

Minutes of the Work Session of
The Liberty Town Council
Held on August 19, 2024 5:30 PM

Present

Mayor: The Honorable Filmore York

Council: Terry Caviness, Larry Coble, Don Herndon, Tyson Nixon
and Greg Carpenter

Town Manager: Scott Kidd

Town Clerk: Jessica Brown

Staff: Public Works; Joseph Walsh, Finance Director;
Kathy Bond, Police Chief; David Semrad
Library Director; Brenda Heindl, Assistant
Town Manager; Janie Phelps and Safety Director;
Bret Pedigo

Town Attorney; Robert Giles II

To Order

The Mayor called the meeting to order at 5:30 pm and welcomed everyone and those watching on Facebook.

Adoption of Agenda

Council Member Tyson Nixon made a motion to adopt the agenda with the addition of 5.1 Code Enforcement Update and 6.7 Rural Transformation Fund Grant. Council Member Don Herndon seconded the motion which passed unanimously. Council Members Larry Coble, Terry Caviness, Don Herndon, Tyson Nixon and Greg Carpenter voted yes and adopted the agenda with the additions.

Presentation - Appreciation former Town Attorney William Flowe

Mayor Filmore York, Mayor Pro Tem Larry Coble, and Council Member Tyson Nixon presented a plaque to former Town Attorney Bill Flowe who served the Town for twenty three years. Larry Coble said Bill Flowe was always calm and helped to keep them on track. He said he has the greatest respect for him. Mayor York said it is easy to work with people who are good at what they do and you respect. It was a team effort. Bill Flowe shook everyone's hands and thanked them.

Information

Monthly Reports

Each Department's Monthly Reports are included for review. Library Director Brenda Heindl said her employee Shelia Willoughby is retiring and she will be interviewing for the position. She is proud of the statistics that show more people utilizing our library and Council Member Herndon said he is impressed.

The Fire Department was very busy in July responding to 119 calls as well as helping with numerous community events.

Police Chief Semrad came forward to answer any questions. Council Member Herndon asked him about an ABC application for Liberty Grounds, a new coffee shop in town. Chief Semrad said they are waiting to hear from the state which is normal protocol.

Code Enforcement Report

A representative from SCEI was present and asked if the Council had any questions. Council Member Herndon asked about W Vance/N Asheboro and he said they have been cited and a contractor may come in and mow.

New Business

Road Closure Request September Festival - September 28, 2024

This is a road closure request/resolution for the temporary road closing Saturday September 28, 2024 for the Downtown Festival. This includes the updated map. The festival will be from 11 AM - 5 PM. Mayor York congratulated Kolby Mcpherson for being promoted to permanent Parks and Recreation Director.

Appointment Mark Jones ABC Board

Mark Jones had submitted an application for the vacant position on the ABC Board.

Fee Schedule Addition - add fees Code Enforcement - Ordinance 91.5

These proposed text amendments were adopted in June. This will approve the addition to the fee schedule.

ARPA Forms for sub-grant participants from NCDEQ

There are six forms required to be adopted and signed for sub - grant participants: Eligible Use Policy, Non Discrimination Policy, Uniform Procurement Policy, Cost Principles Policy, Record Retention Policy, and Conflict of Interest Policy. Attorney Robert Giles has reviewed the forms.

Public Hearing - Edwards Crane Special Use Allocation - August 26, 2024 5:30 PM

This is an advertised public hearing for a quasi-judicial review request by applicant Edwards Inc., for a SNIA (Special Nonresidential Intensity Allocation) to the properties of parcel numbers 8726452193 and 8726349835, located at 10121 Old Liberty Road. The proposed plan is requesting to exceed the maximum built upon area of 24% for the WS-III watershed classification in a low-density community. The Town Council will be meeting August 26, 2024 to discuss and hold a public hearing. Citizens may sign up to speak on this matter at the Hearing or submit written comments to the Town Clerk. Janie Phelps came forward. She has looked over the request and it does meet standards. She will discuss more at the Hearing next week.

Budget Amendment - Library RFQ

This amendment is to move funds from General Fund Appr to the Library Dept expenditures line items for "Preliminary Expansion Drawings" (These are monies that will be transferred from the NCCMT Lowe account to the Truist General fund account once budget amendment is approved.)

Rural Transformation Grant

Bret Pedigo came forward and distributed handouts. This grant focuses on improving our downtown's appearance which is something the Council and Town have been working on. This is a local government resolution that could provide \$195,000. The grant does require a 5% match from the town. The deadline is this Thursday.

Council Member Larry Coble made a motion to approve applying for the grant. Council Member Terry Caviness seconded the motion which passed unanimously with Council Members: Larry Coble, Terry Caviness, Don Herndon, Tyson Nixon, and Greg Carpenter voting yes.

Manager's Report

Town Manager Scott Kidd gave the report. Assistant Town Manager Janie Phelps will be serving on the NCAPA, a legislative committee for Planning. The Town Manager said legislation changes a lot and it helps us to be in the conversation. There are a couple of positions open at the library. Parks and Recreation will need more help once the projects from the LWCF grant are completed. He has been meeting with multiple developers looking at water and sewer capacities. He continues to look for grants for infrastructure.

