

Town of Mars Hill
MAYOR & BOARD OF ALDERMEN
Monthly Meeting

October 3, 2011
7:00 p.m.

Town Hall

MEMBERS PRESENT: Mayor John Chandler; Aldermen Larry Davis, Stuart Jolley, Nicholas (Nick) Honeycutt; Robert W. (Bob) Zink

OTHERS PRESENT: Tim Scoggin; Mrs. Vance Ponder; Becky and Kathy Ponder; Jon & Dianne VanHoff; Katie Mason; Jim Sparrow; Jason Gilliland, Site Design Studio; Larry Leake, Town Attorney; Darhyl Boone, Town Manager; Joanne Rice

The meeting was called to order by Mayor Chandler with the first item of business being approval of the August, 2011, Minutes. A motion was made by Stuart Jolley, second from Larry Davis, to approve the Minutes as written. The motion was unanimously approved.

Being no modification to the Agenda, a motion was made by Nick Honeycutt to approve as presented. The motion received a second from Stuart Jolley and was unanimously approved.

The next item on the Agenda was a Public Hearing for a rezoning request by Tim and Linda Scoggin on property on Chestnut Street. Tim Scoggin stated that they had purchased the house about a year ago and had worked trying to clean up the house and property. He is requesting the front portion of the property be rezoned to R-2A (Residential/Office) and the back portion to C-1 (Central Business). It is proposed that the property will be used for a professional office and the rear portion bordering Fiddlestix will be used to expand the established business. They plan to include outdoor yard-type items such as planters, furniture, etc. A proposal is on the table for a Podiatrist to occupy the lower level of the house and it appears the facility will meet all requirements. Darhyl as well as Ryan Cody, Madison County Building Inspector, have both inspected the property. He is waiting on Jeff Willis, Fire Marshall, to do a code inspection before he proceeds. In conclusion, he stated that he feels this is the best use of the property and will fit in well with the residential neighborhood.

Alderman Bob Zink asked what allowable uses could be utilized in the C-1 District. Darhyl explained that allowable uses included retail business, bank and financial institutions, professional offices, etc., and is the same as the down-town. Lower level could only be used for commercial space and the upper level as living space. A repair shop, garage, or any type of business creating noise would not be allowed.

Jim Sparrow, property owner across the street from the proposed office, addressed the Board stating that he had purchased his house 16 years ago in a residential community. He stated that he and his wife plan to retire here and do not want to see the neighborhood change. His house will be only 25 steps from the proposed office.

Kathy Ponder, property owner to the north, stated that their property has been in the family for 80 years and they are very concerned with the commercial zoning abutting their property. They are currently being overrun by commercial property in an adjoining town and do not want to see that happen here. Her sister, Becky, added that the property surrounding the area for rezoning is zoned R-1

and they would like it kept as it is. She stated that they would in the future do something with the Ponder property but it will be homes and not businesses. The Ponder family opposed the rezoning request.

In response to question from the Board, Darhyl stated that the Planning & Zoning Board have reviewed this request and found that it is in agreement with the Zoning Ordinance as well as the Town's Long Range Plan. Therefore, their recommendation is to grant the request.

Alderman Stuart Jolley asked Mr. Scoggin what his option will be if the rezoning request is denied. He responded that he will remodel and sell the house. He further stated that the Town cannot remain stagnant – that it must grow.

With Larry Leake's assurance that all the legal aspects were clear and the rezoning request is in line with plans set forth in the Land Use Plan, a motion was made by Larry Davis to approve the rezoning of this property to R-2A and C-1. The motion received a second from Nick Honeycutt and was approved on a vote of 4 'Yes' and 1 'No.'

Jason Gilliland representing Mars Hill Crossroads and Thomas Clayton Willis, addressed the Board. Mars Hill Crossroads owns 9.34 acres of property off I-26 that was petition annexed in 2009. Mr. Willis has 7.34 acres that were rezoned C-2 (Highway Business) that joins this property in April, 2009. Nothing has been done with this property to date. Currently Mr. Gilliland, on behalf of Clayton Willis, is requesting a petition annexation of the 7.34 acres. Currently there is a party interested in all this property but is waiting on this annexation.

Since the property joins a parcel already annexed and is zoned the same, Nick Honeycutt made a motion for a Resolution Directing the Clerk to Investigate this Petition. The motion received a second from Stuart Jolley and was unanimously approved. A motion was made by John Chandler, second from Larry Davis, for a Resolution Fixing Date of Public Hearing of Annexation on November 7, 2011, at the next Board of Aldermen meeting. The motion was approved unanimously.

The Board, on a motion by Bob Zink, second from Stuart Jolley, with unanimous approved set the date of November 7, 2011 for a Public Hearing for Rezoning Industrial District on Carl Eller Road and I-26. Darhyl explained that many years ago this property was zoned Industrial but with the building of I-26 and the interchange, this land is no longer accessible and not feasible for an industrial site. It is more reasonable for this property to be rezoned with the lower parcel being zoned Residential as the surrounding property and the upper parcel joining the Hardees/Exxon property be rezoned Highway Business.

The next item on the Agenda was a Budget Amendment. Darhyl explained that the Town has received \$33,179.25 from liability insurance for hail damage to some of the Town's public buildings. This money will be used to repair these damaged roofs. Since this revenue and expenditure were not included in the annual budget, a budget amendment is necessary. A motion was made by Bob Zink, second from Stuart Jolley, to approve the Budget Amendment as presented by management. The motion received unanimous approval.

Being no Old Business, the meeting moved on to New Business. Darhyl reported that the Land of Sky Regional Council is working on a Bike Plan for five counties including Madison. They have requested that, if the Town wants to be involved, a representative be appointed from the Town. This person will

need to have a knowledge of planning and also biking. Darhyl mentioned two, Tom Plaut and Scott Pearson, from Mars Hill College who would be excellent candidates. It was the consensus of the Board that Darhyl make contact with these two and determine if either would be willing to work with the Land of Sky Regional Bike Plan. An appointment will be made at the November, 2011, meeting.

With no Public Comment, a motion was made by Bob Zink to go into Closed Session for discussion of a personnel matter. The motion received a second from Mayor Chandler and was unanimously approved.

A motion was made by Mayor Chandler to return to Open Session. The motion received a second by Larry Davis and was unanimously accepted.

Mayor Chandler made a motion for approval of a \$1,000.00 annual salary increase for both Shawna Mace and Stephanie Payne for completion of accounting courses. The motion was seconded by Stuart Jolley and unanimously approved.

There was discussion concerning appointment of a member to the Zoning Board of Adjustment to replace Stephen McConnell. Nick made a motion to appoint Kelly Evans, second by Larry Davis, and unanimous approval.

With no further business for discussion, a motion was made by Bob Zink, second by Larry Davis to adjourn. Motion was unanimously accepted.
