

Edenton Town Council Minutes  
September 8, 2020

The Edenton Town Council met in regular session on Tuesday, September 8, 2020 at 6:00 p.m. in the Council Chambers. The following members were present: Mayor Jimmy Stallings, Councilman Elton Bond, Councilman Roger Coleman, Councilman Samuel Dixon, Councilman Hackney High, Councilman Craig Miller and Councilman Roscoe Poole.

Mayor Jimmy Stallings called the meeting to order.

All present stood and recited the Pledge of Allegiance.

Councilman Roscoe Poole gave the invocation.

Next on the agenda were public hearings.

The first public hearing was for a Conditional Use Permit Application, HR Acquisitions, LLC to Construct Retail Store & Pharmacy (CVS) with Drive-Thru at 801 North Broad Street (Tax Parcels #780516726820, 780516727809, 780515724919).

Councilman High stated that he had a conflict of interest with this business transaction due to representing a property owner so he asked to be recused from the deliberations.

Councilman Miller made a motion to recuse Councilman High from the deliberations of the CVS public hearing. Councilman Bond seconded the motion. The motion carried unanimously.

Ms. Knighton stated that due to COVID restrictions and in order for the public to participate by remote access via zoom is available but the Town Council cannot vote on the Conditional Use Permit Application until 24 hours later so that the public can comment. Deliberations can be made but the meeting must be recessed until a later date.

Mayor Vaughan asked everyone who wanted to speak on this application to please stand and take an oath. The oath was administered to all.

Elizabeth Bryant, Town Planner, gave the staff report for the project to the Town Council.

Ms. Bryant stated that at the information meetings with residents they were in favor of the CVS project and mostly in favor of the road closure but the business owners on Badham Road expressed concerns with the road closure affecting their businesses.

Mayor Stallings called on the applicant to give their presentation of the CUP Request. Present at the meeting were Jordan Brewer and Kevin Dean, engineers with Kimley-Horn, representing the developers for the CVS project who participated remotely.

Jordan Brewer highlighted some of the items for the project.

Kevin Dean spoke about traffic and the site layout.

Councilman Dixon expressed his concerns about the architectural design of the building and how he would like to see more articulation and a taller building. Indentation and fenestration so it looks more appealing.

The architectural design team stated that these items can be addressed with CVS and the developers.

Councilman Dixon expressed concern about the vacant house and that covenants be placed on the property so that it not be torn down and that nothing be built on that property next to the residential property.

The public hearing portion of the meeting was conducted.

Mayor Stallings administered the oath to the first speaker, Anita Lane, owner of Halsey's Lawn and Garden located on Badham Road.

Ms. Lane spoke about her business and stated that if Badham Road is closed that will cut off customers to her business. She stated that no large trucks can turn onto Second or Third Streets safely and she is concerned. She stated that since there have been new owners of the apartments next to her business the crime has gotten better and if speeding is a problem install speed bumps. She requested that Badham Road not be closed.

Mayor Stallings administered the oath to Julie Townsend, resident and business owner at 916 Badham Road.

Ms. Townsend stated that she was shocked when she learned that Badham Road was considering to be closed. She talked about concerns with closing Badham Road and how it would affect businesses and property owners. She asked if an extension could be given for receiving public comment.

Mayor Stallings administered the oath to Sally Francis Kehayes, resident of 2333 Locust Grove Road, Edenton.

Ms. Kehayes spoke about the potential closing of Badham Road and the negative impact it would have to Halseys Lawn and Garden.

Ms. Knighton read into the record a written comment from Jessie Rivers, resident of Hawthorne Road. She stated that she was not in favor of the closing of Badham Road.

Ms. Knighton reminded the Town Council that they will have to vote on the four criteria and that this would occur when the Council reconvenes at 6:00 p.m. the following evening.

Ms. Knighton also stated that a resolution of intent to close a portion of street and alley and call for public hearing if the Town Council wants to close Badham Road.

Town Attorney Hood Ellis explained this has to be advertised for four weeks in the newspaper and then come back and have a public hearing and then officially vote to close the road. This is a separate process from the Conditional Use Permit process.

Councilman Dixon made a motion to delay the vote of the conditional use permit application. Councilman Miller seconded the motion.

Marshall Hart, developer for the project stated that his company has already spent a lot of time and money on extensions for this project and to delay the vote for a month would cost more money.

Ms. Knighton suggested that if the Council felt they could not support the closing of Badham Road, but want the developer to realign Badham Road to table the Conditional Use Permit to the September 28 meeting.

Councilman Dixon withdrew his motion and made a motion to table the conditional use permit application vote until the September 28 special meeting. Councilman Miller seconded the motion. The motion carried unanimously.

Councilman Dixon made a motion to not close Badham Road and proceed with the advertisement of public hearing for the closing of the paper street and alley. Councilman Miller seconded the motion. The motion carried unanimously.

Councilman Miller made a motion to table the Conditional Use Permit until September 28 meeting. Councilman Dixon seconded the motion. The motion carried unanimously.

The next public hearing was for a public nuisance at 700 Dr. Martin Luther King, Jr. Avenue.

Ms. Knighton stated that this was for a garage located at this address and the property is vacant and notices have been sent to the property owner.

There was no one present who wanted to speak on this agenda item.

The public hearing was declared closed.

Councilman High made a motion to table the item until the September 28 Council meeting. Councilman Miller seconded the motion. The motion carried unanimously.

Next on the agenda was committee reports.

The Administrative Committee had two items on the agenda.

Councilman High stated that the first item was a recommendation that Council consider the next steps for the creation of the Human Relations Commission.

Councilman High stated that applications have been received from interested residents and now the Council needs to take the next steps by appointing members to serve on the Commission.

Ms. Knighton stated that 25 applications were received and it is recommended that a 12 member commission would be a good size and the core group has met with Dr. Batts and it is recommended that a meeting be set up with all applicants to give a history on Edenton and racial relations within the next 30 days.

Councilman High stated that the next item was a recommendation that Council adopt the 2020 Vision Statement as presented.

Councilman High made a motion to approve the vision statement. Councilman Miller seconded the motion. The motion carried unanimously.

The Finance Committee had one item on the agenda.

Councilman Dixon stated that it was recommended that Council approve the budget amendment to the small capital project budget ordinance for the final design of the parallel taxiway as presented.

Councilman Dixon made a motion to approve the budget amendment. Councilman Bond seconded the motion. The motion carried unanimously.

Next on the agenda was new business.

Ms. Knighton stated that the first item was a budget amendment for the Electric Fund proceeds from sale of 304 East Church Street.

Councilman Miller made a motion to approve the budget amendment. Councilman Bond seconded the motion. The motion carried unanimously.

Ms. Knighton stated that the second item was a budget amendment for the Electric Fund proceeds from sale of 136 East Albemarle Street.

Councilman Miller made a motion to approve the budget amendment. Councilman Dixon seconded the motion. The motion carried unanimously.

Ms. Knighton stated that the third item was a budget amendment for the General Fund to the Airport Fund for Improvements to Maintenance Hangar.

Councilman High made a motion to approve the budget amendment. Councilman Miller seconded the motion. The motion carried unanimously.

Ms. Knighton stated that the fourth item was a capital project budget ordinance for coronavirus relief fund. She stated that the Town's share is \$186,866.

Councilman Miller made a motion to approve the capital project budget ordinance as presented. Councilman Bond seconded the motion. The motion carried unanimously.

Ms. Knighton stated that the last item was the budget amendment for the General Fund for railing replacement project Elizabeth Vann Moore Park.

Councilman Miller made a motion to approve the budget amendment. Councilman Bond seconded the motion. The motion carried unanimously.

Next on the agenda was items considered timely and important.

Councilman Miller asked for a timeline on the brew pub project. Ms. Knighton stated that the developer is still working on the project.

Councilman High asked if there was any update on the removal of the old boat at Edenton Marina. Ms. Knighton stated that she would check with the owner of the marina if there were any updates.

Councilman Poole stated that he had received calls about concerns with citizens walking in the street on Martin Luther King and Twiddy Avenue going to the Dollar General Store. Ms. Knighton stated that she has also received the same concerns and she would check into the cost for installation of sidewalks in those areas.

Next on the agenda was public comment.

Ms. Knighton stated that she had not received any public comment.

There being no further items on the agenda, a motion was made by Councilman Miller and seconded by Councilman Bond to recess the meeting to September 28, 2020. The motion carried unanimously.