

## **MINUTES OF THE WHITSETT TOWN COUNCIL**

**November 8, 2022**

**Whitsett Town Hall Building**

### **REGULAR COUNCIL MEETING**

The regular meeting of the Whitsett Town Council was held on Tuesday, November 8, 2022 at the Whitsett Town Hall. The following members of the Town Council were present: Mayor Richard Fennell, Mayor Pro Tem Jerry Rice and Council Members Cindy Wheeler, Lee Greeson and Craig York.

Also present were Town Administrator Elaine Garner, Town Clerk Barbara York, Planning Board chairman Tyler Harris and 4 citizens.

Mayor Pro Tem Jerry Rice gave the invocation.

Mayor Fennell called the meeting to order at 6:00 p.m., and noted that a quorum was present.

### **SPEAKERS FROM THE FLOOR**

Mayor Fennell asked if there were any Speakers from the Floor and Katie Chung was there representing the Griggs Family. They are proposing to add a Permitted Use Schedule to the residential zoning so they can use their property as an event center. Guilford County's recommendation was that they provide the text for a text amendment to add a permitted use, so they contacted Lawson Brown with Vernon Law Firm to assist in this process. He wrote a proposed zoning and permitted use for the event center which she handed out to the Council. He also provided a letter explaining how he came to the ordinances he used in the proposal, many of which came from the Cities of Mebane, Burlington and Graham.

Council Member Craig York asked if any of these ordinances were currently being used in Guilford County and Ms. Chung stated that in the letter from Mr. Brown, he stated that "he did not find the Guilford County ordinances to be overly helpful".

Mayor Fennell had some questions for Ms. Chung with the first being exactly what kind of events are they planning on hosting at this event center? Ms. Chung stated that they would be having mostly high-end weddings, corporate events, Christmas parties, bridal and baby showers, afternoon tea, and other such get togethers to make the space active. With the subject of weddings, Council Member Cindy Wheeler asked up to how many guests could attend the weddings and what kind of hours they were thinking about. Ms. Chung responded that they were thinking up to 300 guests and the hours for the receptions ending by 11:00 p.m. She feels that they currently do have the parking space to handle this many people, with parking behind the house as well as two parcels of land on the property. They also hope to use shuttles to take guests to and from hotels so they won't have to park on the property. When Craig York asked what the maximum number of cars they would be able to accommodate, she stated that they did not currently have an exact number. There are details of the business plan that the family has yet to work on because they are waiting to find out from the Council if they can even use the property as an event center.

Council Member Cindy Wheeler asked if the property was currently for sale and Ms. Chung stated that it is. They are going to pursue both ways of what to do with the house, and which ever path happens first will probably be the way the family decides to go. Mrs. Wheeler asked if they were intending on having the property rezoned so they could sell it at a higher price and Ms. Chung said no that is not what they were doing. Ms. Wheeler asked if the road running beside the home was a private road and Ms. Chung stated that it was a shared driveway. Ms. Wheeler asked what would happen when that shared driveway gets full from guest parking? Ms. Chung responded that there would be no parking on that road. She stated that the family owns property that goes over to Highway 70 and they would consider cutting a driveway to enter and exit from that road as well as Highway 61. As far as the two parcels of land that is available to the family to use for extra parking, Mr. York asked if they were planning on upgrading the land from a grassy area to perhaps gravel for cars to park on and Ms. Chung said that again, those kinds of decisions hadn't been made yet as they are waiting on permission to turn the home into an event center. She assured the Council that when making those decisions, they would do whatever was environmentally appropriate as well as follow whatever recommendations the Council gives to them.

Mayor Fennell stated that the main issue for him is that the property is right on Highway 61 and the traffic is already very heavy and once the town of Gibsonville puts in their 600+ new homes off of Highway 61 it will be much worse and this could be a hazard. The other issue that concerns him are the people who live around their property and what kind of impact an event center will have on them. He stated that there would need to be a Public Hearing to make any decisions about this topic and all of the neighbors would be invited to attend so they could voice their opinions.

