

**MINUTES**  
**Regular Town Council Meeting**  
**July 17, 2018**

Council Attendance: Mayor Derek Underwood, Councilmen: Allen Gallman, Mike Hawkins, Chad Hawkins and Robert Martin

Administrative Attendance: Karen Livingston, Town Administrator; Michelle Bundrick, Clerk Treasurer; Ed West, Utility Director; Lt. Harry Bodiford, Police Department and Lisa Senn, Town Attorney.

Mayor Underwood called the Regular Meeting to order and welcomed everyone. He asked Councilman Gallman to open with prayer. The Pledge of Allegiance was recited.

**APPROVAL OF MINUTES:**

Mayor Underwood presented the Minutes from June 19, 2018 Regular Council Meeting and June 26, 2018 Special Called Council Meeting for approval.

**A MOTION** by Councilman Allen Gallman to approve the minutes from June 19, 2018 Regular Council Meeting and June 26, 2018 Special Called Council Meeting; seconded by Councilman Robert Martin, and so approved unanimously.

**OPEN SESSION:**

Daniel Kinard at 109 Dewalt Street introduced himself to Council. He expressed his concern on the sound alarm going off in town between the hours of 9pm until 6am. He stated the alarm went off at 3:50am this morning and he witnessed all the firemen were at the station before the alarm sounded. Discussion followed. Mayor Underwood stated the Fire Chief wants to leave in place until we get the new technology. He stated we would put on the Agenda for next Council Meeting and invite all parties and maybe we could get some kind of agreement worked out.

**NEW BUSINESS:**

**1<sup>st</sup> Reading of 2018-0717-An Ordinance Acting on a Request to Amend the Official Zoning Map Established Pursuant to Zoning Ordinance of The Town of Prosperity Adopted April 20, 1999, so as to Rezone a Zero and Forty Three Hundredths (0.43) Acre Real Estate Parcel Designated as TMS Parcel No. 464-1-1-12 from General**

**Residential(R-7) to General Commercial(GC):** Mrs. Livingston stated the Joint Planning Commission approved the change from General Residential(R-7) to General Commercial(GC). Mr. Mike Bedenbaugh stated someone is interested in investing in the Derrick house primarily for an event place with brunch on Sunday's and the upstairs will be office rentals. Councilman Chad Hawkins made his concerns on the parking at this location. Mr. Von Hiller expressed his concern on the noise and loitering that would affect him living beside this location. Discussion followed. Mayor Underwood asked for a motion for the first reading and he asked Mr. Bedenbaugh to invite this person to our next Council Meeting and bring a plan for parking and we would discuss more at the second reading with maybe adding conditions.

**A MOTION** by Councilman Mike Hawkins to accept the 1<sup>st</sup> Reading of 2018-0717-An Ordinance Acting on a request to Amend the Official Zoning Map Established Pursuant to Zoning Ordinance of The Town of Prosperity Adopted April 20, 1999, so as to Rezone a Zero and Forty Three Hundredths (0.43) Acre Real Estate Parcel Designated as TMS Parcel No. 464-1-1-12 from General Residential (R-7) to General Commercial (GC); seconded by Councilman Allen Gallman, a three to two vote; with Councilman Robert Martin and Councilman Chad Hawkins with a no vote.

**1<sup>st</sup> Reading of 2018-0718-An Ordinance Acting on a Request to Amend the Official Zoning Map Established Pursuant to Zoning Ordinance of The Town of Prosperity Adopted April 20, 1999, So As To Rezone a Zero And Sixty Four Hundredths (0.64) Acre Real Estate Parcel Designated As TMS Parcel No. 464-1-1-3 From General Residential (R-7) to General Commercial (GC):**

**A MOTION** by Councilman Mike Hawkins to accept the 1<sup>st</sup> Reading of 2018-0718-An Ordinance Acting on a request to Amend the Official Zoning Map Established Pursuant to Zoning Ordinance of The Town of Prosperity Adopted April 20, 1999, so as to Rezone a Zero and Forty Three Hundredths (0.43) Acre Real Estate Parcel Designated as TMS Parcel No. 464-1-1-12 from General Residential (R-7) to General Commercial (GC); seconded by Councilman Allen Gallman, a three to two vote; with Councilman Robert Martin and Councilman Chad Hawkins with a no vote.

**1<sup>st</sup> Reading of Ordinance 2018-0719 Acting On An Annexation of A Proper Petition By 100 Percent Of The FreeHolders Owning Property Described As 18.17 Acres, More or Less, Lot Located on McFall Drive, Tax Map#517-16:**

Mrs. Livingston stated Ms. Bolos met with her, Mr. West and Councilman Robert Martin and that we would be serving water, sewer and electric to this property. Discussion followed.

