

The Town Council of the Town of Nashville held an Agenda Meeting on Wednesday, June 26, 2019 at 7:00 PM in Town Council Chambers. Members Present: Mayor Donald Street, Mayor Pro Tem Charles Taylor, Council Member Larry Taylor, Council Member Kate Burns, and Council Member Louise Hinton. Absent: None. Staff Present: Randy Lansing – Town Manager, Lou Bunch – Town Clerk and Human Resources Director, Julie Spriggs – Planning and Development Director, Tina Price – Planning Technician, Marguerite Bishop – Parks, Recreation and Cultural Resources Director, Melonie Bryan – Interim Finance Director, Russell Langley – Assistant Finance Director, Scott Whitford – Battalion Chief, Alex Wester – Fire Lieutenant, Dwain Perry – Firefighter.

1. Mayor Street called the meeting to order at 7:00 PM and welcomed those in attendance.
2. There were no public comments.
3. Joint Public Hearing:

Mayor Street called for a motion to go into Joint Public Hearing with the Planning Board. Council Member Hinton made the motion, seconded by Council Member L. Taylor. There being no discussion, Mayor Street called for a vote. The motion was unanimously approved (4-0).

- a. Mayor Street called for Public Hearing to receive comments on Z-2019-01: Rezoning request to rezone property located at 308 Aubrei Court from R-6 (Residential) Zoning District to R-4 (Residential) Zoning District. This parcel contains approximately .58 acres and is identified by Nash County Tax Parcel Number 380016945893.

Mayor Street called for comments from the general public either for or against this issue.

Melinda Rose of Pinetops, NC approached the podium. She stated that she is the property owner and is wanting to build a townhouse on it just like the other townhomes in the neighborhood. Mayor Street asked if by changing the property from R-6 to R-4 if it would allow her to put two units on the property and if that was her plan for the property. Ms. Rose confirmed that it was.

Mayor Street called for other comments from the Planning Board. There were none. Mayor Street then called three times for other comments on this issue. There were none and Mayor Street declared this item closed.

- b. Mayor Street called for Public Hearing to receive comments on SU 2019-01: Request for a special use for property located at 1900 Liberty Drive, Zoning District R-10 (Residential) for the purpose of opening a daycare. This parcel contains approximately .66 acres and is identified by Nash County Tax Parcel Number 381013030834.

Mayor Street stated that he understands this request has been withdrawn and called on Ms. Spriggs to confirm. Ms. Spriggs confirmed that it has been withdrawn.

Mayor Street called for a motion to go out of Joint Public Hearing. Council Member L. Taylor made the motion, seconded by Mayor Pro Tem C. Taylor. There being no discussion, Mayor Street called for a vote. The motion was unanimously approved (4-0).

4. Items for Consideration
 - a. Mayor Street called for "Consideration of Resolution 2019-10: Resolution directing the clerk to investigate a petition received under NCGS §160A-31: AP #2019-01."

Mayor Street read the resolution aloud and called for a motion to approve the resolution. Council Member Hinton made the motion, seconded by Council Member Burns. There being no discussion, Mayor Street called for a vote. The motion was unanimously approved (4-0).

The resolution was approved as follows:

RESOLUTION 2019-10

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER NCGS §160A-31:
AP # 2019-01**

WHEREAS, petition AP#2019-01 requesting annexation of an area described in said petition was received on June 26, 2019 by the Nashville Town Council; and

WHEREAS, NCGS § 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Nashville deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Nashville that:

The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Town Council the result of her investigation.

Adopted this 26th day of June, 2019.


Gerald B. Street, Mayor

ATTEST:


Lou C. Bunch, Town Clerk



Post Office Box 987 . Nashville, North Carolina 27550 . Phone: (252)459-4511 . Fax: (252)459-8926

PETITION REQUESTING A NON-CONTIGUOUS ANNEXATION

AP #20-~~19~~-01 (to be assigned by staff)

Date: 6-11-19

To the Town Council of the Town of Nashville:

- I. We the undersigned owners of real property respectfully request that the area described in section 2 (below) be annexed into the Town of Nashville.
- II. The area to be annexed is non-contiguous to the Town of Nashville. The boundaries of such territory are as follows: PIN # _____ recorded in Bk / Pg _____

(Attach Metes and Bounds (Legal) Description
and a Map of the Boundaries)

III. A map is also attached showing the area proposed for annexation in relation to the primary corporate limits of the Town of Nashville and the closest other primary corporate limits (Momeyer, Red Oak, Dortches, and/or Rocky Mount).

