

The Mayor and Council met for their regular meeting.

Those Present:	Greg Thompson	Mayor
	Wayne Adcock	Vice-Mayor
	Lee Malcom	Council Member
	Denise Dixon	Council Member
	Nathan Purvis	Council Member
	Larry Bradley	Council Member
	Rita Scott	Council Member
	Nathan Little	Council Member
	Jimmy Richardson	Council Member
	Matthew Chancey	City Administrator
	Renee Prather	City Clerk
	Russell Preston	City Attorney
	Paul Rosenthal	City Attorney

Staff Present: Danny Smith, Jeremiah Still, Keith Glass, Rodney Middlebrooks, Patrick Kelley

Visitors: Meagan Hurley, Kathy Kamienski, Pat Kamienski, Sadie Krawczyk, Sharon Swanepoel, Beverly Harrison, Peter Dean, Elizabeth Dean, Andy Malcom, Norman Garrett, Wesley Sisk

**I. CALL TO ORDER – GREG THOMPSON**

**1. Invocation**

Mayor Thompson gave the invocation.

**2. Roll Call**

Mayor Thompson noted that all Council Members were present. There was a quorum.

**3. Approval of Agenda**

To approve the agenda as presented.

*Motion by Little, seconded by Malcom.  
Passed Unanimously*

**4. Approval of Consent Agenda**

- a. October 7, 2014 Council Minutes
- b. October 14, 2014 Council Minutes
- c. October 18, 2014 Council Minutes
- d. October 19, 2014 Council Minutes
- e. October 21, 2014 Planning Commission Minutes
- f. October 28, 2014 Historic Preservation Commission Minutes
- g. Asset Inventory Policy – Approval of the policy. (Recommended for Council approval by Finance Committee November 4, 2014)
- h. Approval – Seasonal Reconnection Service / Meter Fee – Approval of the fees. (Recommended for Council approval by Finance Committee November 4, 2014)
- i. Approval – Tires for John Deere Loader – To purchase from SETCO for the amount of \$29,364.00. (Recommended for Council approval by Public Works Committee November 4, 2014)
- j. Water Rate Study – Approval of the study by Stevenson & Palmer Engineering with the amount not to exceed \$7,500.00. (Recommended for Council approval by Utilities Committee November 4, 2014)
- k. Approval – Drainage Repair on Pine Circle – AquaGuard Foundation Solutions for repair of residence for amount of \$9,010.75. (Recommended for Council approval by Utilities Committee November 4, 2014)

To approve the consent agenda as presented.

*Motion by Adcock, seconded by Scott.  
Passed Unanimously*

**II. PUBLIC FORUM****1. Public Comments**

No one signed up for public comments.

**2. Public Hearing****a. Conditional Use – 208 South Broad Street**

Code Enforcement Officer Patrick Kelley presented the application for conditional use of this property to allow a car dealership in the B-2 Zoning. The Code Office and Planning Commission recommend the request should be denied, based on the fact that all of the Standards for Conditional Use Decisions were not met. He explained one of the concerns to be inadequate parking.

The Mayor declared the meeting open for the purpose of public input.

Mr. Peter Dean, the property owner, spoke in favor of the conditional use. He stated the parking issue to not be a valid argument. He believes the property to be one of the safest for parking in Downtown Monroe. Mr. Dean referred to sections of the state law concerning the building's structure and use from when it was built in 1926 and the un-do hardship clause.

Mr. Andy Malcom spoke against the conditional use. He stated that when the cars are parked in front of the building to attract customer attention it leaves no place to park. Mr. Malcom suggested paving of the extra lot.

Mr. Pat Kamienski spoke against the conditional use. He stated that when the cars for sale are placed in front there isn't a place to park except on the sidewalk. He also stated a used car lot to be a problem with used oil runoff, unless a detention pond is installed.

Mr. Dean stated good cars not to leak oil, that of all the previous years of the property being a car lot there are no oil stains present.

There were no other public comments; Mayor Thompson declared that portion of the meeting closed.

Council Member Larry Bradley questioned the legal issues which Mr. Dean had referred to with state law.

City Attorney Paul Rosenthal stated that both sections which Mr. Dean referred were technically irrelevant to the legal issues before Council. The issue being if it is appropriate to grant the conditional use. Council is instructed underneath the Zoning Ordinance to look at the ten factors found in Section 1425 of the City Zoning Ordinance, which are the factors that Mr. Kelley highlighted for Council. He stated one of those issues being parking, leaving nine other conditions. The sections pointed out by Mr. Dean relate to building permits concerning the initial construction of the building, which is different than the ongoing use and occupancy of the building. The City Attorney's opinion on behalf of the City is that the sections of the Zoning Ordinance raised are not germane to the issue before Council.

Council Member Bradley stated that he appreciates what Mr. Dean has done for the community over the years and hopes a good relationship will continue. He explained that he agrees with the Code Department and Planning & Zoning Commission that the conditional use should be denied.

To deny the conditional use.

*Motion by Bradley, seconded by Little.  
Abstaining: Malcom.  
Passed.*

MAYOR AND COUNCIL MEETING NOVEMBER 11, 2014 6:00 P.M.

b. Variance for Sign – 815 East Spring Street

Code Enforcement Officer Patrick Kelley presented the request for a sign variance for Dollar General. He explained the variance is to place a ground sign which is 15 square feet larger than allowed. As well as a wall sign that is approximately 150 square feet, which is double what the newly adopted sign ordinance allows. The Code Department recommends the request should be denied, based on the recently adopted sign ordinance that limits the size of signs.

The Mayor declared the meeting open for the purpose of public input.

Mr. Danny Lankford, with Henry Inc., spoke in favor of the sign variance. He explained the requested sign to be proportionate and standard size for the building.

Council Member Lee Malcom questioned Mr. Lankford concerning the regulations of sign sizes on buildings in other areas or cities.

Mr. Lankford stated there can be mixed results for variances in other cities; it would not be unusual for a city to deny.

There were no other public comments; Mayor Thompson declared that portion of the meeting closed.

To deny the sign variance.

Motion by Dixon, seconded by Malcom. Passed Unanimously.

III. NEW BUSINESS

1. Application – Beer & Wine Package Sales – Short Stop

To approve the application.

Motion by Adcock, seconded by Scott. Passed Unanimously.

2. Addendum to Schedule of Fees – Code Department

Code Enforcement Officer Patrick Kelley explained the request to add fees for the Certificate of Appropriateness for the Corridor Overlay District. It would be adding a fee of \$50 for a COA at a regular meeting and a fee of \$100 for a COA for a special called meeting.

To approve the schedule of fees addendum as presented.

Motion by Malcom, seconded by Bradley. Passed Unanimously.

3. Resolution – Spot Basis Slum and Blight

To approve the resolution as presented.

Motion by Bradley, seconded by Adcock. Passed Unanimously.

IV. ADJOURN

Motion by Dixon, seconded by Scott. Passed Unanimously.

[Signature of Mayor]
MAYOR

[Signature of City Clerk]
CITY CLERK