

**Walter M. Gardner, Jr.**  
Mayor

**John Freeman**  
Administrator

**TOWN OF WARRENTON**  
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**June 14, 2010 Board of Commissioners Minutes**

The June 14, 2010 meeting of the Town of Warrenton Board of Commissioners was held at the Warrenton Town Hall.

Those present were:

Mayor Walter M. Gardner, Jr.	John Freeman, Town Administrator
Commissioner and Mayor Pro Tem Woody King	
Commissioner Jules Banzet	Town Attorney Mitch Styers
Commissioner John Blalock	Public Works Director Bill Perkinson
Commissioner Robert Davie	Police Chief John Younts
Commissioner Mary Hunter	Jennifer Harris, Warren Record
Commissioner Audrey Tippet	
Commissioner John Mooring	

Mayor Gardner called the meeting to order at 7:00pm. He then presented the proposed agenda for approval. Commissioner Banzet moved to approve the proposed agenda; Commissioner Tippet seconded the motion which passed unanimously.

Mayor Gardner then presented the minutes from the meeting of May 10, 2010 for approval. Commissioner Banzet noted a missing word on page 4, and moved that the minutes be approved with that correction; Commissioner Tippet seconded the motion which passed unanimously.

**Public Comments**

No members of the public had requested the opportunity to make comments.

Mayor Gardner then announced that he would move an agenda item from New Business to be discussed at this time to accommodate Mr. Sean Alston, who was in attendance. That item was Mr. Alston's application for a license to operate a game room with pool tables at his place of business at 105 NC Hwy 58, across from the Armory. Mr. Freeman explained that this location is in the Town's ETJ and is zoned C-2 Highway Business in which pool tables are allowed by conditional use permit. Because Mr. Alston planned several tables from which he would derive income Mr. Freeman explained that it was his interpretation that he would also be required to obtain a license for the operation of a game room, as Town Attorney Mitch Styers confirmed. The Zoning Board of Adjustment met on June 2 and approved the permit conditional upon Mr. Alston being granted a license to operate a game room and complying with all of the requirements (Code of Ordinances Chapter 111). Mr. Alston explained that he is a bail bondsman and would set up his office in the same location, which would allow him to monitor the activity of the game room and be present at all times. He said his concept is for a friendly place where patrons would feel safe and comfortable, and that he would not allow loitering of undesirables. One day a month he would like to have a youth tournament during which time no one over 17 years of age would be

admitted. Mr. Freeman noted that there was a restriction against any minors under the age of 16 being allowed in game rooms. There followed considerable discussion. In answer to Commissioner Blalock's question Mr. Alston said he would like to have two-three tables. In answer to Commissioner Mooring's question about serving alcohol Mr. Alston said his intention was to obtain a license to serve beer. It was pointed out that this might limit the age groups but that the rules would defer to state ABC policy. There was also discussion about the definition of "intoxicating liquors" as prohibited in the Ordinance, and it was Mr. Styer's opinion that this included any alcoholic beverage, including beer. He said the goal of the Ordinance was to separate pool tables and alcohol. If the Board so desired, a text change in definitions or the language of the Ordinance relating to alcohol and ages of customers could be amended later. Mayor Gardner said that the Town could grant the permit but Mr. Alston would not be able to obtain an ABC license as the game room license restrictions now stand. Commissioner Hunter asked how such a text change would affect Main Street and Mr. Styers answered that it would apply equally for any game room. Mr. Freeman pointed out that pool tables were not allowed at all in the C-1 Zoning district, and that there had been several inquiries in connection with operating a sports bar. Commissioner Davie asked about parking and Mr. Alston said there was room for as many as 50 cars. Commissioner Banzet questioned Mr. Alston's statement that the property was two acres and Mr. Davie expressed concerns about parking in informal grassy areas adjacent to a major intersection. Mr. Styers recommended that Mr. Alston obtain an occupancy rating from the Fire Marshall. There followed some discussion about what action should be taken by the Board, and Mr. Styers said that a motion to accept the recommendation of the Zoning Board of Adjustments would be appropriate. The actual license could be issued by the Town Administrator by designated authority of the Board. Mr. Mooring moved that the recommendation of the Zoning Board of Adjustment be approved, and that Mr. Alston be granted a conditional use permit for pool tables at his place of business at 105 Hwy 58, conditional upon obtaining a license to operate a game room and obeying all its rules, and upon obtaining an occupancy rating for the facility. Mr. Blalock seconded the motion which passed 4-3 with Commissioners Tippet, Davie and Hunter voting nay. Mr. Styers said that Mr. Alston could petition the Board to change the Ordinance and suggested that downtown merchants could coordinate recommendations and petition the Board about what to allow or change that would apply on Main Street

