

**TOWN OF LONG VIEW  
TOWN ALDERMEN MEETING  
June 14, 2010**

The Town of Long View Board of Aldermen met on Monday, June 14, 2010 at 7:30 p.m. in the Town Council Chambers of the Government Center in Long View, North Carolina.

**BOARD MEMBERS PRESENT:** The following members of the Board were present: Mayor Pro Tem Vernon Moyer, Alderman John McDaris, Alderman Randall Mays, and Alderman Jackie Bowman.

**BOARD MEMBER NOT PRESENT:** The following member of the Board was not present: Alderman Ken Bumgarner was not present but available by telephone during the meeting.

**STAFF PRESENT:** The following members of staff were present: Town Administrator David Epley, Town Clerk Stephanie Watson, Town Attorney Redmond Dill, Finance Director James Cozart, Town Planner Charles Mullis, Public Works Director David Draughn, Water Plant Superintendent Rani Holland, Fire Chief Eric Shepherd, Police Chief Cecil Rogers, and Police Officer Justin Roberts.

**OTHERS PRESENT:** There were no others present.

**MEETING CALLED TO ORDER:** Mayor Pro Tem Vernon Moyer called the meeting to order and Mayor Pro Tem Vernon Moyer gave the invocation.

**APPROVAL OF MINUTES:** Mayor Pro Tem Vernon Moyer asked for approval of the minutes. Motion was made by Alderman Randall Mays, seconded by Alderman John McDaris to approve the May 10, 2010 minutes. The vote was unanimous, by all Board members present at the respective meeting.

Motion was made by Alderman Jackie Bowman, seconded by Alderman Randall Mays to approve the May 24, 2010 minutes. The vote was unanimous, by all Board members present at the respective meeting.

**FIRST PUBLIC HEARING TO DISCUSS THE PROPOSED 2010-2011 BUDGET**

Mayor Pro Tem Vernon Moyer called for a Public Hearing to discuss the proposed 2010-2011 Budget.

Town Administrator David Epley briefly went over the updated Fee Schedule for the Town of Long View. Mr. Epley explained that some of the items in the Fee Schedule were consolidated so as to not have repeating or redundant fees.

Mr. Epley informed to the Board that the Town will need to raise the security deposit fee for home owners in Long View from \$100 to \$200. At the Board's request at the May Budget Work session, Mr. Epley spoke with the cleaning crew. He explained that the cost for cleaning the Recreation Center after each use is approximately \$150 - \$175. With the new \$200 security deposit fee for home owners in Long View, the cost for cleaning the Recreation Center would be covered.

Alderman Randall Mays wished to thank Town Administrator David Epley for getting the information about cleaning cost for the Recreation Center.

Motion was made by Alderman Jackie Bowman, seconded by Alderman John McDaris to adopt the 2010-2011 Budget upon first reading. The vote was unanimous.

**CALL FOR A SECOND PUBLIC HEARING ON JUNE 28, 2010 TO DISCUSS THE PROPOSED 2010-2011 BUDGET**

Mayor Pro Tem Vernon Moyer requested a motion to call for the second public hearing on Monday, June 28, 2010 to discuss the proposed 2010-2011 Budget.

Motion was made by Aldermen Randall Mays, seconded by Alderman John McDaris to call for a public hearing on Monday, June 28, 2010 to discuss the proposed 2010 – 2011 Budget. The vote was unanimous.

**A RESOLUTION OF INTENT TO CLOSE AN UNOPENED PORTION OF 19<sup>TH</sup> STREET SOUTHWEST (LOCATED BETWEEN 1<sup>ST</sup> AVENUE SW AND MAIN AVENUE NW) – TOWN PLANNER CHARLES MULLIS**

Town Planner Charles Mullis informed the Board that the Town had received an application from Nelson Oil Company to close the unopened portion of 19<sup>th</sup> Street SW (located between 1<sup>st</sup> Avenue, SW and Main Avenue, NW).

Mr. Mullis informed the Board that he had received a letter from Nelson Oil Company dated May 21, 2010 that stated, “Our company is experiencing significant erosion at our property line that borders 19<sup>th</sup> Street SW here in Long View. We have a concrete wall along that line and the drainage along that street is starting to erode the foundation of the wall.”