IV. The Town's fee for annexation has been submitted with this petition.

<u>Printed Name & Signature</u>	<u>Mailing Address</u>	<u>Phone Number</u>
1. <i>Randy Lansing</i> <i>Randy Lansing</i>	1232 1st St. Ext. Nashville, NC 27856	563-543-3380
2. <i>Lucas Lansing</i> <i>Lucas Lansing</i>	1232 1st St. Ext. Nashville, NC 27856	563-543-6937
3.		
4.		
5.		

Doc ID: 00784860328 Type: CRP
Recorded: 06/18/2019 at 10:28:18 AM
Fee Amt: 6375.00 Page 1 of 3
Revenue Tax: 8850.00
Nash County North Carolina
Anne J. Malvin Register of Deeds
BK 2987 PG 609-611

This instrument prepared by: Stephen E. Webb II
a licensed North Carolina attorney.

Delinquent taxes, if any, to be paid by the closing attorney to the county Tax Collector upon disbursement of closing proceeds.

**NORTH CAROLINA
GENERAL WARRANTY DEED**

Excise Tax: \$ 350 Recording Time, Book and Page
Tax Map No: 003119 Parcel Identifier No: 381100142109

Mail after recording to: Stephen E. Webb, II, Attorney, Nashville NC
This instrument was prepared by: Stephen E. Webb, II, Attorney, Nashville NC
Brief description for the index: 1232 First Street Ext.

THIS DEED made this 13 day of May, 2019 by and between

GRANTOR

JoAnn J. Johnson, Trustee for:
Johnson Family Irrevocable Trust Agreement
Dated June 29, 2011
1234 US Grant Ct.
Hudson, NC 27537.

GRANTEE

Randy J. Lansing and wife, Luanne K. Lansing
1232 First Street Extension
Nashville, NC 27856

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain parcel of land situated in Nashville Township, Nash County, North Carolina and more particularly described as follows:

KNOWN AS 1231 First Street Extension, Nashville, Nash County, North Carolina and being all of that lot containing 2.00 acres, including 0.18 ac. in right of way of SR 1670 (First Street Extension) as shown on map entitled "Survey for Randy J. Lansing and Luanne K. Lansing" by Donald S. Milhorat, Professional Land Surveyor, dated April 11, 2010, a copy of said map being attached to this deed for incorporation for a more complete description. See Deed recorded in Book 2569, page 593, 'ash Registry

The above-described property does not include the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

By execution of this instrument, the Trustee certifies to the Grantee and Grantee's title insurer that:

1. Settlor of the Trust has issued no instructions that would limit or restrict the Trustee's authority to enter into or consummate this transaction.
2. JoAnn J. Johnson is currently acting Trustee having a mailing address of c/o 5815 Tommy Road, Nashville, NC 27856.
3. The Trust's taxpayer identification number is available upon request.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s), the day and year first above written.

JoAnn J. Johnson TRUSTEE (SEAL)
 JoAnn J. Johnson, Trustee for:
 Johnson Family Irrevocable Trust Agreement
 Dated June 28, 2011

