

MINUTES

Town of Marshall Board of Alderman
Public Hearing
Zoning Map Amendment: 1525 NC 213
March 20, 2023
5:30 p.m.

In attendance were Mayor Nancy Allen, Aldermen Billie Jean Haynie, Aileen Payne, Christiaan Ramsey, and Laura Ponder Smith. Also in attendance were Town Administrator Forrest Gilliam, Town Attorney Jamie Stokes, and Zoning Administrator Stuart Bass.

Mayor Allen verified with Forrest Gilliam, Town Clerk, that a quorum of the Board was present. Stuart Bass, zoning administrator, verified that the public hearing was properly advertised.

Upon motion by Alderman Ramsey, seconded by Alderman Haynie, the Board voted 4-0 to open the public hearing at 5:30 p.m.

Mayor Allen recognized Stuart Bass to explain the rezoning application. Mr. Bass stated that the application for rezoning of property located at 1525 NC 213, containing approximately 3.06 acres, was submitted by Developer Endless Column, LLC and current owner, Beacon of Hope Services. The proposed rezoning would change the property's use from Highway Business to Mixed Use. The Town's Comprehensive Land Use Plan marks this area as suitable for a mix of uses, including business and residential. The primary difference in the two zoning classifications is that the existing Highway Business designation does not allow residential use, while the proposed Mixed Use designation would allow residential use. Town water and sewer are available at the site but specific allocation of water and connection to the Town's system would be worked out upon receipt of a site plan. The site plan is not required for the proposed rezoning from one category to another, but will be required to any specific development taking place. The Town of Marshall Planning Board, at its regularly scheduled meeting on February 21, recommended approval of the proposed zoning change and found that the proposed change is consistent with the Town's Comprehensive Land Use Plan. A copy of the Planning Board's Plan Consistency Statement was provided to the Board of Aldermen.

Mayor Allen asked if any members of the Board had questions to address to Mr. Bass. There were no questions.

Mayor Allen recognized Danni Hurley, realtor for the applicant. Ms. Hurley shared that her client is interested in having the most flexible use for the property, with his initial concept being ground floor retail and second floor housing. If housing is not feasible, then the applicant would be interested in having second floor workspaces that would support ground floor retail.


Mayor Allen asked if any members of the public wished to speak on the proposed rezoning.

No member of the public asked to speak.

Mayor Allen asked if any members of the Board had questions for the applicant. There were no questions.

Upon motion by Alderman Laura Ponder Smith, seconded by Alderman Billie Jean Haynie, the Board voted 4-0 to close the public hearing.

The public hearing closed at 5:43 p.m.



Nancy G. Allen, Mayor



Forrest Gilliam, Town Clerk

MINUTES
Town of Marshall Board of Alderman
Regular Meeting
March 20, 2023
6:00 p.m.

In attendance were Mayor Nancy Allen, Aldermen Billie Jean Haynie, Thomas Jablonski Aileen Payne, Christiaan Ramsey and Laura Ponder Smith. Also in attendance were Town Administrator Forrest Gilliam and Town Attorney Jamie Stokes.

Mayor Allen called the meeting to order at 6:01 p.m.

Item 1

Upon motion by Alderman Haynie, seconded by Alderman Payne, the Board voted 5-0 to approve the agenda as amended to add discussion of an Easter Egg Hunt under the Parks and Recreation section.

Item 2

Upon motion by Alderman Smith, seconded by Alderman Ramsey, the Board voted 5-0 to approve the minutes from the February 20, 2023 regular meeting.

Item 3

Following a public hearing that was properly advertised and held on Monday, March 20th at 5:30 p.m., Alderman Payne moved, seconded by Alderman Smith, to approve the recommendation of the Town of Marshall Planning Board that property located at 1525 NC 213, PIN # 9716-58-3156 consisting of approximately 3.06 acres be rezoned from Highway Business (HB) to Mixed Use (MU). Motion passed with 5 members voting in the affirmative and 0 in the negative.

Item 4

The Board discussed potential alternate locations for a voting site for the 2023 Municipal Election. The County of Madison is selling the Island gym that has been used in recent years as the voting site for municipal elections. The final decision for a location is up to the Madison County Board of Elections, which has asked for the input of the Town of Marshall. At the Town's request the Board of Elections checked with the Marshall Volunteer Fire Department, but the fire department will be under construction during the time of the election and therefore will not be a suitable location. After discussion of several sites, the consensus of the Board was to notify the Board of Elections that the Marshall Housing Authority office, located at the corner of North Main Street and Skyway Drive would be the Town's first choice as an alternative, with Marshall Town Hall as a second choice, and the Madison County Library as a third choice. The Town Administrator will relay this input to the County's Director of Elections.

Item 5

Forrest Gilliam, Town Administrator, presented the Tax Collection and Water/Sewer Collection Report for February, 2023.