Mr. Mullis informed the Board that Nelson Oil Company would like the Town of Long View to take steps to correct the drainage situation. Nelson Oil Company has requested that the Town would close that unopened portion of 19<sup>th</sup> Street SW so that the company could deal with the erosion problem in the best way they see fit.

Mr. Mullis explained that General Statute 160A-299(a) states, “When a city proposes to permanently close any street or public alley, the council shall first adopt a resolution declaring its intent to close the street or alley and calling for a public hearing on the question. The resolution shall be published once a week for four successive weeks prior to the hearing, a copy thereof shall be sent by registered or certified mail to all owners of property adjoining the street or alley as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley.”

Mr. Mullis informed the Board that the Planning Board requests the adoption of the resolution of intent to close an unopened portion of 19<sup>th</sup> Street Southwest and to call for a public hearing on the matter to be held on Monday, August 9, 2010.

Mr. Mullis explained that the street in question does not lead to anywhere. There are a water meters in that area and Nelson Oil Company is aware that the Town will still need access to those meters even if the street is closed.

Mr. Mullis informed the Board that he has not spoken with the adjacent property owners about the closing of the street but he said that he would once the resolution of intent to close a portion of 19<sup>th</sup> St SW is adopted. The resident will also be notified about the public hearing for this matter, so that he will have the chance to give his opinion.

Mayor Pro Tem Vernon Moyer asked if the Town will need to maintain or develop a right-of-way to the meters that are currently there. Mr. Mullis said that he believed that the meters were already on a designated right-of-way.

Attorney Redmond Dill said that the Town should make sure that there was a right-of-way in place.

Mayor Pro Tem Vernon Moyer suggested that the Town verify a right-of-way is there or work towards getting a right-of-way so that the Town will be prepared if the Town declares the street closed.

Public Works Director David Draughn informed the Board that the water line only feeds to the Nelson Oil Company's property and is a 1 ½ inch line. The line runs along the retaining wall.

Alderman John McDaris noted that the street in question never connected to 1<sup>st</sup> Avenue Southwest.

Mr. Draughn said that if the meter were moved to the road then the Town would only have to service the meter and would not need to make sure there is a right-of-way to maintain. He felt this would be the better choice.

Motion was made by Alderman Randall Mays, seconded by Alderman Jackie Bowman to adopt the Resolution of Intent to Close an Unopened Portion of 19<sup>th</sup> Street Southwest (located between 1<sup>st</sup> Avenue SW and Main Avenue NW). The vote was unanimous.

Motion was made by Alderman Jackie Bowman, seconded by Alderman John McDaris to call for a public hearing on Monday, August 9, 2010 to discuss the closure of an unopened portion of 19<sup>th</sup> Street Southwest (located between 1<sup>st</sup> Avenue SW and Main Avenue NW). The vote was unanimous.

**CALL FOR A PUBLIC HEARING TO DISCUSS THE PROPOSED ORDINANCE TO AMEND CHAPTER 70 OF CODE OF ORDINANCES ENTITLED GENERAL TRAFFIC REGULATIONS; TRAFFIC-CONTROL DEVICES**

Town Administrator David Epley informed the Board about the ordinance to amend Chapter 70 of the Code of Ordinances entitled General Traffic Regulations; Traffic-Control Devices.

Mr. Epley explained to the Board that when the new ordinance is adopted it will be at the discretion of Board to identify where "No Thru Truck" signs shall be placed throughout Town.

Mr. Epley said that there was a portion of the new ordinance that the Board should consider updating before calling for a public hearing. He explained that there might be an issue with weight of the trucks. He suggested that the new ordinance be updated to match the signs currently posted in Town which show the weight limit to be 7500 lbs (3 ¾ tons).

The Board agreed that the change to the new ordinance to 7500 lbs (3 ¾ tons) would be a reasonable amount.

Mr. Epley requested that the Board call for a public hearing on Monday, June 28, 2010 to discuss the proposed ordinance to amend Chapter 70 of Code of Ordinances entitled General Traffic Regulations; Traffic-Control Devices.