Lane Williamson, who lives behind the Griggs home, said that as the proposed center grows, there could be many events there all during the week and on most weekends and that would be a lot of activity that the neighbors would have to deal with on a regular basis. Ms. Chung countered by saying that it is really sad to see this beautiful house just sitting there empty with no one there to use it. The family cannot just continue to pay for it to just sit there and not be used. She asked if the town didn't want the house used for weddings, what else could it be used for? What is an event defined as? There is no definition in the ordinances. The mayor said that he feels like the number of people should be limited to maybe 200 people. Ms. Chung said the family is open to any suggestions the Council may offer and they would like to have a mutual agreement with the Town so that both parties are satisfied. When discussing the different areas of the property could offer a place to do the actual ceremony, Mrs. Wheeler asked if, since there are several locations for ceremonies, would it be possible to do more than one wedding on a day. Ms. Chung stated that there would likely only be one wedding per day as the venue would be available for use by that wedding party for a full day. Mr. York asked if the family would be open to coming back to Council if and when the event center was to become very active to address any concerns that the Town may be having and she said absolutely.

Susan Brothers McKinney whose elderly father lives across Highway 61 from the Griggs estate shared her concern about the noise level for big events. Mr. York asked if they would be willing to have the hours more restricted during the week rather than late into the evening and Ms. Chung again said they would be willing to discuss these restrictions once they have the go ahead to have an event center and once the Council defines what an event is within the ordinance and what they need to comply with.

When Ms. Williamson readdressed her concern about the event center creating privacy, noise and traffic concerns to her as well as other neighbors, Ms. Chung responded that according to Guilford County, a decision on an ordinance needs to be made to what would apply to all and not just a one of the citizens. Therefore, if we allow Ms. Chung to have an event center, then we would need to allow anyone within the Whitsett town limits to do so as well. Ms. Chung said she knows that the UDO (Uniform Development Ordinance, 160-D) which the state is requiring for area municipalities to participate in, has restrictions about that as well.

Town Administrator Elaine Garner offered that she understood that the family wants to wait to make a lot of decisions in their business plan until the Town gives them the go ahead to create the event center, but the Town needs to know what specifics are intended before they can make a decision. Ms. Chung said it is difficult for the family to commit to things when they don't know what the Town is going to allow or not. Council Member Lee Greeson, said that it was difficult for him as a council member to approve things when he doesn't know the specifics of the plan.

Citizen as well as Planning Board Vice Chairman Karen Horne offered a summation and proposal of what she thought Ms. Chung needs from the Council to turn her home into an event center. The Griggs family sees the house to be suitable for an event center, Ms. Chung has an idea of how to run an event center, but the Town of Whitsett has no ordinance in the books to convert a residential home into an event center so she can't see exactly what it would take to conform to that plan. Therefore, she is asking the Council to propose an ordinance detailing the issues and compliance information for the family to follow when making their business plan. The mayor said that what Ms. Horne is suggesting is the job of the Planning Board. He stated that is why he had Ms. Chung go to the Planning Board last week. He instructed Planning Board Chairman Tyler Harris to take the proposed text amendment from Ms. Chung's lawyer and revise it to represent Whitsett's specific needs. Mr. Harris said in order to make adjustments or amendments to the text amendment from Ms. Griggs lawyer, the Board needs help of good legal counsel. The mayor said if the board needs legal counsel, then call our lawyer and meet with him to find out exactly what we need to do to tailor this specifically to the Town of Whitsett's needs. Once this is done, then bring it back to Council for a final decision and a Public Hearing. The mayor stated that the board is going to have to get the people who are living around this property to get involved in creating this amendment.

## **OLD BUSINESS**

### **1. Adoption of the Minutes**

- Mayor Fennell asked if he heard a motion to accept the minutes from the October 11, 2022 Town Council Meeting. Council Member Craig York made a motion to adopt the October 11, 2022 minutes; motion seconded by Mayor Pro Tem Jerry Rice. Adoption of the October, 2022 minutes was carried by unanimous vote.