A copy of the Monthly Operating Report for the Town's wells from Byers Environmental was presented to the Board, along with the monthly Unaccountable Water Rate for January and February.

The financial report for the month of February was presented to the Board.

Mr. Gilliam presented a copy of draft Budget Amendment #2023-003. The budget amendment adjusts various revenues and expenses based on year-to-date actual numbers. The net effect of the budget amendment to the General Fund is a net reduction of both expenses and revenues in the amount of \$61,097. Reductions to budgeted expenses include reduced flood insurance costs for Town Hall, a decrease to budgeted expenses for repairs to Fortner Hollow Road and a reduction in the budgeted expense for the zoning contract with Land of Sky Regional Council. Revenue from Sales Tax, Property Tax, and Vehicle Property Tax has exceeded expectations. The budget amendment lowers the amount budgeted from Appropriated Fund Balance to recognize these increased revenues and decreased expenses. The net effect of the budget amendment to the Water and Sewer Fund is a net decrease of revenues and expenses of \$44,000. The expense reduction comes from lapsed salaries. Billing revenue has exceeded expectations to this point in the year. The budget amendment lowers the amount budgeted from Retained Earnings in the Water and Sewer fund to offset these decreased expenses and increased revenues. Upon motion by Alderman Jablonski, seconded by Alderman Smith, the Board voted 5-0 to approve Budget Amendment # 2023-003.

Tentative dates for Board budget workshops will be Thursday, April 14th and Thursday, May 4th, both meetings to take place at 5:30 p.m. at Town Hall.

Mr. Gilliam updated the Board regarding the status of the island gym owned by the County. The County recently accepted an initial offer of \$75,000 for the building, which begins a process for upset bids that can run for several months depending on the number of interested bidders. Each bid must be advertised in the paper for a 10-day upset period. The Board of Commissioners can still choose to reject all bids at the end of the process. Per the 2022 agreement between the Town and the County to convey the Town's interest in the gym to the County and for the County to convey its interest in the vacant park property to the Town, the proceeds from the sale of the gym will be set in a special account by the County for use for Parks and Recreation by the Town of Marshall.

The Town Maintenance crew is awaiting dry weather to begin the process of cleaning up the road to drill a test well on Town-owned property on Heck Creek Road. Funds were included in this year's budget for well exploration. If the well shows to have sufficient production then additional steps and funding will be needed to bring the well online.

Two groups of volunteers recently conducted litter sweeps on Hill Street, Skyway Drive, and North Main Street. The Town is grateful to Vivian Long, Anne Griffey, Adam Griffey, Katherine Early, Janet Spivey, Carol Brown, Tim Brown, Adelaide Smith, Suanne Dunn, Kathleen Usher, Aine Brown and the Teens of Madison County for their efforts to help keep Marshall clean.

Reports from Boards and Community Organizations

Downtown Marshall Association – No report

Board of Adjustment – No meeting

Planning Board – Met February 21st

Parks and Recreation – No Meeting

Alderman Aileen Payne suggested that the Town organize an Easter Egg Hunt on the Island. Everyone was in agreement that this would be a great event for Marshall. Alderman Payne and Mayor Allen will follow up with the Downtown Marshall Association and other potential volunteers about organizing the event, either for this year or in future years.

Department Reports

Fire Department – No report.

Police Department – Report is in packet

Water Department – Jamie Chandler

Maintenance Department – Jamie Chandler

Public Comment

No public comment.

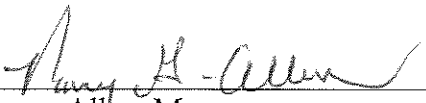
Upon motion by Alderman Haynie, seconded by Alderman Jablonski, the Board voted 5-0 to enter into closed session for the purposes of attorney-client privilege, property, and personnel.

Upon motion by Alderman Ramsey, seconded by Alderman Payne, the Board voted 5-0 to return to open session.

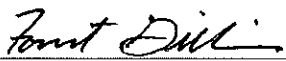
Upon motion by Alderman Smith, seconded by Alderman Ramsey, the Board voted 5-0 to authorize the Mayor to sign a letter of support for funding from the State of North Carolina for the Town of Weaverville’s proposed water treatment plant expansion. The coming emergency connection between Marshall and Mars Hill, and Mars Hill’s existing connection to Weaverville, will make the additional capacity for the Weaverville plant beneficial to Marshall and Mars Hill.

Discussion took place regarding legislation proposed by State Representative Mark Pless to make municipal elections in Madison and Haywood counties partisan. All members of the Board and the Mayor stated that they oppose the bill on the principle that the voters of Marshall should determine the format of their local election.

Upon motion by Alderman Ramsey, seconded by Alderman Haynie, the Board voted 5-0 to adjourn at 8:23 p.m.



Nancy Allen, Mayor



Forrest Gilliam, Town Administrator