

**MINUTES OF THE REGULAR MEETING
OF THE REIDSVILLE CITY COUNCIL
HELD TUESDAY, FEBRUARY 11, 2020 AT 6:00 P.M.
COUNCIL CHAMBERS, CITY HALL**

CITY COUNCIL MEMBERS PRESENT: Mayor John M. “Jay” Donecker
Mayor Pro Tem Harry L. Brown
Councilman James K. Festerman
Councilman Donald L. Gorham
Councilman William Hairston
Councilmember Terresia Scoble
Councilwoman Sherri G. Walker

COUNCIL MEMBERS ABSENT: NONE

CITY STAFF PRESENT: Preston W. Mitchell, City Manager
Angela G. Stadler, City Clerk
William F. McLeod, City Attorney
Chris Phillips, Assistant City Manager
of Administration
Chuck Smith, Public Works Director
Jeff Garstka, Economic Development
Director
Donna Setliff, Community
Development Manager

Mayor Donecker called the meeting to order.

INVOCATION.

Associate Pastor George Gunn, Elm Grove Baptist Church, 1302 Hwy 29 Business, Reidsville, provided the invocation.

PLEDGE OF ALLEGIANCE.

Council then led those present in the Pledge of Allegiance.

PROCLAMATIONS & RECOGNITIONS:

RECOGNITION OF FEBRUARY AS BLACK HISTORY MONTH.

Mayor Donecker asked Elm Grove Baptist Church Associate Pastor George Gunn to come forward and accept the proclamation for Black History Month. (A COPY OF THE PROCLAMATION IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) Reverend Gunn came forward and expressed his gratitude for the City Council’s recognition. He said on behalf of Reverend Clarence Johnson, President of the Reidsville Ministerial Alliance, and Dr. J.C. Bell, Vice President, he would like to

acknowledge the issues that remain in our hearts and the hope that God will stir up all of us to seek the change that needs to take place because the struggle is not over.

RECOGNITION OF 2019 STATE 2A FOOTBALL CHAMPION REIDSVILLE RAMS, HEAD COACH JIMMY TEAGUE AND COACHING STAFF.

Members of the Reidsville High School Football Team, along with members of the Coaching Staff, joined the Mayor as he read a proclamation regarding the team's 21st State Championship and gave the team a Key to the City. (A COPY OF THE PROCLAMATION IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) Coach Jimmy Teague said he would like to thank the City and the community for their support and added that the team did a great job. Mayor Donecker commented how he is impressed with the poise of these players and how they stood up to the challenge. He said they are a special group of young men.

RECOGNITION OF CORPORAL NANCY BENNETT, WHO RETIRED FROM THE REIDSVILLE POLICE DEPARTMENT ON DECEMBER 1, 2019 AFTER 30 YEARS OF SERVICE.

Mayor Donecker asked recently retired Reidsville Police Department Corporal Nancy Bennett to join him as he read the proclamation. (A COPY OF THE PROCLAMATION IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) He asked members of the Council if they wanted to share comments related to Corporal Bennett's career. Councilman Festerman said he had the privilege of hiring Bennett and that she has had an outstanding career. He added something he learned early on was if you didn't want her opinion, you'd better not ask for it. He added that she has a lot more living to do and wished her a happy retirement. Councilman Hairston said he had the privilege of working with Corporal Bennett also, and they had gotten the job done. He wished her well and told her to enjoy her retirement. Councilman Gorham said he had worked with her when she was a DARE Officer and that she had done a fantastic job and the children had loved her. He said she was a blessing to the City. Mayor Pro Tem Brown said he had known Bennett a long time and he thanked her for her service. Councilwoman Walker said she had known Bennett through the Episcopal Church Nursery and that the kids there loved her. She thanked her for her service. Councilmember Scoble said she had gotten to know Corporal Bennett while working at events downtown and said she had always been a professional. Councilman Festerman said he wanted to add one thing, something he had learned that you were never supposed to hug a female officer, but that tonight he was going to hug Bennett, which he did.