STATE OF NORTH CAROLINA Nash COUNTY

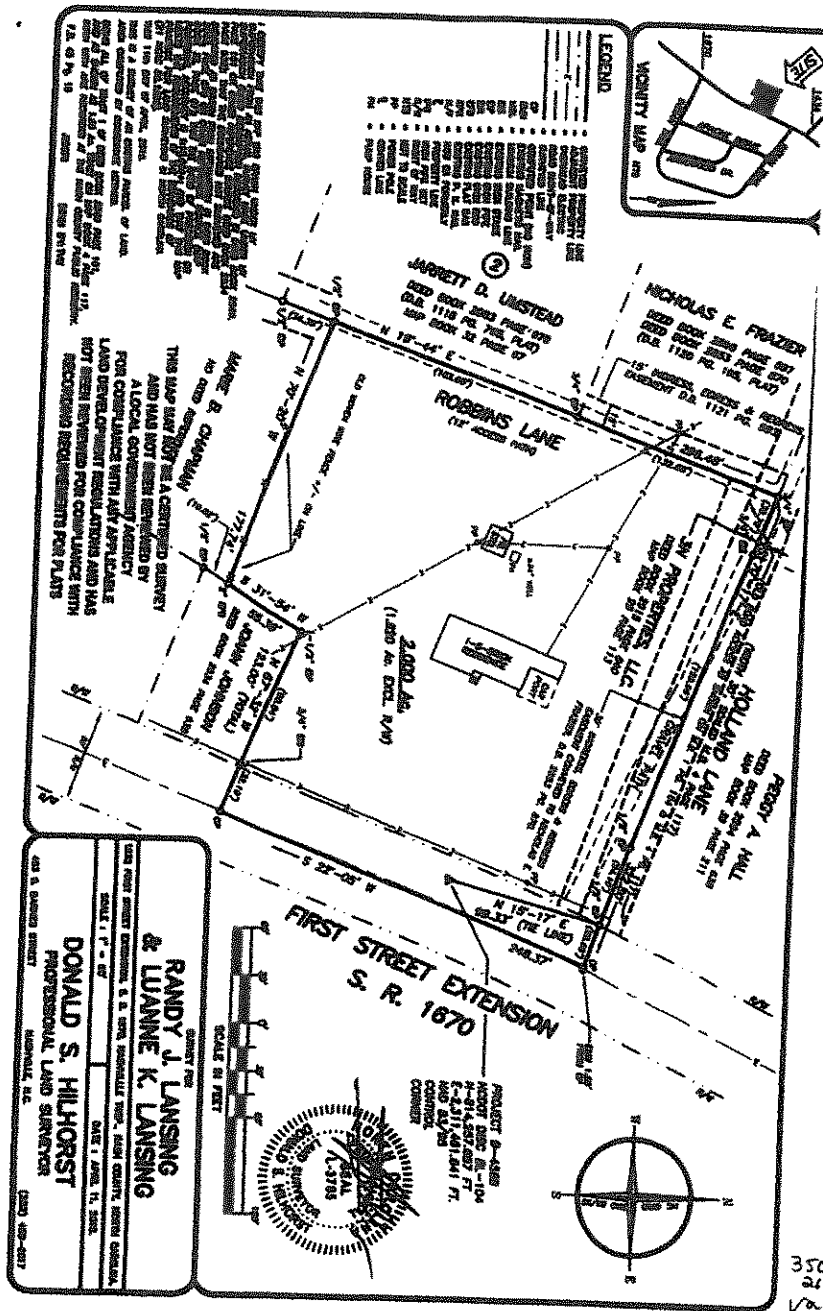
I, the undersigned Notary Public of the County of Nash and State aforesaid, certify that JoAnn J. Johnson personally appeared before me this day, acknowledging to me that she signed the Deed, as Trustee for: Johnson Family Irrevocable Trust Agreement, as established under the Johnson Family Irrevocable Trust Agreement dated June 28, 2011. Witness my hand and official stamp or seal, this the 13 day of May, 2011.

My Commission Expires: 12-16-2015

[Signature]
 Notary Public

Print Notary Name: Stephen E. Webb II





b. Mayor Street called for "Consideration of Budget Amendment #42 – Year End Budget Amendment."

Mayor Street called on Mr. Langley to explain the amendment. Mr. Langley reported that the first few items in Fund 30 are to fund the inflow and infiltration issue in sewer, which totals \$280,000. The next four items involve funding the manager's search and the finance vacancy in Administration (10-420). The last two items in Sanitation (10-580) involve covering the cost of repairs made to the old garbage truck until the new/refurbished truck was purchased and put in service.

Mayor Street called for a motion to approve the budget amendment. Council Member L. Taylor made the motion, seconded by Mayor Pro Tem C. Taylor. There being no discussion, Mayor Street called for a vote. The motion was unanimously approved (4-0).

Budget Amendment #42 was approved as follows:

Account #	Account Description	Current Budget	INCREASE	DECREASE	Amended Budget
Revenues:					
30-399-0000	Appropriation of Net Assets	\$ 221,995.00	\$ 245,000.00		\$ 466,995.00
Expenditures:					
30-660-5402	Unemployment	\$ 6,879.00	\$ -	\$ 6,000.00	\$ 879.00
30-660-9800	Retained Earnings	\$ 14,260.00	\$ -	\$ 14,000.00	\$ 260.00
30-660-9900	Contingency	\$ 15,000.00	\$ -	\$ 15,000.00	\$ -
30-820-4401	Sewer Treatment	\$ 1,810,000.00	\$ 280,000.00		\$ 2,090,000.00
10-420-1400	Travel	\$ 33,960.00	\$ 7,000.00		\$ 40,960.00
10-420-4500	Professional Services	\$ 67,000.00	\$ 15,000.00		\$ 82,000.00
10-510-0600	Health Insurance	\$ 124,450.00		\$ 15,000.00	\$ 109,450.00
10-510-0700	Retirement	\$ 61,919.00		\$ 7,000.00	\$ 54,919.00
10-580-1700	Repairs & Equipment	\$ -	\$ 15,000.00		\$ 15,000.00
10-560-0200	Salaries	\$ 113,097.00		\$ 15,000.00	\$ 98,097.00