## **Committee Reports**

### **Finance and Administration**

Commissioner Hunter began her report with a review of the four checks which she said appeared appropriate:

MIT	\$11,554.06	Monthly health insurance
Blackmon	\$46,071.04	Fully reimbursable grant expense
Warren County	\$17,452.46	Monthly water purchase

She then asked Mr. Freeman for his report. He began by clarifying his tax revenue report from the previous month in which he reported a combined amount that included delinquent collections. Year to date \$425,841 had been collected of current year property taxes, exceeding the budget of \$415,790. A total of \$17,955 in delinquent taxes had been collected. He noted a hopeful sign that Sales & Use Tax Revenue had nearly equaled the previous May, and that year-to-date revenue had done better than budget. Reviewing the year-to-date cash flow report he pointed out that the Water Sewer Fund showed a negative cash flow of \$40,293 because a reimbursable grant payment of \$50,538 had been made during the month, but the reimbursement had not yet been received. With this factored in, Water Sewer cash flow would be a positive \$10,245. This is still less than the previous year, reflecting the need for rate adjustments. Again, factoring in the reimbursement, overall cash flow would be almost exactly equal to the previous year.

Mr. Freeman then referred to the copy of the proposed 2010-2011 budget that had been distributed at the beginning of the meeting, explaining that it reflected the decision of the Board to utilize a water sewer rate structure that shifted more of the impact from low to high volume users (scenario 3 from the last budget work

session). He said he planned to discuss it with several of the large volume users beforehand. He also drew the Board's attention to the attached rate sheets that included changes from the original proposed budget:

- Water/Sewer Department Rates that reflect the revised scenario 3 rates
- Privilege License fees that add Health/service provider and Lawn Maintenance, each \$25. Mr. Styers cautioned that health providers licensed by the state should not be required to have a privilege license.
- Police Department fees that were increased to \$30 or \$50.
- Street and Sanitation fees that include the Board approved policy on picking up loose leaves outside of leaf season.

There being no questions Mayor Gardner asked for a motion to confirm the date proposed at the last budget work session for the public hearing on the proposed budget followed by a special Board meeting to consider its approval. Commissioner Blalock moved that the public hearing be held at 6:30pm on Monday, June 28, with the special meeting at 7:00pm or directly following the public hearing. Commissioner Mooring seconded the motion which passed unanimously.

### **Human Resources/Information Technology**

There was no report.

### **Public Safety**

Commissioner Blalock turned to Chief Younts for comment on the monthly activity report. Commissioners Tippet and Davie asked about the reference to larceny, which Chief Younts said was related to a domestic situation, and not the incident reported the previous month. Mr. Blalock asked about vacancies and staffing in the department and Younts said that there were two openings but that reserves were being utilized to fill out the schedule. He said one of the two vacancies had recently occurred when Officer Mazor had resigned and moved to Virginia. Commissioner Davie asked about the status of the parking enforcement attendant, and Chief Younts said that interviews had been held the previous week and that one applicant had been selected but had not yet been contacted. There followed some discussion about sounds impacting life with Chief Younts saying that those were noise ordinance issues and a number of citations had been written.

Commissioner Blalock reported that the fire department had been fairly quiet, but Mayor Gardner announced that on May 15 the fire department had been awarded a \$30,000 grant for the purchase of a new brush truck to replace an old one.

### **Revitalization/Historical**

Commissioner King asked Mr. Freeman for nominations to fill the vacancies on the Historic District Commission, but he said he had not received the information and confirmations necessary and withdrew the item from the agenda.

Commissioner King then presented the names of Rose and Bob Shingler for approval to fill out the terms of the two vacancies on the Warrenton Revitalization Committee. Commissioner Mooring so moved and Commissioner Blalock seconded the motion which passed unanimously.

### **Beautification/Facilities**

Commissioner Tippet asked Mr. Freeman for a report on the agenda item referring to an engineering study for the renovation of Town Hall. He reported that he had received a second proposal from O'Brien & Gere that was less expensive than the one reported last month, but that he had not had the opportunity to determine if the two were directly comparable. There is a possibility that the cost could be included in the grant amount, if certain requirements are met and the grant awarded. He said that he hoped to have a recommendation to present to the Board at the next regular meeting.