Retired Corporal Bennett said she would like to personally thank the current City Council and City Manager and also former Council members Clark Turner, Joan Zdanski, Tom Balsley and John Henderson. She said it was an honor and a true gift to serve her hometown for 30 years. She stated being able to retire from the City is not something she takes for granted and that she would like to thank Chief Hassell, Captain Hinnant, her friends, her family and her partner.

APPROVAL OF CONSENT AGENDA.

Councilman Gorham made the motion, seconded by Councilman Hairston and unanimously approved by the Council in a 7-0 vote, to approve the Consent Agenda.

CONSENT AGENDA ITEM NO. 1 – APPROVAL OF THE JANUARY 14, 2020 REGULAR MEETING MINUTES AND THE JANUARY 24-25, 2020 SPECIAL MEETING (RETREAT) MINUTES.

With the approval of the Consent Agenda in a 7-0 vote, the Council approved the January 14, 2020 Regular Meeting Minutes and the January 24-25, 2020 Special Meeting (Retreat) Minutes.

- End of Consent Agenda –

PUBLIC HEARINGS:

CONSIDERATION OF A TEXT AMENDMENT ALLOWING THERAPEUTIC MASSAGE IN LIGHT INDUSTRIAL AND CENTRAL BUSINESS ZONING DISTRICTS (T2020-1).

In making the staff report, Community Development Manager Donna Setliff stated that Chanelle Conrad had filed a request for a text amendment that would insert Therapeutic Massage as a permitted use in Light Industrial. Staff additionally is requesting that the use also be inserted as a permitted use in Central Business, she said. Setliff explained that Therapeutic Massage had been inserted as a permitted use in Office & Institutional in 1995 and later as a permitted use in the General Business and Highway Business Zoning Districts.

Light Industrial is a zoning district primarily for industrial uses that operate in a clean and safe manner. She noted that there are also business type uses that complement and support industrial uses. She listed as examples the following: art studios, galleries, museums, bakeries, coffee shops, ice cream shops, dialysis centers, exhibit or event centers, microbreweries and offices in the Light Industrial Zoning District. Therapeutic Massage falls in line with these secondary business uses, she said. In Central Business, Therapeutic Massage complements existing permitted uses, Setliff stated, noting she is also recommending it be included as a permitted use in Central Business.

Setliff said the Planning Board unanimously recommended Therapeutic Massage be inserted as permitted use in both Light Industrial and Central Business.

With no discussion by Council, Mayor Donecker opened the public hearing at 6:18 p.m. to ask if there was anyone who wished to speak for or against the text amendment. No one came forward, and the public hearing was closed at 6:19 p.m.

Councilman Gorham then made the motion, seconded by Councilwoman Walker and unanimously approved by Council in a 7-0 vote, to approve Text Amendment T2020-1.

The Ordinance as approved follows:

Amendment T 2020-1

AMENDING THE CITY OF REIDSVILLE ZONING ORDINANCE

AN ORDINANCE AMENDING
ARTICLE V, DISTRICT REGULATIONS
SECTION 2, TABLE OF PERMITTED USES
OF THE CITY OF REIDSVILLE ZONING ORDINANCE

BE IT ORDAINED by the City Council of the City of Reidsville, North Carolina, that the Zoning Ordinance of the City of Reidsville be amended as follows:

Part I. That Article V, Section 2, Table of Permitted Uses be amended by inserting Therapeutic Massage as a permitted use in Central Business, and Light Industrial.

Part II. This Ordinance shall become effective upon its adoption by the City Council of the City of Reidsville, North Carolina

ADOPTED this the _____ day of _____, 2020 by the City Council of the City of Reidsville, North Carolina.

/s/ _____
JOHN M. "JAY" DONECKER, MAYOR, REIDSVILLE, N.C.

/s/ _____
Angela G. Stadler, City Clerk

CONSIDERATION OF A REQUEST TO CONSIDER THE ABANDONMENT OF AN UNDEVELOPED RIGHT-OF-WAY OFF OF MCCOY ROAD (SC 2020-1). THE ADJOINING PROPERTY OWNER, PHYLLIS BILLINGSLEY, HAS PETITIONED THE CITY WITH THIS REQUEST AND IS THE ONLY PROPERTY OWNER INVOLVED.