### **2. Final Decision of the Saunders and Baity Properties**

- Council Member Craig York read a statement from The Superior Court in Guilford County stating that there is no record of an estate for the Saunders Family that would be subject to any claims. Forethought Life Insurance Company in Salt Lake City, Utah currently has possession of the property. Mr. York will follow up with the heir of the Baity property and will contact the insurance company regarding the Saunders property.

### **3. Update on the Cist Property 502 NC 61**

- Town Administrator Elaine Garner gave an update on the complaint issued for the property at 502 NC Hwy 61 regarding an unkept, not mowed yard that also has trash in it. She contacted the neighbor, Ms. Cist, who reported that the yard had been mowed and the large debris had been removed. The only problem now was the trash. The owner of that house does not have a trash or recycling can. We will call Republic Services and have them deliver cans to that property.

### **4. Town Hall as Emergency Shelter**

- Town Clerk Barbara York reported that the Red Cross had come to the Town Hall to assess whether or not we would qualify to become one of their emergency shelters. We know that there was a problem that we do not have hot water at the Town Hall, our bathrooms are not ADA compliant and neither are our doorknobs. They will send a report to let us know whether or not we qualified, and if not, what we would need to do to bring the Hall up to those standards.

### **Any Other Old Business**

- Mayor Fennell asked if there was any further Old Business and there was none.

## **BOARD AND COMMITTEE REPORTS**

### **1. Planning Board**

- Planning Board Chairman Tyler Harris reported that the Board welcomed Lane Williamson as an official member at the last meeting.
- Katie Chung attended the meeting where they discussed the previously mentioned information regarding turning the Griggs estate into an event center. The Board will review this and try to produce something for the next Council meeting.
- The Board tabled reviewing the town's water agreement.
- Let the Council know that the Board is reviewing the ordinances and trying to get examples from other towns regarding those ordinances. At that point we hope and need to get legal counsel to approve the updated ordinances to be sure the way they are written are in compliance with the state. The mayor reminded us that we do have access to legal counsel through PTCC and the League as well as our attorney. Mr. Harris asked if prior approval was needed to spend the money for an attorney to come to a Planning Board meeting or to consult on these issues before we could proceed with a meeting. The mayor said if we felt we needed an attorney to assist us, then call and get them to help. Prior approval is not necessary as our budget allows for attorney consultations.

## 2. Enforcement Officer/Town Administrator

- Town Administrator Elaine Garner expressed her concerns about unkept properties on Highway 61 that need some kind of guidelines to keep their properties clean and appealing for our community. She wants to know what authority we have to have citizens comply with keeping their properties maintained and looking nice. The mayor responded that this issue had come up years ago and that the conclusion was that if no one complains about the property, then there is really nothing we can do. Complaints need to be submitted in writing and can be done on our website. Complaints must be signed when submitted, but the person who the complaint is filed against is not told who made the complaint.
- Council Member Craig York reported that he is getting estimates for HVAC units.
- Mr. York presented the DCC's that the Town has issued. He is reviewing older DCC's to be sure they have everything they need for compliance. There was discussion regarding the Tuggle property on Highway 61. Mrs. Wheeler let the owner of that property know that the property needed to be cleaned up as his neglect of property upkeep was moving onto her property which is adjacent to his. Mr. Tuggle said that he has money coming in to restore the building and has started doing so.
- Mike Michell's plans for the picnic shelter have been approved and they are awaiting approval from Guilford County with their permits. Mrs. Garner discussed some playground ideas and costs. The Council recommended that we wait to discuss the playground until the picnic shelter is completed.

