at the intersection of West Main Street and Front Street.
 - Mayor Bishop asked if there would be bike lanes.
 - Mr. Ledbetter: Yes.
 - Commissioner Wheeler:
 - How will on-street parking be affected?
 - Mr. Ledbetter: There is not currently any on-street parking in this area.
 - Showed a slide of peak areas.
 - Discussed changes in traffic over time.
 - Mayor Bishop:
 - Asked if traffic signal would be replaced with stop signs at the intersection where Highway 268 and Spring Street intersect with Bridge Street.
 - Mr. Ledbetter: Yes.
 - Was the fact that Bridge Street is a U. S. highway considered?
 - This is a busy street.
 - Mr. Ledbetter: Yes, and used West Jefferson as an example where this has been done.
 - Are you planning to increase curb and gutter?
 - Mr. Ledbetter: No.
 - Assistant Town Manager McComb asked if the train crossing had been factored into their traffic analysis. (Commissioner Kennedy also asked about the train.)
 - Mr. Ledbetter said he could not picture the train being an impact.
 - Teresa Howell asked if DOT considered heavy traffic on Bridge Street when there are detours on I-77 (happens when there are accidents, road work, etc.).
 - Mr. Ledbetter said there was no count regarding this possibility.
 - Mayor Bishop:
 - We have two board members out.
 - Want to hear from them and staff.
 - Mr. Ledbetter: We will be resurfacing this summer. Waiting another month to hear from the Board should not be a problem.
- April 10, 2017: Public Works Director Robert Fuller, Police Chief Monroe Wagoner and Fire Chief Mike Morton continued the discussion regarding the proposed traffic pattern recommendations from DOT:
- Mayor Bishop:
 - At Standard Street it looks like we are going to have a two-way stop.

- Business owner said cars drive very fast to the bridge once they cross railroad and get by the light.
 - Robert Fuller:
 - Have talked with DOT, and they said this can be changed.
 - Police Chief Wagoner:
 - If it becomes a problem, it can be changed.
 - It might be a round-about.
 - There was much discussion among the Board regarding the all-way stop signs.
 - Commissioner Wheeler said he had received comments against this proposal.
 - Commissioner Whitman made a motion to approve the DOT concept and recommendation. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved.
- May 28, 2017: Commissioner Whitman requested and Mayor Bishop allowed discussion regarding the proposed traffic pattern.
 - Commissioner Whitman:
 - I have had several comments from citizens regarding taking the traffic signal out at the intersection of Bridge and Main Streets.
 - Was under the impression the traffic signals would be removed at the intersection at the library and at the intersection of Bridge and Church Streets.
 - Thinks it would be a travesty to do this as Bridge Street is the most, or at least the second most, traveled street in town.
 - With as much traffic as there is now, does not see how you can have an all-way stop at this intersection.
 - Thinks single lane would be very difficult because currently all four lanes are full as is.
 - Mayor Bishop:
 - I believe DOT plans to leave the lights up.
 - Town Manager Holcomb:
 - DOT will leave the lights up for a period of time.
 - If we incur problems after the lights are taken down, DOT will put them back up.
 - Commissioner Kennedy:
 - Have heard a number of comments about this.
 - People have concerns about it.
 - Mayor Bishop:
 - Have looked at this intersection, and I think it could be a problem.
 - Commissioner McCulloch:
 - Would it be possible to make one intersection an all-way stop?
 - If it does not work, then we do not continue.