Motion was made by Alderman John McDaris, seconded by Alderman Jackie Bowman to call for a public hearing on Monday, June 28, 2010 to discuss the proposed ordinance to amend Chapter 70 of Code of Ordinances entitled General Traffic Regulations; Traffic-Control Devices. The vote was unanimous.

**CALL FOR A PUBLIC HEARING TO ISSUE ABATEMENT ORDERS TO 15 PROPERTIES THAT NEED TO BE BROUGHT INTO CODE COMPLIANCE**

Mayor Pro Tem Vernon Moyer explained to the Board that there were outstanding liens that were issued prior to the Town adopting the new ordinance.

Under the new ordinance Town Administrator David Epley would be given authority to abate the nuisance. Previously it was at the discretion of the Board to make that decision.

Mr. Moyer requested a public hearing to discuss the issuance of the abatement orders to the 15 properties so that they will be in compliance.

Motion was made by Alderman Jackie Bowman, seconded by Alderman John McDaris to call for a public hearing to issue abatement orders to 15 properties that need to be brought into code compliance. The vote was unanimous.

**CALL FOR A PUBLIC HEARING TO DISCUSS THE PROPOSED ORDINANCE TO AMEND CHAPTER 72 OF CODE OF ORDINANCES ENTITLED TRAFFIC SCHEDULES**

Town Administrator David Epley informed the Board that in the current Code of Ordinances there is a Traffic Schedule that is listed under Chapter 72. The traffic schedule contains all the streets in Town that are designated anything other than 35 mph. The Town has recently been made aware that there are streets which have posted speeds other than 35 mph and those sections of Town have not been added to the Code of Ordinances Chapter 72. The Town is requesting the Board approve the update of the current schedule to include the streets not listed.

Town Administrator David Epley requested that the Board call for a public hearing to discuss the proposed ordinance.

Police Chief Cecil Rogers explained that the Police Department must present the current schedule to the District Attorney when a speeding ticket is brought in. If a police officer brought in a speeding ticket for one of the roads not listed at 35 mph and that road was not listed on the Traffic Schedule, the District Attorney would throw out the ticket.

Mr. Rogers explained that due to a petition recently for a certain problem area in Town, the Chapter 72 Traffic Schedule will need to be updated so the speed limits posted can be enforced.

Motion was made by Alderman John McDaris, seconded by Alderman Randall Mays to call for a public hearing to discuss the proposed ordinance to amend Chapter 72 of Code of Ordinances entitled Traffic Schedules. The vote was unanimous.

**ADMINISTRATOR'S REPORT**

**Maple Springs Project** - Town Administrator David Epley informed the Board that the Maple Springs Project is progressing as scheduled. The Town has completed its portion of the project on site.

Mr. Epley informed the Board that the dirt pulled from the ground on the Maple Spring property will be used when the Town begins the sidewalk project in the new fiscal year. Dirt from the site has also been used to level some of the ground on the Recreation Center property.

The engineer has been moving forward with the road improvement portion of the project.

**OTHER BUSINESS**

There was no other business.

**CLOSED SESSION (TO DISCUSS POTENTIAL PROPERTY ACQUISITION)**

Motion was made by Alderman Jackie Bowman, seconded by Alderman Randall Mays to go into a closed session at 7:55 p.m. to discuss a potential property acquisition.

Motion was made by Alderman John McDaris, seconded by Alderman Randall Mays to adjourn the closed session at 8:08 p.m.

**ADJOURNMENT**

Alderman Jackie Bowman complimented the Police Department for the good job it has done on 37<sup>th</sup> Street.

Alderman Jackie Bowman gave his condolences to Water Plant Superintendent Rani Holland and her family for the loss of Glenn Holland.

Alderman John McDaris wished Happy Birthday to everyone with a June birthday.

Mayor Pro Tem Vernon Moyer wished to complement Town Clerk Stephanie Watson on the work she has done with the Town Meeting minutes. The rest of the Board were in agreement.

There being no further business, motion was made by Alderman Jackie Bowman, seconded by Alderman John McDaris to adjourn the meeting at 8:11 p.m. The vote was unanimous.

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**Stephanie C. Watson**  
Town Clerk

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**Vernon Moyer**  
Mayor Pro Tem