## NEW BUSINESS

**1. Hot Water.** Mrs. Garner reviewed as stated earlier, that the Town Hall has no hot water and we would suggest doing something to correct that. Council Member Craig York said that there is a hot water heater at the end of the hall near the kitchen that is disconnected from the electrical outlet. There are copper lines coming from the hot water heater and he feels like those copper lines need to be inspected to be sure they are still in good shape and the hot water heater needs to be replaced. The mayor said it all needs to be updated. We will contact Representative Jon Hardister once the election is over with and see where we stand regarding the grant to fund the renovation of the Town Hall.

**2. Christmas Market.** The Town of Whitsett will host it's first annual Whitsett Holiday Market on Saturday, November 19 from 10 a.m. to 4:00 p.m. We will have vendors selling local baked goods and crafts. We will be charging a \$35 vendor fee. The Town will provide the tables and the vendors are responsible for decorating their tables and cleaning up. Town Clerk Barbara York added that Alan Clapp, the electrician, will be coming this week to install outlets in the hallway and in the parlor, change our light fixtures in the ceilings and put the new lights up in the hallways. Tyler Harris asked if he could put up new light fixtures in the kitchen as well.

**3. Christmas Party.** Mrs. Garner invited the Council and their spouses to a Christmas party held at Barbara York's house. The party will be on Saturday, December 3 at 6:30. We are asking that everyone bring a finger food to share.

**4. Educational Opportunities** Elaine Garner made the Council aware that she, Barbara York, Craig York and Jerry Rice had met this week with Harold Owens and Beverly Smith from Burlington. They had come to help support Mrs. Garner and Ms. York with furthering their knowledge of the positions they hold with the town. There are quite a few educational opportunities through the UNC School of Government that they recommended. Ms. Garner wants Ms. York to join the NC Association for Municipal Clerks. The dues for that are \$80 per year. There is also a class called the New Clerks Institute with a \$210 fee that they recommend for Barbara to take. And then in February there is a Clerk's Certification Institute that is a 20-day program lasting through the months of February through August. The cost of that course is \$3200. The two classes are one-time courses and the Association is an organization that supports NC Clerks and furthering their knowledge. The question was asked if education opportunities/professional development are in our budget and they are not at this time. Until the Council can look into the budget aspect of this, a motion was made by Council Member Lee Greeson to send Ms. York to the New Clerk's Institute on November 16 at the cost of \$210. The motion was seconded by Mayor Pro Tem Jerry Rice and all approved.

**5. Any Items from Council Members** Mayor Pro Tem Jerry Rice stated that he had spoken with Wanda Brown regarding our check writing process. Because they are handwritten, they are not being accepted by Positive Pay at the bank. We should be far enough along with the audit to be able to upgrade our QuickBooks subscription. Council Member Craig York interjected that we don't need the QuickBooks online version, just the desktop version and that he can get us a program to use to simply print out our checks. We will discuss with Cobb, Ezekiel and Loy about the best route to take.

**6. Announcements** Elaine Garner introduced Susan Brothers McKinny who has been volunteering many many hours on cleaning out and organizing the piles of boxes of papers and trash that were piled up in two of the first-floor rooms. She is finding important documents to preserve and save to record the history of this building. Mrs. McKinny let the Council know that she is working hard to sort through and get everything organized as well as helping to write a proposal to have the Town Hall put into the Historic Registry. Everyone expressed their appreciation for all of her hard and wonderful work!!

**7. Speakers from the Floor** The Mayor asked if there were any Speakers from the Floor and there were none.

**ADJOURNMENT** With no further business before the Council, Mayor Fennell invited a motion to adjourn. The motion to adjourn was made by Council Member Lee Greeson and seconded by Mayor Pro Tem Jerry Rice. The motion carried; and the November 8, 2022 Town Council meeting was adjourned at approximately 7:25 p.m. The next regular meeting of the Whitsett Town Council is scheduled for 6:00 p.m. on Tuesday, December 13, 2022 at the Whitsett Town Hall.

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Elaine Garner, Town Administrator

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Richard Fennell, Mayor APPROVED

**APPROVED: 12-13-2022**