Commissioner Tippet then commented on the condition of the Historic Warrenton banners that she had tried to have cleaned and repaired. The dry cleaning firm she contacted had been unable to do so and Mayor Gardner suggested contacting Lake Gaston Awning in Bracey as a firm that could do the repairs and perhaps replace the banners. Mrs. Tippet said the condition of street banners was important to the image of the Town and suggested using holiday banners during the Christmas season. Mr. Freeman summarized a report he had made to the Revitalization Committee in which he had suggested that holiday and theme banners be changed out seasonally and replace the illuminated decorations. The main reason is that Progress Energy has announced that it will now require that they rewire all the poles at a considerable unbudgeted cost. The banners would be less expensive and easy to change out. He did note that removing the lights would not be popular, or possibly acceptable.

Commissioner Tippet remarked on the tall grass at a house on South Main Street opposite Battle Avenue and Mr. Freeman said he had not contacted the owner but would do so.

### **Public Works**

Commissioner Davie asked Public Works Director Bill Perkinson for his monthly report. He said that the contractor videoing the sewer system as part of the Cleanwater Management Trust Fund grant was expected to finish that work today or tomorrow. He said that rain storms had caused some problems such as high flows and power outages but that all had been handled. In answer to Mr. Davie's question about the completion date for the video project Mr. Freeman said it would have to be by the end of July which is the termination date of the grant. There followed some discussion about the continuing odor in the Hazelwood and Rodwell Street areas which the recent county force main replacement project was supposed to fix. Mrs. Tippet asked if the chemicals were still being added by the county and Mr. Perkinson said that was his understanding but that he would check.

### **Zoning**

Commissioner Mooring reported that announcements of the Vacant Property Registration Ordinance had been sent to all owners of property in the C-1 and C-2 business districts. Mr. Freeman said that he had received several calls that ran from angry to hopeful.

### **Unfinished Business**

Mr. Freeman reported that the minor points delaying the American Tower Agreement for marketing town water towers had been resolved and that contracts had been signed on the previous Friday. The company had gathered the necessary information and would begin to market the towers immediately.

Mr. Freeman also reported that the resolution to request the services of Warren County Animal Control passed at the previous Board meeting had not met some county requirements and had been tabled by the county. As explained by Director Elma Greene, Mr. Freeman said the problem is that the county may not enforce a municipal ordinance and that the Town would have to adopt the county ordinance as its own. Animal Control will, however, enforce state statutes such as dealing with rabid or dangerous animals. As picking up stray animals is not in the state statute they would not perform this service unless the county ordinance were adopted. On the other hand, the county ordinance does not include issues important to the Town such as lease laws and noise. Mr. Freeman said that he and Greene would discuss it in more detail.

### **New Business**

Mr. Freeman presented his recommendation the Board approve the proposed contract from auditing firm Winston, Williams, Creech, Evans and Company. At \$17,000 the proposed contract is \$1000 more the current contract, and includes \$12,000 for the audit and \$5,000 for reports. This was more than a second proposal but Freeman recommended Winston et al because of their knowledge of the Town and specialization in governmental audits. Commissioner Blalock moved that the contract be awarded to Winston et al; Commissioner Banzet seconded the motion which passed unanimously.

Mr. Freeman then reported that bids had been received for the Riggans pump station wet well construction part of the Cleanwater Management Trust Fund grant. The winning bid was less than projected which was advantageous because Town matching funds apply to the construction phase; until this point all the project has been 100% reimbursable. AECOM Project Engineer Reid Campbell had reviewed the bids and recommended accepting the low bid of \$44,909 from Harris Equipment Co; Blackmon bid \$52,000 and H.G.Reynolds \$62,280. Commissioner Blalock moved that the contract be awarded to Harris; Commissioner Davie seconded the motion which passed unanimously.

### **Resolutions**

Chief Younts presented a resolution in support of a grant application to the Governor's Highway Safety Program for \$5425 for the purchase of mobile data terminals. He said the matching funds of \$1809 had been budgeted for the department. In answer to Commissioner Blalock's question Chief Younts said that all of the cars except his would be equipped with the MDTs and printers and would have internet access (2 years included) to e-citations, nc awares, DCI for license checks, PolicePak and others. Officers would enter reports and citations on the spot, relieving the department administrative assistant from entering all reports, and would be able to spend more time in the field. Photos from the in-car cameras could be inserted into reports as well. Commissioner Blalock moved that the resolution be approved; Commissioner Banzet seconded the motion which passed unanimously.

### **Announcements**

Mayor Gardner asked for a Board member volunteer as an alternate for him at the Kerr-Tar COG transportation meetings when he was unable to attend. Commissioner Blalock volunteered to do so.

There being no further business Commissioner Blalock moved to adjourn and Commissioner Mooring seconded the motion. Mayor Gardner declared the meeting adjourned at 8:48pm.

Respectfully submitted,

John Freeman  
Town Administrator