Citizen Comments

Town Attorney Robert Giles read Public Comment rules. Ginger Vaness owner of Liberty Grounds Coffee located at 129 S. Fayetteville Street came forward to speak. She is facing challenges because she submitted an ABC request over five weeks ago and was denied for lack of parking, distance from church, and strain on 911. She said another business has since received approval. The delay is affecting her business and if it had been approved locally she would already be serving.

Council Comments

Council Member Nixon asked about the Cummings for sale sign and the Town Manager said they had resigned the lease months ago.

He said the Garden Club is ready to do their project but can't because of the drainage issue at the Farmer's Market. The Town Manager said they met a few weeks ago. He will have them come present again and will get a final budget of what the drainage issue will cost to repair.

Council Member Nixon said he would like clarification if Liberty Grounds would have been approved would they already have their ABC permit? Police Chief Semrad said he does not have a definitive answer and Council Member Nixon said he would like one. They put thousands into this investment. The Town Manager said it has already been verified they are more than fifty feet from church. Chief Semrad parking was not put on the application and the church was their error. He said adding another establishment was a concern because they have no budget for extra help in the evenings. Council Member Nixon said he is very dissatisfied with the opinion of Detective Summers. Council Member Coble suggested discussing other options for this issue. Council Member Nixon said he thinks the decision should come back to the Town Hall and not the PD. Anyone could have done a GIS search and seen a parking lot. The Town Manager agreed questions should have been asked. Janie Phelps suggested the possibility of bringing back other businesses that were denied to remain consistent. Council Member Nixon said several Council Members are aware and that this applicant owns the building and has done everything right. Council Member Coble suggested that maybe Ms. Phelps could do

some of the work around this. Chief Semrad said the ABC Commission said there is a delay in all ABC requests and the Town Manager said the Commission does hold the key to a permit. Mayor York suggested putting this issue back on the agenda for Monday night.

Council Member Coble said we should continue to look for grants to help low income citizens. He does not want them to be forgotten.

Closed Session per GS 143 - 318.11 (a) (6)

Council Member Tyson Nixon made a motion to go into Closed Session per General Statute 143 - 318.11 (a) (6). Council Member Don Herndon seconded the motion which passed unanimously with Council Members: Larry Coble, Terry Caviness, Don Herndon, Tyson Nixon and Greg Carpenter voting yes. The Town Council went into Closed Session 6:45 PM.

With no further business to discuss in Closed, Council Member Tyson Nixon made a motion to come out of Closed Session. Council Member Larry Coble seconded the motion with Council Members: Larry Coble, Terry Caviness, Don Herndon, Tyson Nixon and Greg Carpenter voting yes. The Council came out of Closed Session at 7:00 PM.

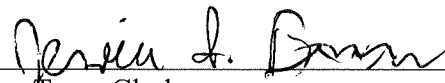
Motion to Adjourn

There being no further business to discuss, Council Member Tyson Nixon made a motion to adjourn the meeting and Council Member Don Herndon seconded the motion which passed unanimously. Council Member Larry Coble voted yes, Council Member Terry Caviness voted yes, Council Member Don Herndon voted yes, Council Member Tyson Nixon voted yes, and Council Member Greg Carpenter voted yes. The meeting was adjourned.



Mayor Filmore York

ATTEST:



Town Clerk

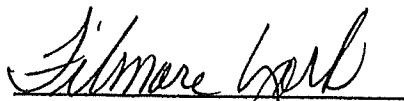
Town Of Liberty
Resolution Application for North Carolina Department of Commerce
Rural Transformation Grant Fund
Rural Engagement & Investment Program
Liberty Downtown Streetscape Project

WHEREAS, The Town of Liberty Town Council had indicated its desire to assist in development efforts within The Town of Liberty; and,

WHEREAS, the Council fully supports the proposed project by Liberty Downtown Streetscape Project which will result in the rehabilitation and improvement of 400 feet of North Depot Street from West Greensboro Street to Starmount Ave; 400 feet of West Swannanoa Avenue from Greensboro Street to Fayetteville Street; and 800 feet of Raleigh Avenue from South Greensboro Street to South Fayetteville Street;

and, WHEREAS, the Council wished to pursue a formal application for Downtown Infrastructure Revitalization in the amount of approximately \$195,000 from the North Carolina Department of Commerce, Rural Transformation Grant Fund, Rural Engagement & Investment Program; The Town of Liberty would be responsible for a 5% match of not to exceed \$9,750 and,

NOW, THEREFORE, BE IT RESOLVED, by The Town of Liberty Town Council: That The Town of Liberty is authorized to submit a formal application to the North Carolina Department of Commerce, Rural Transformation Grant Fund, Rural Engagement & Investment Program in order to provide assistance to benefit Liberty Downtown Streetscape Project.. That this Resolution shall take effect immediately upon its adoption. Adopted this the 19th day of August, 2024 in The Town of Liberty, North Carolina.



Fillmore York, Mayor

Attest:

