

TOWN OF COATS
Board of Commissioners
Thursday, September 14, 2023
Official Minutes

The Town of Coats Board of Commissioners met in regular session on Thursday, September 14, 2023 at 7:00 p.m. in the Board of Commissioners' Meeting Room at Coats Town Hall.

Members Present:

Mayor Chris Coats
Mayor Pro-Tem Jerry Beasley
Commissioner Marc Powell
Commissioner Kelvin Gilbert
Commissioner Shirley Allen
Commissioner Allen Mosby

Others Present:

Nick Holcomb, Town Manager
Connie Lassiter, Finance Director/Town Clerk
Ken Storicks, Chief of Police
Rodney Pleasant, Public Works Director
Al Bain, Town Attorney

I. CALL TO ORDER

A quorum being present, Mayor Chris Coats called the meeting to order at 7:00 p.m.

Mayor Coats delivered the invocation and led those in attendance in the Pledge of Allegiance.

RESOLVED, to approve Agenda.

MOTION BY: Commissioner Marc Powell, SECOND BY: Commissioner Kelvin Gilbert

APPROVED: 5-0, unanimously approved

II. CONSENT AGENDA

A. Approval of Minutes – August 10, 2023 Regular Meeting

B. Approval of Attorney Bill – Services Rendered August 1-31, 2023

RESOLVED, to approve Consent Agenda.

MOTION BY: Commissioner Shirley Allen, SECOND BY: Commissioner Allen Gilbert

APPROVED: 5-0, unanimously approved

III. PUBLIC HEARING

A. Open Burning Ordinance

Town Manager Nick Holcomb introduced the proposed open burning ordinance which would provide a clearer set of rules to be used by law enforcement and the fire department that would set some guidelines for recreation fires, open burning and land clearing with proper approval.

Commissioner Allen Mosby made a recommendation of striking item B-1 under the ordinance because he believed the majority of the houses in town wouldn't be able to have a fire 25 feet from their house due to small lot size.

Mayor Chris Coats opened the Public Hearing; and after hearing no one, Mayor Coats closed the Public Hearing.

B. Noise Ordinance

Town Manager Nick Holcomb explained the proposed noise ordinance would put guidelines in place that could be enforced as new growth in businesses that offer live entertainment had caused issues that the town hadn't previously experienced. The noise ordinance seeks to determine an appropriate window of time where businesses and nonprofits can host music and entertainment events without becoming a nuisance to adjacent residential areas. The proposed time for such events to stop would be 11 a.m. on Friday and Saturday nights and 9:00 p.m. on all other nights with consideration by council for approval on events held during weekdays for holidays, festivals and other special events.

Mayor Chris Coats opened the Public Hearing.

The following individuals expressed concerns of hindering future growth in the Town and the possibility of losing businesses if the noise ordinance was too restrictive with times allowed for events:

Brandon King, Kicking Camel, 174 N McKinley St
Joe Wilkins, 30 S McKinley St
Mark Aaron, 70 S Patterson St
Brad Abate, 2776 Cane Mill Rd
Thomas Poole, 41 Rock Ridge Pl
Tricia Bristow, Coats Chamber of Commerce, 11 E Main St
Michelle Godwin, 870 NC Hwy 55
Jonathan Johnson, 1985 Old Stage Rd
Don Plessinger, 202 Remington Dr

Brandon King noted that he had addressed previous complaints directed toward his events at the Kicking Camel by lowering volume levels and adjusting times. He agreed with the need of a noise ordinance and the timeframes apart from Thursday night which he preferred to be 10:00 p.m.

Joe Wilkins stated that he was the Noise Officer for the City of Raleigh and suggested a consideration of defining the distance from a property line that sound could be heard instead of a hard cut-off time.

Fred Genet, owner of Highlander Green Apartments, Coats NC, informed the Board that his tenants had complained to him about not being able to sleep and study due to the loud music and noise from events at the Kicking Camel.

Kathleen Parrish, 104 N Railroad St, Coats NC stated she lived 300 feet from the back of Kicking Camel and had called 911 thirty times in the last fifteen months with noise complaints. Kenneth Parrish of the same address echoed her concerns of noise from the live events at the Kicking Camel and added that he didn't hear noise from other events held in town.

Mayor Chris Coats closed the Public Hearing after hearing no one else.

IV. NEW BUSINESS

A. Open Burning Ordinance

Commissioner Kelvin Gilbert inquired about the 25 feet distance that Commissioner Allen Mosby commented on earlier as to whether he wanted a shorter distance or no distance restriction at all. Commissioner Mosby replied his preference was no restrictions on distance.

Commissioner Marc Powell asked for Fire Chief Jay Smith's recommendation for distance of fires from a house. Chief Smith recommended passing the ordinance as stated.

Commissioner Allen Mosby commented that citizens should be allowed to use common sense when burning in fire pits because the issue that needed to be addressed was citizens burning illegal stuff and people burning a lot of trees.

Motion by Commissioner Allen Mosby to pass the ordinance striking section B-1. Motion failed due to lack of second.

RESOLVED, to pass ordinance as presented.

MOTION BY: Mayor Pro Tem Jerry Beasley, SECOND BY: Commissioner Marc Powell

APPROVED: 3-2; Ayes (3) - Mayor Pro Tem Jerry Beasley, Commissioner Shirley Allen, Commissioner Marc Powell; Noes (2) - Commissioner Allen Mosby, Commissioner Kelvin Gilbert

B. Noise Ordinance

Board discussion in reaction to citizen comments included:

- Effect on businesses operations and potential of closings with change in time restrictions
- Consideration of ordinances of nearby towns
- Volume restrictions so that citizens would not be affected by the noise level inside their homes
- Researching the suggestion made by Joe Wilkins to define the distance from a property line that sound could be heard instead of a hard cut-off time

RESOLVED, to table.

MOTION BY: Mayor Pro Tem Jerry Beasley, SECOND BY: Commissioner Allen Mosby

APPROVED: 5-0, unanimously approved

C. Set Public Hearing for UDO Adjustments

Town Manager Nick Holcomb reported that it had been a little over a year since the adoption of the revised UDO, and the public hearing would allow citizens a chance to comment on how the UDO had worked in practice. There are three proposed amendments related to sidewalks and parking placement on new homes.

RESOLVED, set Public Hearing for October 12.

MOTION BY: Commissioner Kelvin Gilbert, SECOND BY: Commissioner Shirley Allen

APPROVED: 5-0, unanimously approved

D. Set Public Hearing for Rezoning Request

Town Manager Nick Holcomb stated that a request had been made to rezone 235 E Jackson St from SFR-3 to RMST.

RESOLVED, set Public Hearing for October 12.

MOTION BY: Commissioner Marc Powell, SECOND BY: Commissioner Allen Mosby

APPROVED: 5-0, unanimously approved

E. Street Resurfacing

Nick Holcomb, Town Manager, reminded the Board of the quotes received from Sykes Paving (\$85,480), Patterson Paving (\$114,840) and Highland Paving (\$165,945) for street resurfacing at N Poole St & Odum St, N Ida St, and Winchester Ave & Remington St intersection as well as street patching at Park Ln, Park Ln Ext, and 46 Marlin Ln. that were included in the agenda packet.

Mayor Chris Coats inquired about the noticeable difference in cost between the three contractors. Town Manager Holcomb explained that Patterson and Highland had quoted on a more comprehensive dig out and replacement at Winchester instead of just resurfacing.

Mayor Pro Tem Jerry Beasley suggested taking out patching at Marlin Ln and consider paving it next year along with Whippoorwill.

Commissioner Kelvin Gilbert stated that he liked the total quote from Sykes Paving and noted that some of the price difference could reflect the amount of equipment that had to be moved from job site to job site.

Motion by Mayor Pro Tem Jerry Beasley to approve with the exception of Marlin St. Motion failed due to lack of second.

RESOLVED, to approve entire bid from Sykes Paving.

MOTION BY: Commissioner Kelvin Gilbert, SECOND BY: Commissioner Allen Mosby

APPROVED: 4-1; Ayes (4) – Commissioner Kelvin Gilbert, Commissioner Allen Mosby, Commissioner Shirley Allen, Commissioner Marc Powell; Noes (1) – Mayor Pro Tem Jerry Beasley

Town Manager Holcomb informed the Board that a budget amendment would need to be prepared for approval at the next meeting as only \$72,000 was budgeted for paving this year.

F. Cemetery Plots

Town Manager Nick Holcomb asked the Board for approval on the sale of cemetery lots 125A and 125B in Section C to Procoro Tellez.

RESOLVED, to approve the two cemetery lot sales.

MOTION BY: Commissioner Allen Mosby, SECOND BY: Commissioner Marc Powell

APPROVED: 5-0, unanimously approved

Town Manager Nick Holcomb notified the Board that there were only 9 available lots that remained in the cemetery and recommended that the Town hold between 4 to 6 lots for use in case of any past or future mistakes made in recording, transferring or family selling assigned lots.

RESOLVED, to reserve 6 lots.

MOTION BY: Commissioner Allen Mosby, SECOND BY: Commissioner Shirley Allen

APPROVED: 5-0, unanimously approved

G. Budget Amendment – Park Improvement Project

Nick Holcomb, Town Manager summarized that the Board made it clear at the meeting last month that they wanted the multi-purpose hardcourt park project completed. The project went over budget by \$7,340 which was taken out of the Parks and Recreation operating budget Park Improvement Plan line item. The budget amendment would put the monies back in the operating line item to be used for other projects that were listed in the parks report that Mike Collins, Parks & Recreation Director, submitted in his written department update.

RESOLVED, to approve budget amendment for \$7,340 from fund balance to Park Improvement Plan line item.

MOTION BY: Mayor Pro Tem Jerry Beasley, SECOND BY: Commissioner Allen Mosby

APPROVED: 5-0, unanimously approved

RESOLVED, to take a five minute recess.

MOTION BY: Commissioner Allen Mosby, SECOND BY: Commissioner Marc Powell

APPROVED: 4-1; Ayes (4) – Mayor Pro-Tem Jerry Beasley, Commissioner Allen Mosby, Commissioner Shirley Allen, Commissioner Marc Powell; Noes (1) – Commissioner Kelvin Gilbert

Recessed at 8:40 p.m. and reconvened at 8:45 p.m.

V. ORDINANCE TO REPAIR OR DEMOLISH

A. 105 E Washington St

Town Manager Nick Holcomb reported that repairs were not completed but that efforts to repair had moved along since May. He asked the Board to allow Ben Dixon to speak on the current status of repairs, and communicated that the matter before them was to grant a final extension to November 1.

Ben Dixon explained that he was wrong in his estimation of time to complete the repairs; but according to his general contractor, in about three weeks he would be ready to finish up. The County had given instructions on repairs needed to bring up to code and those repairs had been completed and signed off on by the County for the rough-in structurally as well as HVAC, plumbing and electrical. Cabinets, paint and flooring remains to be done.

The general consensus of the Board was a lot of work and money had already been put into repairs, so it would be lamentable to have to demolish. Commissioner Kelvin Gilbert expressed

that the Board needed to be cautious when granting multiple extensions as it would set precedents for future cases.

RESOLVED, to give extension to November 9 and have Town Manager get bids ready for November 9 meeting.

MOTION BY: Mayor Pro Tem Jerry Beasley, SECOND BY: Commissioner Allen Mosby

APPROVED: 5-0, unanimously approved

B. 166 E Jay St

Nick Holcomb, Town Manager, relayed that the individual at this address was living in an unsafe environment. A grill was being used to burn trash, and there had been fires on the front porch. The property does not meet minimum housing standards and no efforts have been made to repair.

Town Manager Holcomb noted that, if passed, the ordinance would extend demolition to October 22 which would allow resident to gather belongings and look for other housing options.

RESOLVED, to give extension to November 9 and have Town Manager get bids ready for November 9 meeting.

MOTION BY: Mayor Pro Tem Jerry Beasley, SECOND BY: Commissioner Allen Mosby

APPROVED: 5-0, unanimously approved

VI. PUBLIC FORUM

Mayor Chris Coats opened the Public Forum.

Tricia Bristow, Coats Chamber of Commerce Executive, reminded everyone of the BBQ Cook-off plate sale that would be held at 11:00 a.m. on Saturday, September 16.

Mayor Coats closed the Public Forum after hearing no one else.

VII. MANAGER & DEPARTMENT UPDATES

A. Review of Financial Statement

There were no questions or comments.

B. Community Signage Program

The museum had proceeded with signage program. Town Manager Nick Holcomb offered \$1,000 to pay toward the signage based on instructions from the Board at the August meeting.

Town Manager Holcomb relayed that the people with the Community Garden idea liked the option of having it at the new Public Works Shop. They were looking at installing 8 beds next Spring and would like a small pile of compost. They have questioned whether they would need to open a water account or would the Town be willing to offer the first 2,000 gallons of water for free.

Town Manager Holcomb informed the Board that the engineering and design had been completed for the water project and there were hopes for a November approval so that advertising for bids could begin in December.

C. Council Training

Town Manager Nick Holcomb offered the Board an opportunity to take advantage of a Council Training program instructed by the Mid Carolina Council of Government from 5:00 p.m. to 6:15 p.m. prior to the November 9 meeting on topics included in the agenda packet.

Mayor Pro Tem Jerry Beasley expressed that an hour and fifteen minutes was not enough time to cover all the topics and would rather have work sessions scheduled at least every quarter.

Commissioner Marc Powell suggested having a list of dates with topics to schedule work sessions at the next meeting.

VIII. ADJOURN

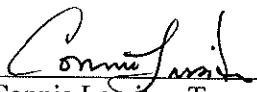
Mayor Chris Coats called for a motion to adjourn.

RESOLVED, to adjourn.

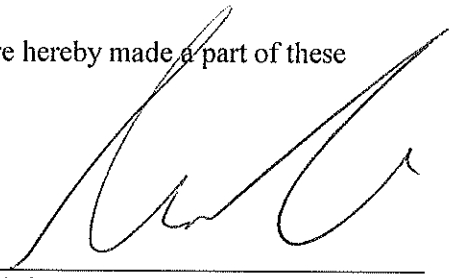
**MOTION BY: Commissioner Allen Mosby, SECOND BY: Commissioner Shirley Allen
APPROVED: 5-0, unanimously approved**

Meeting adjourned at 9:14 p.m.

The attached documents of reference are incorporated herewith and are hereby made a part of these minutes.



Connie Lassiter, Town Clerk



Chris Coats, Mayor