In making the staff report, Community Development Manager Donna Setliff informed Council that Phyllis Billingsley has petitioned for the City to abandon an undeveloped right of way that runs through property that she, as an adjoining property owner owns, and is the only property owner involved. Setliff referenced a 1948 map in the Council members' packets that shows the right of way was to be used to access a 13-acre tract to the west, which has been subdivided into parcels. There is no need for this access now since the parcels are accessed by North Farmington Drive, she explained, and no utilities are involved. With this right of way closed, the land can be sold as one parcel or subdivided for a single-family or duplex, Setliff commented.

The Community Development Manager said the Planning Board unanimously recommended the right of way be abandoned.

Mayor Donecker opened the public hearing at 6:20 p.m. With no one speaking in favor or against, the public hearing was closed at 6:21 p.m.

Councilman Festerman made the motion, seconded by Councilman Gorham and unanimously approved by Council in a 7-0 vote, to abandon the undeveloped right of way, Docket No. SC 2020-1.

- End of Public Hearings -

CONSIDERATION OF A “RESOLUTION TO RECEIVE PREFERRED BRAND ALTERNATE BIDS FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT”.

Public Works Director Chris Smith presented the staff report based on a January 17, 2020 letter from McGill Associates. (A COPY OF MCGILL’S LETTER IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

Smith stated approval is needed regarding a request to receive preferred brand alternate bids for the wastewater treatment plant improvements project. He detailed information and read aloud from the above mentioned letter pertaining to NC General Statute 133-3, which requires that equipment specifications include either performance standards or a minimum of three suppliers.

Smith noted there is a Resolution in their packets that needs Council approval.

Councilman Festerman made the motion, seconded by Councilwoman Walker and unanimously approved by Council in a 7-0 vote, to approve the Resolution as presented.

The Resolution as approved follows:

RESOLUTION TO RECEIVE PREFERRED BRAND ALTERNATE BIDS FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT

WHEREAS, the City of Reidsville owns, operates, and maintains a Wastewater Treatment Plant for the benefit of the citizens of the City of Reidsville and surrounding communities; and

WHEREAS, the City of Reidsville intends to construct a Wastewater Treatment Plant Improvements project; and

WHEREAS, as part of the treatment process, the Wastewater Treatment Plant has existing mixing equipment in operation, including mixers by Invent Technologies; and

WHEREAS, the Wastewater Treatment Plant Improvements project involves the addition of mixing equipment similar to equipment by Invent Technologies to improve the functioning of the process and for uniformity of equipment, controls, and continuity of operations; and

NOW, THEREFORE, BE IT RESOLVED BY THE REIDSVILLE CITY COUNCIL:

That the City of Reidsville does hereby decide to receive preferred brand alternate bid pricing from Invent Technologies for the mixers, as deemed in the best interest of the City of Reidsville.

Adopted this the 11th day of February, 2020 at Reidsville, North Carolina.

(SEAL)

/s/ _____
John M. "Jay" Donecker, Mayor

ATTEST:

/s/ _____
Angela G. Stadler, City Clerk

CONSIDERATION OF BUDGET ORDINANCE AMENDMENTS NO. 8 & 9 FOR SURPLUS FUNDS AS DISCUSSED AT THE REIDSVILLE CITY COUNCIL RETREAT AND A CAPITAL PROJECT ORDINANCE FOR THE WWTP HEADWORKS SCREEN AND GRIT FILTER PROJECT.

Chris Phillips, Assistant City Manager of Administration/Finance Director, came forward and stated that at the recent City Council retreat, they had discussed surplus funds and fund balance/reserve and for what reasons these funds could be used. He referenced the \$195,092 in General Fund items the monies would be used for, along with the \$655,000 in Combined Enterprise Funds, as outlined in his February 3, 2020 memo. (A COPY OF PHILLIPS' MEMO IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

Phillips mentioned there are two budget amendments and a Capital Project Ordinance included in City Council member's packets, which need Council approval. He clarified BOA #8 would involve the General Fund, BOA #9 would involve the Combined Enterprise Fund and that the Capital Project Ordinance would involve the Wastewater Treatment Plant headworks screen and grit filter improvements. He said these items can be voted on together or as separate issues.

