

Town Hall  
112 East South Main Street

**AGENDA**

**October 8, 2019 6:30 p.m.**  
Regular Monthly Board Meeting

1. Call meeting to order 6:30 p.m.
2. Pledge of Allegiance followed by Invocation
3. Motion to approve the Agenda
4. Consider approval of minutes of meeting(s) held September, 2019
5. Approval for payment of bills for September, 2019
6. Update on Dilapidated Buildings and PD Vehicles
7. Citizen Concerns and Comments –
  - a. D. Patel – Gaming Littleton Tobacco and Laundry
  - b. Kimberly Luchynsky – water/sewer bill
  - c. Buddy Isles, Sr. – GLDP
8. Commissioners Reports on activities in September, 2019
9. Citizen’s Comments on Commissioners reports – comments/questions-limited to 2 minutes
10. Mayor’s remarks
11. Adjourn

**The Board of Commissioners of the Town of Littleton held the regular monthly board meeting Tuesday, October 8, 2019, at 6:36 p.m. at the Littleton Town Hall.** Present were Commissioners Stephen Barcelo, Bonita Knight, Gerleen Pitchford, and Don Spragins and 24 members of the public. Mayor K. Owen Scott was absent. Mayor Pro temp Don Spragins presided over the meeting.

Mayor Pro temp Spragins called the meeting to order at 6:36 p.m. The meeting opened with the Pledge of Allegiance. Mayor Pro temp Spragins called on Rev. Robert Faulcon to give the invocation.

Commissioner Pitchford made a motion; seconded by Commissioner Barcelo to amend the agenda to include the Street Closing ordinance and Sawmill Special Use Permit, both of which would be taken care of before any other business. Motion voted and carried unanimously.

Mayor Pro temp Spragins asked if there was any discussion on the ordinance to permanently close a portion of Market Street. Since there was no discussion Commissioner Pitchford made a motion; seconded by Commissioner Knight to adopt Ordinance 2019-18 Order Permanently Closing a Portion of Market Street. Motion voted and carried unanimously. A copy of this ordinance is hereby incorporated into the minutes.

Mayor Pro temp Spragins gave the floor to town attorney, Kris Gardner to give information to the board in regard to the portable sawmill operation. Mr. Gardener explained the Board would go through each general condition, discuss it, and take a poll to see if each condition was met. If any of the general conditions were not met, the Special Use Permit would be denied. If each general

condition was met, the Board would then discuss the presented site plan. If the site plan is satisfactory the Board could impose any additional conditions they desired.

Mr. Gardner started with the specific conditions:

Requirement—the effects of the individual operation on neighboring property and the Littleton area. These conditions include sufficient buffering to screen the outdoor use or portion of the use from view of street and neighboring property. Vote: 3- yes 2 – no

Requirement--to maintain sanitary conditions at all times. Vote: 0 – yes 5 – no

Requirement – if there is a potential fire hazard, information should be given to determine the safety of the operation and Health Dept. should be given an opportunity to review the application. There was no vote necessary as there was nothing to consider.

General conditions:

710.1.2 – Access roads or entrance and exit drives sufficient in size and properly located to ensure automotive and pedestrian safety and access in case of fire or emergency. Discussion was held about having only one entrance into the property and fire and rescue access. Vote: 0 – yes 5 – no

710.1.3 – Off street parking, loading, refuse, and other service areas are located so as to be safe, convenient, allow for access in case of emergency. Vote: 0 – yes 5 – no

710.1.4 – Utilities, schools, fire, police, and other necessary public and private facilities and services will be adequate to handle the proposed use. Vote: 5 – yes 0 – no

710.1.5 – Location and arrangement of the use on the site, screening, buffering, landscaping, and pedestrian ways harmonize with adjoining properties and the general area and minimize adverse impacts. Vote: 2 – yes 3 – no

710.1.6 –Type, size, and intensity of the proposed use, including such considerations as the hours of operation and number of people who are likely to utilize or be attracted to the use, will not have significant adverse impacts on adjoining properties or the neighborhood. Vote: 0 – yes 5 – no

Mayor Pro temp Spragins stated since there were one or more condition that had not been met, the Special Use Permit to operate a sawmill has been denied.