- Town Manager Holcomb:
 - I am hearing the Board say that we should tread softly regarding this matter.
- Commissioner Wheeler:
 - I had calls before we did this.
 - I see the potential for a lot of problems.
- Commissioner Eidson:
 - Would like to see the intersection at Standard Street and Bridge Street re-evaluated by DOT.
 - Think this could cause problems.
- Mayor Bishop:
 - My understanding was the lights would be taken down from Church Street to the river.
 - Thought the two-way stop was going to be unsafe at Standard Street.
 - Asked Town Manager Holcomb to look into this.
- Town Manager Holcomb:
 - Robert (Fuller) is on vacation.
 - I will ask them (DOT) to come back to a Board meeting and make their presentation again.
 - Will check to see if they can come to either our June Meeting or our August meeting.
- Commissioner Whitman:
 - We cannot have four-way stops coming into intersections with four lanes.
 - It was noted by several people that the four lanes will change to three lanes.
 - These lanes (four lanes) are full at least half of the time.
- Mayor Bishop:
 - Town Manager Holcomb will contact DOT about this.
- Commissioner Kennedy:
 - There are a lot of reservations about this.
 - It is unique to have a town where people are willing to take time out of their day to come to a Board meeting.
 - You (speaking to the audience) care enough about our town to attend a meeting during the day and to voice your opinions.
 - This Board appreciates that.
 - Elkin is a great town, and it is because of people like you.
- August 14, 2017: Dean Ledbetter presented plans for 4-way stops on North Bridge Street.
 - Stated he would be presenting information from a previous meeting along with some additional information that had come about since then.
 - Did a review of the project which includes repaving and restriping Bridge Street along with replacing traffic signals with all-way stop signs.

- Presented the reasons DOT recommends going from four lanes and removing traffic signals.
 - There was discussion following the presentation including but not limited to:
 - Commissioner Whitman: If the proposed changes do not work, what happens?
 - Mr. Ledbetter: If DOT believes there is sufficient evidence of problems resulting from the changes, DOT will change things back to the way they were.
 - There will be some costs to the town to make the changes back.
 - Asked about going back and discussing some of the proposed changes with DOT staff.
 - Mr. Ledbetter said all DOT staff was in agreement with the proposed changes as presented, and he would not feel comfortable taking this project back to them for further discussion.
 - The traffic signal at Church Street and Bridge Street not being left in place.
 - Making a portion of Church Street one way.
 - Concern about more accidents without traffic signals.
 - Possibility of traffic being diverted from town to I-77.
 - Following much discussion, it was decided the town would look at Church Street, and the Board will revisit this matter at the next regular meeting.
 - Mr. Ledbetter said he would talk with his staff about the Town's concerns.
- September 11, 2017: Response (via email) from Dean Ledbetter on Bridge Street and Church Street.
 - Town Manager Holcomb:
 - Referenced e-mail from Mr. Ledbetter.
 - Asked Police Chief Wagoner to respond to this matter:
 - Our biggest concern was the intersection of Bridge Street and Church Street.
 - Recommendation from Mr. Ledbetter is to remove the traffic signal, leave two-way traffic on Bridge Street, place a stop sign at Church Street and add directional street markings on Church Street.
 - We had concerns regarding speed and visibility.
 - The curve will require drivers to slow down.
 - The proposed street markings will allow better visibility.
 - Showed pictures of cars that park along Bridge Street.

- Might need to eliminate a couple of parking spaces to improve visibility along Bridge Street.
 - Commissioner Whitman made a motion to approve all DOT recommendations. Commissioner McCulloch seconded the motion. Commissioner Whitman said that since our last meeting I have made no less than ten trips to this intersection to make sure our concerns were justified. Looking north, it is not as bad as I thought it was. My concerns were not completely justified. There was no further discussion or questions. The vote on this matter was as follows: voting in favor of the motion were Commissioners Whitman, McCulloch, Eidson and Kennedy; voting against the motion was Commissioner Wheeler. Thus, the motion was approved.
- January 8, 2018: Dean Ledbetter spoke regarding a mini-roundabout at the intersection of Church Street and Bridge Street.
 - Some years ago, our original concept included a mini-roundabout at the intersection of Church and Bridge streets.
 - By the time we brought the project to Elkin, the funds for the mini-roundabout were no longer available.
 - Since that time, additional grant funding has become available to NCDOT.
 - Elkin has been selected to receive funding for this project.
 - Assured the Board of Commissioners that no funding would be required from the Town of Elkin for this project.
 - Said the Board had a resolution of support to consider regarding this project.
 - During discussion, Town Manager Holcomb said the date in the proposed resolution that the town was notified of the project should be changed from December 15, 2017 to December 18, 2017.
 - Town Clerk made a note to make this change.
 - Following discussion, Commissioner McCulloch made a motion to approve a Resolution in Support of North Carolina Department of Transportation Project for Construction of Mini-roundabout at Intersection of Church and Bridge Streets (including the abovementioned change in date). There were no questions. Upon a second by Commissioner Eidson, the motion was unanimously approved. (Copy of Resolution may be found in Resolution Book 4, Page 2018-01-0223.)
- November 8, 2019: Email from Trent Beaver to Brent Cornelison regarding I-77 southbound.
 - Following meeting of downtown merchants, NC DOT representatives and Town representatives, DOT has been working with the contractor working on the I-77 project.
 - Contractor has committed to removing the southbound lane closure on I-77 on Friday November 22nd and not re-installing it until after the first of the year.

- We are hoping this will minimize the impact to the downtown businesses during the holidays.
- This will give DOT a chance to see how the 4-way and 2-way stops will function under normal traffic conditions.
- Contractor may have a temporary lane closure three or four nights to install precast barrier in the median, but only during the night.
- Northbound lane closure and work will continue except during the holiday restrictions.
- DOT plans to place a message on the southbound digital message sign between MM 86 and 87 to advise thru truck traffic to stay on I-77.
- DOT is working with the contractor hoping to reduce the length of the southbound lane closure by relocating the taper/merge to south of NC 67.
- Town Manager Cornelison said this is a huge concession for DOT to ask the contractor to make these changes.
 - DOT heard your (downtown business owners) concerns.
 - I recommend taking this month or month and a half to let DOT watch the traffic.
 - They can evaluate their findings and come to our January meeting with their report.
- Mayor Bishop stated this matter is now in DOT's court.
- Town Manager Cornelison said he has talked with several NC DOT personnel.
 - They are keeping me up to date about what is happening on their end.
 - Have discussed how traffic is affected when I-77 lanes are shut down.
 - It is up to DOT to make a decision.
- Mayor Bishop:
 - Explained the rules for anyone who wanted to speak.
 - Each speaker will have three minutes to make their comments.
 - Each speaker needs to state their name and address for the record.
 - Speakers should not repeat what others have already said.
 - Board of Commissioners will listen to what you have to say, but they will not be making any comments.
 - The following citizens spoke regarding the 2-way and all-way stops: Andrae and Timothy Dehaan—303 Gwyn Avenue; Janice and Michael McGee—190 Wisconsin Avenue; Martha Smith—131 Gwyn Avenue and Sherry Hawks—188 Edgewood Drive. Their comments included but were not limited to:
 - Although the Board has said they cannot do anything about this situation, I demand the Board do something sooner rather than later.

- I understand they (DOT) will be turning the lights (traffic) off on the 20th (of November).
 - This is only two days before the contractor has committed to removing the southbound lane closure on I-77.
- People are avoiding the stop signs by using Gwyn Avenue and Main Street.
 - They are speeding along these streets.
 - Noticed the radar trailer has been placed on Gwyn Avenue.
- As citizens and business owners we feel this matter is in your hands; we are asking you to do something.
- Are the 4-ways safer for pedestrians?
- Are lights other than the ones flashing going to be removed?
- Made comparison of traffic on North Bridge Street to traffic on Main Street and Gwyn Avenue.
- There used to be no vacant parking spaces on Main Street.
 - Now there are many vacant spaces.
 - People are not coming to downtown.
 - They are saying it is too stressful trying to get through the stop signs.
- This (stop signs) is a real problem.
- Businesses downtown cannot afford to wait two years for traffic to get better.
- Moved here about a year ago because it was pedestrian friendly.
 - This is no longer true.
- What DOT has done is not a done deal.
- You are not going to get visitors because of the traffic.
- Why do this when people have put their life blood in their businesses?
- Lot of times people need traffic lights, and it takes a long time to get them.
- We are going back instead of forward.
- People are going to have accidents.
 - Insurance will go up.
- People used to walk their dogs; they don't any more.
- Elkin is no longer pedestrian friendly.
- Would like more information regarding traffic count and mini-roundabout.
- Only walks downtown during early morning hours.
- Saw a wreck happen at intersection while at the Farmers Market.
- Elkin is no longer pedestrian/trail friendly.
- Does not drive through 4-way and 2-way intersections.

- There being no more comments, Mayor Bishop closed the Public Comments period of the meeting.

MAYOR AND BOARD COMMENTS FOR STAFF

- Commissioners Ball, Gwyn and McCulloch had no comments.
- Commissioner Wheeler:
 - After reading in *The Tribune* that no one was coerced to vote for the new traffic pattern, I want to go on record stating I did feel coerced, but not by this Board.
 - I remember Mr. Ledbetter telling the Board that if we did not approve the new traffic pattern, our paving projects could be delayed 7 to 10 years.
 - At that time, North Bridge Street had not been paved in several years.
 - I thought it would delay paving North Bridge Street 7-10 years if we did not approve the new traffic pattern.
- Mayor Bishop:
 - Thanked Adam McComb (Assistant Town Manager/Director Recreation and Parks) for his assistance with the Veterans Day programs over the weekend.

PUBLIC HEARINGS

1. Consider Adopting the Text Amendment for Multi-Family Housing (Sarah Harris)

- This is a legislative hearing, and anyone may speak.
- Planning Board reviewed the proposed ordinance October 28th.
 - Recommend approval.
- Public Hearing was advertised in the Elkin Tribune October 23rd and 30th.
- Text amendments to the Elkin Zoning Ordinance are proposed in order to:
 - Add the definition and use of Dwelling, Townhouse
 - Remove multi-family residential (more than 3 attached units on a single parcel) from existing residential districts and the B2 district
 - Allow multi-family residential up to 20 units in the R-8 district
 - Add a new zoning district specifically for multi-family
- Provided and discussed proposed text amendments, staff report, consistency statement and action item.
- Referenced Public Notice of a public hearing to solicit comments relative to multifamily amendments to the Zoning Ordinance.
- Mayor Bishop opened the Public Hearing.
 - Reminded anyone who speaks to state their name and address for the record.
 - No one requested to speak.
 - Mayor Bishop closed the Public Hearing.
- Ms. Harris invited Brendie Vega, Director of Planning for Withers & Ravenel (works in their Raleigh office) to address the Board. She presented a PowerPoint titled, Multi-Family Housing Recommendations

Amendments to the Zoning Ordinance that addressed the following topics:

- Amendments to the Zoning Ordinance
- Definitions
- Uses Districts
- R-20 and R-12 Zoning Districts
- R-8 Zoning Districts
- B-1 and B-2 Zoning Districts
- New Zoning District – HDMF (High Density Multi-Family)
- Next Steps (adoption of zoning ordinance text amendments and update the Zoning Ordinance)
- Following brief discussion, the following actions were taken:
 - Commissioner McCulloch made a motion to approve the statement that this application is consistent with all of the objectives and policies for growth and development contained in the Town of Elkin Land Use Plan. There were no questions. Upon a second by Commissioner Wheeler, the motion was unanimously approved.
 - Commissioner McCulloch made a motion to approve the statement that the application is both reasonable and in the public interest. There were no questions. Upon a second by Commissioner Wheeler, the motion was unanimously approved. Thus, the Consistency Statement for Text Amendments to the Town of Elkin Zoning Ordinance was approved (copy included as Exhibit B).
- Commissioner Wheeler made a motion to approve an Ordinance to Amend Certain Sections of the Town of Elkin Zoning Ordinance of the Town of Elkin, North Carolina. There were no questions. Upon a second by Commissioner McCulloch, the motion was unanimously approved. (Copy of Ordinance may be found in Ordinance Book 5, Pages 2019-11-0032 through 2019-11-0045.)

This concluded the Public Hearing.

REGULAR MEETING

1. *Receive an Update on the New Traffic Pattern (Town Manager Cornelison)*
 - This item moved to earlier in the meeting.
2. *Consider Approving a Memorandum of Understanding with Lazerfam Enterprises, LLC (Town Manager Cornelison)*
 - In the past, we have discussed that the Heritage, Arts and Trails Center (HATC) would attract other businesses.
 - Dennis and Shannon Lazar have been discussing starting a wine trolley business (Elkin Vine Line) and would like to base it at the Heritage Center.
 - They will staff the Heritage Center on weekends until the town is ready to put our staff in there.
 - Their hours on the weekends will be Saturday from 10:00 a.m. until 6 p.m. and Sunday from Noon until 6:00 p.m.
 - Their vans will run through downtown which will allow passengers to eat downtown if they want to.