Mayor Donecker asked if Council members had any questions? Councilman Festerman asked for clarification on several of the items referred to in Phillips memo. Phillips and City Manager Mitchell addressed the questions related to the Market Square Musical Park, the picnic shelters at Lake Reidsville and Jaycee Park, and the future lights at Lake Reidsville. Phillips stated the budget will be adjusted to cover these costs. He clarified that the light project will go through the usual bid process. City Manager Mitchell added

that Assistant City Manager Haywood Cloud has already received three bids for that project.

Councilman Festerman asked if there were expenditures related to Lake Hunt in this action. Manager Mitchell said not at this time. Mayor Donecker asked about the ramp at Lake Hunt. Mitchell said Assistant City Manager Cloud is working on that project. Councilmember Scoble asked about the Economic Development Environmental Studies. Phillips explained there are a few parcels in town they are looking at that might be viable for economic development, with three being discussed at the recent Council retreat.

Councilman Gorham made the motion, seconded by Mayor Pro Tem Brown and unanimously approved by the Council in a 7-0 vote, to approve Budget Ordinance Amendment #8.

Budget Ordinance Amendment No. 8 as approved follows:

BUDGET ORDINANCE AMENDMENT NO. 8

WHEREAS, the Mayor and City Council of the City of Reidsville adopted a budget ordinance on June 19, 2019 which established revenues and authorized expenditures for fiscal year 2019-2020; and

WHEREAS, since the time of the adoption of said ordinance, it has become necessary to make certain changes in the City's budget to budget to appropriate prior fiscal year surplus funds for various projects;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Reidsville that the budget ordinance as adopted on June 19, 2019 is hereby amended as follows;

Section 1. That revenue account number 10-3991-0000, General Fund Appropriated Fund Balance, be increased by \$78,142.00; that revenue account number 11-3991-0000, Parks & Rec Fund Appropriated Fund Balance, be increased by \$116,950.00.

Section 2. That expense account number 10-4910-4400, Planning Contracted Services, be increased by \$35,000.00; that expense account number 11-6121-3510, P&R Facilities M&R, be increased by \$9,000.00; that expense account number 10-4910-4400, Planning contracted Services, be increased by \$18,425.00; that expense account number 10-4950-5500, Market Square Capital Equipment, be increased by \$9,917.00; that expense account number 11-6130-5800, Lake Reidsville Capital Improvements, be increased by \$67,000.00; that expense account number 11-6130-5800, Lake Reidsville Capital Improvements, be increased by \$40,950.00; that expense account number 10-4920-5805, Economic Development, be increased by \$14,800.00.

This the 10th day of February, 2020.

/s/_____
John M. "Jay" Donecker
Mayor

ATTEST:

/s/_____
Angela G. Stadler, CMC/NCCMC
City Clerk

Councilman Gorham made the motion, seconded by Councilwoman Walker and unanimously approved by the Council in a 7-0 vote, to approve Budget Ordinance Amendment #9.

The approved Budget Ordinance Amendment No. 9 follows:

BUDGET ORDINANCE AMENDMENT NO. 9

WHEREAS, the Mayor and City Council of the City of Reidsville adopted a budget ordinance on June 19, 2019 which established revenues and authorized expenditures for fiscal year 2019-2020; and

WHEREAS, since the time of the adoption of said ordinance, it has become necessary to make certain changes in the City's budget to budget to appropriate prior year surpluses in the combined Enterprise Fund for capital purposes;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Reidsville that the budget ordinance as adopted on June 19, 2019 is hereby amended as follows;

Section 1. That revenue account number 62-3991-0000, Sewer Fund Reserves, be increased by \$655,000.00.

Section 2. That expense account number 62-7131-5800, Sewer Collection Capital Improvements, be increased by \$155,000.00; that expense account number 62-4120-0052, Transfer to Capital Projects, be increased by \$500,000.00.

This the 10th day of February, 2020.

/s/_____
John M. "Jay" Donecker
Mayor

ATTEST:

/s/_____
Angela G. Stadler, CMC/NCCMC
City Clerk

Assistant City Manager Phillips detailed the process of transferring the funds for the Wastewater Treatment Plant Screen and Grit Filter Improvements and requested authorization.