EXPLANATION:

To make all year-end adjustments to ensure that all departments are in budget.

c. Mayor Street called for "Consideration of Budget Amendment #43 – PEG Funds."

Mayor Street called for a motion to approve the budget amendment. Council Member Hinton made the motion, seconded by Council Member Burns. There being no discussion, Mayor Street called for a vote. The motion was unanimously approved (4-0).

Budget Amendment #43 was approved as follows:

Account #	Account Description	Current Budget	INCREASE	DECREASE	Amended Budget
Revenues:					
10-337-0400	PEG Distribution	\$ 20,137.00	\$ 6,757.00		\$ 26,894.00
Expenditures:					
10-560-6100	PEG Channel Support	\$ 26,759.00	\$ 6,757.00	\$ -	\$ 33,516.00

EXPLANATION:

To recognize the funds in the 06/12/2019 NCDOR distribution and allow for passing them over to Nash Community.

5. Mayor Street called for Council Comments.

Mayor Street called on Council Member Burns for comments. Mrs. Burns had no comments.

Mayor Street called on Council Member Hinton for comments. Mrs. Hinton asked when the new Police Chief would be taking the Oath of Office. Mr. Lansing deferred the question to Mrs. Bunch. Mrs. Bunch replied that we are waiting for Training and Standards to complete the paperwork and as soon as we have that in hand we will be able to swear him in. Mrs. Hinton asked if that was a problem. Mrs. Bunch replied that it was not. Mr. Lansing noted that we would have likely had it already except that they went

to Interim Chief Corbett's email account and Mr. Corbett is not monitoring the account; as a result, it has not been processed timely.

Mayor Street called on Mayor Pro Tem C. Taylor for comments. Mr. Taylor had no comments.

Mayor Street called on Council Member L. Taylor for comments. Mr. Taylor praised the Fire Department for their quick response at a medical call several days ago over at O'Reilly's. He stated that if it was not for the people who witnessed the incident and for our department being on top of it all, that the gentleman probably would not have survived. He commented that our department needs to be commended for doing another great job. Mayor Street thanked the Fire Department on behalf of the Town Council. Mr. Taylor also noted that he will not be in attendance at the July 31st Agenda Meeting.

6. Mayor Street called for a Closed Session pursuant to NCGS §143-318.11 (a) (5) Real Estate and (a) (6) Personnel.

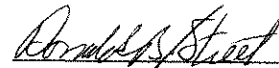
Mayor Street called for a motion to move into Closed Session. Council Member Hinton made the motion, seconded by Council Member Burns. There being no discussion, Mayor Street called for a vote. The motion was unanimously approved (4-0) and the meeting moved into Closed Session at 7:13 PM. Members immediately moved to private Council Chambers.

Members returned to open Council Chambers at 7:50 PM. Mayor Street called for a motion to come out of Closed Session. Council Member Hinton made the motion, seconded by Council Member Burns. There being no discussion, Mayor Street called for a vote. The motion was unanimously approved (4-0) and the meeting moved back into Regular Session at 7:51 PM.

Mayor Street announced that during the Closed Session they looked at two issues. No action was taken on the Real Estate issue. The Personnel issue involved an overtime pay issue and Mayor Street called for a motion to handle the issue with the personnel. Mayor Pro Tem C. Taylor made the motion "that we make sure that we get these employees paid the money that we owe them," seconded by Council Member Hinton. There being no discussion, Mayor Street called for a vote. The motion was unanimously approved (4-0).

7. There being no further business, Mayor Street called for a motion to adjourn. Council Member L. Taylor made the motion, seconded by Council Member Hinton. There being no discussion, Mayor Street called for a vote. The motion was unanimously approved (4-0).

Mayor Street declared the meeting adjourned at 7:52 PM.


Donald B. Street, Mayor

ATTEST:


Lou C. Bunch, Town Clerk