By the consensus of the Board it was decided to speak with Mr. and Mrs. Ed Fitts in regard to questions about Christmas lights. Commissioner Pitchford thanked the Fitts, expressed how excited she was, and said most of her questions had been answered. She was concerned about safety in putting lights on buildings and where the lights would be stored. Commissioner Pitchford also had a question if the parking lot would be available for use next year, and if not what would the town do with them. Mr. Fitts said he did not have a long- term plan for storage. He stated they could be stored in the Tant building this year and would work with the town to find a place if necessary. Mr. Fitts said he was working on other things for the parking lot. He said as long as there was no economic enterprise for Littleton that could be put on the parking lot it would be available.

Commissioner Barcelo mentioned one of the town’s concerns was about the lights going up on the buildings. The town was not prepared for them the day they were being put up. The office staff was

bombarded with questions about what was going on. The town didn't know how the lights would be tied to electricity or how would they be affixed to the building. Commissioner Barcelo said the crew putting up the lights were very professional and did a great job. He also stated the town appreciated all that was being done. Mrs. Fitts apologized for the miscommunication and stated that was not their intent. Commissioner Barcelo mentioned Littleton was a small town and miscommunication happens. He said it would be nice to have something in writing. Mrs. Fitts asked for the proper procedure for providing documentation. Commissioner Barcelo said go through the town clerk. Mrs. Fitts said they would make sure that happened. She also stated their intent was to work with the Board and the town of Littleton.

Wanda Clark spoke and said the electricity for lights on the town side of the street would be provided from the panel box by the stage in the parking lot. The electricity for the lights on the opposite side of Main Street from Grandpa's Kitchen to First Citizens would be through the Tant Building. First Citizen's and Ray Holloman's building would be plugged right into their buildings. Ms. Clark also stated an account had been set up with BB&T for donations to help with the electricity cost. She mentioned anyone could come to the Jack Tant building on Thursday nights to help.

Discussion was also held on the American Legion Christmas tree. The Fitts wanted to continue to commemorate fallen soldiers and would like to include both American Legion Posts. Mrs. Fitts also mentioned there would be a meet and greet with Santa in the Tant Building during the Christmas season, with the Board's approval, which was given. Commissioner Pitchford made a motion; seconded by Commissioner Knight to write a letter of support to the Fitts for the Christmas lights.

Commissioner Knight made a motion; seconded by Commissioner Barcelo to approve the minutes for the month of September. The motion voted and carried unanimously.

Mayor Pro temp Spragins presented the bills for September, 2019. He was concerned about the payment to RCR and Company for \$21,204.22. He felt part of the payment being made was for repairs that were involved with the sewer case settlement funds. He wanted to make sure the bills being paid were for needed repairs. He said repairs needed for the homes involved in the sewer case should be done in a systematic way. After some discussion, Commissioner Pitchford made a motion; seconded by Commissioner Knight to pay the bills as presented and the Water/Sewer commissioner get with the town clerk to decide which bills are involved with the sewer case funds. Motion voted and carried unanimously.

The town clerk presented budget amendments for approval. Commissioner Gould-Faison made a motion; seconded by Commissioner Barcelo to accept the budget amendments as presented. A copy of the budget amendments is hereby incorporated in the minutes.

**Update on Dilapidated Buildings and PD Vehicles** – Commissioner Pitchford informed the board since the project was started in January, 14 houses have been demolished, one lot cleared and one house half gone. She thanked the Fitts Foundation for making most of this happen. She also thanked Chief Trivette for all his hard work. She appreciated the Board's support as well.

Commissioner Pitchford informed the board the town has ordered two new police vehicles, a new 2019 Ford F150 and a 2020 Ford Explorer SUV. The Explorer has to be ordered and the F150 will be at the dealership until the Explorer comes in. Chief Trivette said it would be 12-16 weeks before the Explorer would be available because Ford has had to add a new assembly line to handle the need for police vehicles.

**Pocket Park Ribbon Cutting Plans** - The clerk informed the Board invitations had already been sent out to the people involved in the pocket park for the ribbon cutting being held Saturday, October 19<sup>th</sup> at noon. There had been some discussion at a previous meeting about providing food and games. The clerk wanted to know what the Board would like to do. After some discussion it was a consensus of the Board the clerk could spend up to \$500 for the event.

**Citizen Concerns and Comments** – D. Patel, Gaming, Littleton Tobacco and Laundry – Commissioner Pitchford said Mr. Patel was not here but would like for Chief Trivette to inform the Board of what was going on. Chief Trivette said he had spoken to Mr. Patel through e-mail and at the National Night Out event. He had explained to Mr. Patel there were two machines in the building when he had purchased the building and he could continue to run those machines. However, Mr. Patel had removed those two machines and placed them in the back and purchased nine new ones. Fines of \$2700 had been given. Chief Trivette was waiting to see if Mr. Patel came to this meeting. Chief Trivette gave Mr. Patel a copy of the ordinance and it was explained to him he would be receiving fines for the new machines he had placed in his business. Chief Trivette said they had paid the first fines. Since then they have been given two more sets of fines which have not been paid in the amount of \$2700. Town attorney, Kris Gardner, reminded the board they had removed ordinance violations as criminal sanctions and made them civil penalties. The option then would be to take the case to court to sue for damages for civil fines and to get a preliminary and permanent injunction to prevent Mr. Patel from operating the additional machines if he doesn't comply. Mr. Gardner said maybe continuing to write the citations everyday the math would add up pretty quickly. He stated it was best to not go to court, and hopefully Mr. Patel would comply. Mr. Gardner said to keep a paper trail. Mr. Gardner said the two machines that had been grandfathered in could not be used because they had been discontinued.

Kimberly Luchynsky was absent.

**Buddy Isles, Sr. – GLDP-** Mr. Isles said Halloween was the next big event and was set for Thursday, October 31<sup>st</sup>. He said Light Up Littleton has a lot of volunteers. Mr. Isles mentioned bands for First Friday events for next year had been booked. There was only one date still open. First Friday would run from April through October. He mentioned taking care of the park driveway so rocks could be placed and flowers and trees would be planted. He said 50 azaleas have been donated by WRAL to be planted. Commissioner Pitchford mentioned two commercial floats would be in the Christmas Parade this year and four floats would be in next year's parade. Mr. Isles said the GLDP was taking sponsors for the float. For \$150 a business could have their name put on both sides of the Christmas floats.

**Commissioners Reports on activities in September, 2019** - Commissioner Barcelo said the Street Department has been repairing pot holes and was starting to pick up leaves and limbs. He asked citizens to bag the leaves because it made it easier for pick up.

Cemetery- Commissioner Knight said October would probably be the last month of mowing. She did not have any complaints.

Water/Sewer – Commissioner Gould-Faison informed the board she and Keith Hamm are working on a report for how to make the sewage repairs. She hoped in the next couple of months they could bid out the project and move forward.

**Police Department** - Commissioner Pitchford presented the Number of Calls Report for the month of September. The report is hereby incorporated in the minutes. Commissioner Pitchford also stated the town would be closing on the PD Renovation with the lawyer on Friday.

**Finance** - Commissioner Spragins reported the town has collected 30% of the budgeted revenues for the General Fund and has spent 30% of the budgeted expenditures. In Water/Sewer the town has taken in 28% of budgeted revenues and spent 23% of budgeted expenses. A copy of the Finance Report is hereby incorporated into the minutes.

**Citizen's Comments on Commissioners Reports** - Mr. Buzzy Parker asked if the fire hydrant in front of Littleton Food and Spirit was operational. Commissioner Gould-Faison explained it was not and had been cut by a company trimming trees. She said Mr. Hamm will be sending out a letter out once he has the price of the repair.

**Mayor's remarks** - Mayor Pro temp Spragins read a letter from Mrs. Dorothy Smith in regard to the post office. Mrs. Smith was concerned about mail security. Mayor Pro temp Spragins stated the best way to get something to change with the post office was to contact a senator.

Commissioner Barcelo suggested the post office be put on a work session agenda.

Commissioner Barcelo made a motion; seconded by Commissioner Pitchford to adjourn. Motion voted and carried unanimously.

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Ellen M. Eller, Town Clerk