Councilman Gorham made the motion, seconded by Councilmember Scoble and unanimously approved by the Council in a 7-0 vote, to approve the Capital Project Ordinance authorizing the Wastewater Treatment Plant Screen and Grit Filter Improvements.

The Capital Project Ordinance as approved follows:

CAPITAL PROJECT ORDINANCE

AUTHORIZING WASTEWATER TREATMENT PLANT HEADWORKS SCREEN AND GRIT FILTER IMPROVEMENTS

WHEREAS, North Carolina General Statute 159-13.2 authorizes the establishment of a Capital Project Fund to account for expenses and revenues that are likely to extend beyond a single fiscal year; and

WHEREAS, it is the desire of the Mayor and the City Council of the City of Reidsville to establish a capital project fund for wastewater treatment plant headworks screen and grit filter improvements on February 10, 2020;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Reidsville that:

Section 1 That the following revenue account for this project is hereby established:

57-3988-0000	Transfer in from Other Funds	\$	500,000
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Section 2. The following line items of expenditures are hereby established:

57-7130-1990	Engineering	\$	100,000
57-7130-9911	Contingency	\$	400,000

Section 3. The City Manager, the Public Works Director and Finance Director are hereby granted all necessary authority to carry out this project, including the approval of payment requests as earned under approved contracts, and to approve change orders not exceeding \$25,000. The Finance Director is authorized to make temporary loans to this grant project from the Sewer Fund in order to cover costs before receipt of revenues and to establish an acceptable cash flow.

This the 10th day of February, 2020.

/s/ _____
John M. "Jay" Donecker
Mayor

ATTEST:

/s/ _____
Angela G. Stadler, CMC/NCCMC
City Clerk

PRESENTATION ON ENFORCEMENT RESPONSE PLAN UPDATE.

Public Works Director Chuck Smith presented an update to the City's Enforcement Response Plan to Council as outlined in his January 30th memo. (A COPY OF SMITH'S MEMO IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) He noted the City is required to update the ERP because the EPA made the Dental Amalgam Rule effective on July 14, 2017. NCDEQ requires updates be submitted by February 14, 2020. He explained that staff felt Option #1 was the best course to follow. In response to a question from Council, Smith said Ralph Potter had let the dental offices in the City know of the change.

It was noted that this was a presentation to make Council aware of the change and update but does not require Council approval.

CONSIDERATION OF DEMOLITION ORDINANCE FOR 219 LIBERTY ROAD, REIDSVILLE.

In making the staff report, Community Development Manager Donna Setliff noted that 219 Liberty Road has been condemned by the City's Code Enforcement Officers, and she said she was going to ask that Council approve the Ordinance to demolish the house but to stay it for 30 days.

Setliff then recapped the details outlined in her January 31, 2020 memo. (A COPY OF SETLIFF'S MEMO IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) She noted that the title search had been done on the property, identifying the property owners, the hearings were held after being properly noticed, and the Order went out based on the cost of repairs, which were estimated to be over \$100,000. The structure itself is only around \$12,000 in value, she stated. While the outside of the house is brick, the inside has a large amount of termite damage, Setliff said.

In October of 2019, after the hearing, the house was foreclosed on, the Community Development Manager noted, by the Federal National Mortgage Association (a/k/a Fannie Mae). She said there were steps that they had to go through, but they have procured a contractor to demolish the house. Since the Council packets went out, they have secured a permit to demolish, and she said she has a letter from their attorney saying that as of tomorrow, the electricity to the house would be removed and the house would be demolished within 30 days.

Setliff said this is the reasoning behind her request for a 30-day stay, but she added that if this falls through, she would prefer not to have to come back to Council so that is why

she is requesting Council go ahead and approve the ordinance with the stay. She said she believes it will happen.

Councilman Festerman, who noted he is supportive of staff's request, asked how this came to staff's attention since he had gone by the house and it looks good from the road. Setliff replied that a next-door neighbor had brought it to the City's attention and agreed staff would have never known it looking at it from the outside.

Councilman Gorham related that the story of how one lady had been interested in the house and contacted him about it, but after taking a contractor to the site, she called him back and told him the house was too far gone due to the termite damage.