- They plan to store wine for their customers, but will take it home at night.
 - They will store their vans at the Heritage Center.
 - Presented a Memorandum of Understanding between the Town of Elkin and Lazerfam Enterprises, LLC.
 - o Our town attorney wrote this document.
 - Commissioner McCulloch made a motion to approve the Memorandum of Understanding between the Town of Elkin and Lazerfam Enterprises, LLC as presented tonight. There were no questions. Upon a second by Commissioner Gwyn, the motion was unanimously approved. (Original MOU on file and copy included as Exhibit C.)
3. *Consider a Request from the "Friends of the Elkin Dog Park" for an MOU for the Funding and Development of a Dog Park at Crater Park (Adam McComb)*
- Referenced a proposed Memorandum of Understanding between the Town of Elkin and the Friends of the Elkin Dog Park (FEDP).
 - o FEDP is a 501(c)(3) nonprofit corporation created for the purpose of funding and developing a controlled space for canine off-leash recreation in the Town of Elkin.
 - The proposed location for this dog park is Crater Park.
 - o Presented a map showing the proposed location for this project.
 - Summarized the proposed items to be agreed upon by the town and FEDP.
 - Pointed out the rules and regulations that will be listed on a sign at the park.
 - Town Attorney Parker has reviewed both the proposed Memorandum of Understanding and the proposed rules and regulations.
 - Discussed funding and possibility of flooding in this area.
 - Following discussion, Commissioner McCulloch made a motion to approve the Memorandum of Understanding between the Town of Elkin and the Friends of the Elkin Dog Park as presented. There were no questions. Upon a second by Commissioner Wheeler, the motion was unanimously approved. (Original MOU on file and copy included as Exhibit D.)
4. *Consider Approving Interlocal Agreement with Surry County to Take Ownership of Certain Water Services (Town Manager Cornelison)*
- The Board instructed staff to begin negotiations with Surry County to take ownership of certain waterlines.
 - The County is ready for the Town to take ownership of these lines.
 - There is a proposed interlocal agreement in your agenda packet regarding this matter.
 - Town of Elkin Water Committee:
 - o Has considered the proposed interlocal agreement
 - Recommends approval with the Town taking ownership January 1, 2020.
 - o Recommends leaving the current rate structure in place until July 1, 2020.
 - o Suggests the Board look at the rates at our annual retreat.
 - We want to work with current customers regarding an increase in their bills.
 - Ownership will provide an opportunity to expand this area.

- o Surry County will assist the town with this.
- Commissioner Wheeler made a motion to approve an Interlocal Agreement Between the Town of Elkin and the County of Surry to Assign Ownership of Certain Water Services from County to Town and to Confirm Operational Responsibilities for the Utility Lines. There were no questions. Upon a second by Commissioner Ball, the motion was unanimously approved. (Original Agreement on file and copy of Agreement included as Exhibit E.)

MANAGER UPDATES (Brent Cornelison):

- NC DOT Aviation Non-Primary Entitlement funds are being considered for a potential terminal building.
- Looking at an architect to draw conceptual plans.
- State will pay for this up to a certain square footage.
- Next project we are looking at is to expand the runway.
- These monies require no match from the Town.

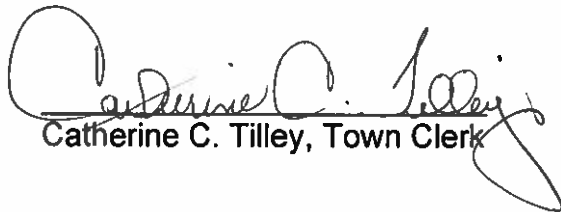
Note: No closed session

There being no further business, Commissioner McCulloch made a motion to adjourn. Upon a second by Commissioner Ball, the meeting adjourned at 7:05 p.m.



Sam Bishop, Mayor

Attest:



Catherine C. Tilley, Town Clerk