Councilman Gorham made the motion to proceed with the demolition request for 219 Liberty Road but that it be stayed for 30 days to allow Fannie Mae the opportunity to take care of it. The motion was seconded by Councilmember Scoble and unanimously approved by Council in a 7-0 vote.

The Demolition Order approved but stayed for 30 days follows:

**ORDINANCE TO DEMOLISH
219 LIBERTY ROAD, REIDSVILLE, NORTH CAROLINA**

BE IT THEREFORE RESOLVED:

WHEREAS, on the 27th day of April, 2019, at 10:00 a.m., the Codes Inspector of Reidsville, North Carolina conducted a hearing on violations of Chapter 4, Article II, Housing Code, Reidsville Code of Ordinances, Section 4-26, for the property located at 219 Liberty Road, Reidsville, North Carolina Tax Map No. 7993-10-35-8574. Said Complaint and Notice of Hearing was mailed via Certified Mail to the owner being the Irwin Lublin Living Trust on August 7, 2019. The Certified Mail was returned unclaimed from Andrea Lublin Korpi. The Certified Mail was claimed by Patrick C. Lublin. Further, the Complaint and Notice of Hearing was served on the property owner by publication in the Rockingham Now newspaper on August 7, 2019, and by posting the Complaint and Notice of Hearing on the subject property on August 7, 2019.

WHEREAS, said owner(s) failed to appear at said hearing and presented no evidence, and whereas a copy of the Order of the Codes Inspector was mailed to the owner(s) via Certified Mail on October 15, 2019. Furthermore, the Order of the Codes Inspector was posted on said property on October 15, 2019 and published in the Rockingham Now newspaper on October 20, 2019. The Order allowed said owner to vacate, demolish and remove the above structure on or before January 21, 2020 and whereas there has been no compliance with said Order in that said structure has not been demolished or removed, and remains dilapidated and unfit for human habitation, and constitutes a public health, safety, and fire hazard;

NOW THEREFORE, pursuant to the Reidsville Code of Ordinances, Section 4-29(c), the Codes Inspector of Reidsville, North Carolina is hereby ordered to cause the above structure located at 219 Liberty Road, Reidsville, North Carolina, to be vacated, demolished and removed, in pending demolition and removal to be placard said structure as provided by N.C.G. S. 160A-443 and Section 4-29 (b) of the Reidsville Code of Ordinances.

This is the 11th day of February, 2020.

/s/

John "Jay" M. Donecker, Mayor, Reidsville, North Carolina

ATTESTED BY:

/s/

Angela G. Stadler, City Clerk

**CONSIDERATION OF AN ADDITION TO ARTICLE II. NUISANCES,
SECTION 9-20 NUISANCES PROHIBITED, OF THE REIDSVILLE CITY CODE
OF ORDINANCES.**

City Attorney William McLeod, Jr. reviewed his February 3, 2020 memo regarding enumerated conditions that constitute a "Nuisance" in other municipalities in North Carolina, including Burlington, Eden, Chapel Hill and Winston-Salem, Boone and Nashville. (A COPY OF MCLEOD'S MEMO IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) He explained that Reidsville's current nuisance abatement ordinance is specific and at times, there to be more of a general "catch all" portion to include more circumstances, such as safety and danger to the public health. He said in order to amend the City's Code of Ordinances to allow for those circumstances that affect the safety or danger to the public, he looked at the ordinances from other municipalities. He said these ordinances enumerate certain situations but do have a general "catch all" when certain circumstances are not addressed in the ordinance. He added that he felt the ordinance from Boone provided the best procedure, giving the property owner the opportunity to be heard and due process. He listed all of these in the memo etc.

Mayor Donecker said he liked what McLeod had recommended because he could figure out the process. The City Attorney briefly reviewed the two statutes involved in nuisance abatement, including the summary nuisance abatement process as outlined in N.C.G.S. 160A-193 used primarily for weeds, lot cleanings, etc. and the Police Power Statute listed as N.C.G.S. 160A-174 involving danger to public health. After the Code Inspector identifies the nuisance problem, the property owner has due process but if the property owner doesn't clean it up, the City can file a petition in Superior Court and go through the court system for more aggravated situations, McLeod noted.

Manager Mitchell said the other seven situations, which he described as cut and dried, will stay in place and don't have to come before Council.

Councilman Festerman brought up a situation on Maple Avenue that is not addressed by this but deteriorates the neighborhood. He said he, along with other Council members, get a lot of complaints about this property. Members of the Council then discussed the difference between citizens whose property may be unsightly and those that actually pose a public safety issue. Attorney McLeod stated there are other ways of handling the issue of a property that is unsightly, but they do not fall under the category of a nuisance. He said lowered property values are not included as a public nuisance. He cited various examples of things that might be considered a nuisance, such as being a breeding ground for mosquitos, etc. He offered to look for additional information if that was the desire of Council.

Mayor Pro Tem Brown made the motion, seconded by Mayor Donecker and unanimously approved by the Council in a 7-0 vote, to approve the finding of the City Attorney related to the Ordinance Amending Chapter 9 of the Reidsville Code of Ordinances, Health and Sanitation, Article II, Nuisances, Section 9-20.

The Ordinance Amendment as approved follows:

AN ORDINANCE AMENDING CHAPTER 9 OF THE REIDSVILLE CODE OF ORDINANCES

BE IT ORDAINED:

That Chapter 9, Health and Sanitation, Article II. Nuisances, Section 9-20 of the Reidsville Code of Ordinances is rewritten to include the following addition:

Sec. 9-20. Nuisances prohibited; enumeration.

- (8) Any other condition specifically declared to be a danger or prejudicial to the public health, safety and general welfare of inhabitants of the City and declared to be a public nuisance by a Code Enforcement Officer and affirmed to be a public nuisance by the City Council. The Code Enforcement Officer may declare a nuisance and provide notice to abate the violation(s) prior to the nuisance declaration by the City Council. Such notice shall state the condition existing, the location of the violation and that the City Council will be requested, after public hearing at which the person notified may appear and be heard, to declare that the condition(s) existing constitute a danger to the public health, safety, morals or general welfare of the City inhabitants and a public nuisance. After such declaration by the City Council, in the form of an ordinance, the condition shall be abated as provided in this chapter.

This the 11th day of February, 2020.

/s/ _____
John M. "Jay" Donecker
Mayor

ATTEST:

/s/ _____
Angela G. Stadler, CMC/NCCMC
City Clerk

PUBLIC COMMENTS.

There were no public comments.

CITY MANAGER'S REPORT.

City Manager Preston Mitchell reviewed his City Manager's Report, including the YMCA Community Pool Report for December 2019; the latest quarterly Financial Report from Assistant City Manager Chris Phillips; and a copy of the PTRC 2019 Annual Report for the City of Reidsville.

COUNCIL MEMBERS' REPORTS.

Mayor Pro Tem Brown – Mayor Pro Tem Brown said he had attended the Martin Luther King Jr. event at First Baptist Church on January 20; the City Council Retreat on January 24-25 at the Penn House; and the Tractor Supply event on February 7.

Councilman Hairston – Councilman Hairston said he had attended the commemorative services in honor of Martin Luther King Jr. Day at St. Mariah Church and the MLK Breakfast at Zion Baptist Church, both on January 20; the Ministerial Alliance monthly meeting and the Human Relations Commission meeting on January 28.

Councilwoman Walker – Councilwoman Walker's report, both written and verbal, noted that she had attended the ABC Board meeting and the Reidsville Appearance Commission meeting on January 23; the Council Retreat on January 24 & 25; the Pella Grant Celebration at Lake Reidsville on January 29; the Reidsville Soup Kitchen Bard meeting on January 30; the Ribbon Cutting at SECU on January 31; the HGTV Presentation at Market Square on February 1; and the Chamber Awards Luncheon on February 5.

Councilman Gorham -- Councilman Gorham said he had attended the Planning Board meeting on January 15; the Martin Luther King Jr. Breakfast at Zion Baptist Church, the MLK Block Celebration and Ministerial Alliance Unity March, and the Ministerial Alliance MLK Service at First Baptist Church on Hubbard Street on January 20; the Budget Retreat on January 24 & 25; the RDC Retreat on January 27 & 28 and the Men's Fellowship meeting at Golden Corral on January 28.

Councilmember Scoble – Councilmember Scoble said she had attended the MLK Breakfast on January 20; the Budget Retreat on January 24th & 25th; the Chamber Board

meeting; the new Tractor Supply grand opening on February 7; and the Ribbon Cutting for CRAVE Nutrition on February 11.

Councilman Festerman – Councilman Festerman reported an incident that occurred at Main Street United Methodist Church on Sunday when a choir member collapsed and required medical attention. He said the Reidsville Fire Department should be commended on the way they handled the situation. He stated that the lady did not survive but the first responders did all they could to save her. Councilman Festerman added he had heard that Assistant City Manager Chris Phillips had taken a “cheap shot” at him while making remarks at the Chamber of Commerce annual luncheon, which drew a humorous laugh from the audience. Councilman Festerman joked, “On his worst day, he can handle anything Phillips puts at him.”

Mayor Donecker – Mayor Donecker asked Diane Sawyer to share upcoming events from the Chamber of Commerce. Sawyer reported that the Ribbon Cutting for the Reidsville Tractor Supply would be held on February 21st at noon; the second Annual Reidsville Night at the Greensboro Swarm Basketball Game would be held February 21st; the Chamber Coffee at Reidsville Orthodontics at 1429 Front Street on March 5th; and Casino Night at the Reidsville Elk’s Lodge, located at 1014 Cypress Drive on March 7th.

Sawyer then reviewed the Chamber’s 2019 Annual Report in greater detail. (A COPY OF THE CHAMBER’S 2019 ANNUAL REPORT IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) The Mayor talked of the growth of the Chamber and the increased collaboration between the City and the Chamber, adding that we are passing on the baton to the younger generation, such as Manager Mitchell and Sawyer. Sawyer gave kudos to the City and its staff and noted that elsewhere, Chambers stress not doing things with the City, but the City has been very supportive of the Chamber and its efforts.

The Mayor then briefly reported that the City’s HGTV Takeover video has received over 47,000 views since it was loaded last Friday on the City’s social media and YouTube. He expressed appreciation for how quickly the project was pulled together and executed. He also talked of how Reidsville Orthodontics has a number of overseas visitors coming to visit them on an annual basis as part of an ongoing program because Reidsville Orthodontics is so well regarded in a state that has one of the best dental programs in the Country.

MOMENT OF SILENCE IN MEMORY OF JERRY SCOTT.

Mayor Donecker asked to add to the agenda a moment of silence for Jerry Scott, the founder of Tri-State Steel, who had passed away earlier in today.

ADDITION TO CLOSED SESSION.

The Mayor also said Council needed to add a legal matter under G.S. 143-318.11(A)(3) to the planned closed session for economic development.

MOVE TO THE FIRST-FLOOR CONFERENCE ROOM FOR A CLOSED SESSION TO DISCUSS A LEGAL MATTER AND ECONOMIC DEVELOPMENT PURSUANT TO NCGS 143-318.11(A)(3) & (4).

Councilman Gorham made the motion, seconded by Councilman Hairston and unanimously approved by Council in a 7-0 vote, to go into closed session.

RETURN TO OPEN SESSION.

Upon return to open session, Councilman Hairston asked about the status of the sweepstakes situation. Manager Mitchell said two small operations have closed in the County but none in Reidsville have closed as of yet.

Councilman Festerman noted that in a meeting with Superintendent Shotwell, it was mentioned that South End School would begin offering Spanish immersion classes.

Bill McLeod expressed concern about a utility pole near his office that had been hit and appears ready to topple. Manager Mitchell said staff would contact Duke Energy and give McLeod the number of the State Utilities Commission. Mayor Donecker suggested Davis Montgomery as a possible source of contact within Duke Energy as well.

MOTION TO ADJOURN.

Councilman Gorham made the motion, seconded by Councilman Hairston and unanimously approved by Council in a 7-0 vote, to adjourn at approximately 8:22 p.m.

John M. "Jay" Donecker, Mayor

ATTEST:

Angela G. Stadler, CMC/NCCMC, City Clerk