**A MOTION** by Councilman Mike Hawkins to accept 1<sup>st</sup> Reading of Ordinance 2018-0719 Acting On An Annexation of a Proper Petition by 100 Percent of the Freeholders Owning Property Described as 18.17 Acres, More or Less, Lot Located on McFall Drive, Tax Map #517-16; seconded by Councilman Robert Martin, and so approved unanimously.

**Parking Ordinance Discussion:** Mayor Underwood stated he would like to clean up our Parking Ordinance. He stated we needed the proper signs for parking and the handicap spaces need to be marked to enforce the Ordinance. He stated we need a text amendment to clarify the Ordinance.

**REPORT OF COMMITTEES:**

**Electrical, Public Works and Sanitation:** Councilman Mike Hawkins had nothing to report.

**Public Safety and Streets:** Councilman Chad Hawkins stated his would be covered under sidewalk update.

**Economic Development, Buildings & Properties:** Councilman Robert Martin stated his would be covered under Executive Session.

**Parks, Recreation & Events:** Councilman Gallman stated the Girls softball team received the District IV Champs. He stated National Night Out would be August 7th at the Civic Center Park from 6-8pm with food, games and prizes. He stated our Sidewalk Dedication would be held August 11th in the Square from 5-10pm.

**Police Department:** Lieutenant Bodiford briefed Council on the calls for the month. He stated the Police Department is getting ready for National Night Out which is scheduled for August 7<sup>th</sup>.

**Utility Department:** Mr. West had nothing to report. Mr. Daniel Kinard thanked Mr. West for helping him correct a water problem on Dewalt Street.

**Town Attorney:** Mrs. Senn had nothing to report.

**Town Administrator:** Mrs. Livingston stated her report would be covered under old business. She stated she would like to have a special work session after the Sidewalk Dedication concerning updating the Zoning Ordinance book to include the NAICS codes. She stated she is working with the County to get some clarification on Railroad Avenue. She stated she is working on new signage for the Recreation Complex. Councilman Robert Martin stated we needed to work on signs for the entry ways into Prosperity. Discussion followed.

**Prosperity Business Association Executive Committee:** Mr. Glenn Hamm II stated the Prosperity Business Association give a five hundred dollar donation for National Night Out. He asked the Council for permission to cut the trees in front of the Mosley Building down to Edward Jones building and to put sod down to rejuvenate the entire area before the Sidewalk Dedication.

**A MOTION** by Councilman Robert Martin to give the Prosperity Business Association permission to cut the trees down in front of the Mosley Building down to Edward Jones building and to put sod down; seconded by Councilman Chad Hawkins, and so approved unanimously.

Mr. Glenn Hamm II stated the Prosperity Business Association would like to give out their Back to School Backpacks during the August 11<sup>th</sup> Sidewalk Dedication. He stated the Prosperity Business Association is doing a tote bag in which he had a quote for \$1700.00 for one thousand bags. He stated they are going to sell twelve places for advertisement on the back of this bag at one hundred dollars apiece. He asked Council if they would donate \$850.00 toward half the cost of the tote bag.

**A MOTION** by Councilman Chad Hawkins to give \$850.00 toward half the cost of the tote bags; seconded by Councilman Robert Martin, and so approved unanimously.

#### **OLD BUSINESS:**

**2<sup>nd</sup> Reading of 2018-0619 –An Ordinance Acting On A Request To Amend The Official Zoning Map Established Pursuant To Zoning Ordinance Of The Town Of Prosperity Adopted April 20, 1999, So As To Rezone A Zero And Sixty-Nine Hundredths (0.69) Acre Real Estate Parcel Designated As TMS Parcel No.462-2-1-45 From Single Family Residential (R-10) To General Residential (R-7):**

**A MOTION** by Councilman Chad Hawkins to accept 2<sup>nd</sup> Reading of 2018-0619 –An Ordinance Acting On A Request To Amend The Official Zoning Map Established Pursuant To Zoning Ordinance Of The Town Of Prosperity Adopted April 20, 1999, So As To Rezone A Zero And Sixty-Nine Hundredths (0.69) Acre Real Estate Parcel Designated As TMS Parcel No.462-2-1-45 From Single Family Residential (R-10) To General Residential (R-7); seconded by Councilman Allen Gallman, and so approved unanimously.

**Downtown Sidewalk Update:** Mrs. Livingston stated the Utility Department is repainting trash cans and putting some kind of rubber protectant on the bottoms of the benches but they will be out before August 11<sup>th</sup>.

**Update on CPST Project:** Mrs. Livingston stated the project is over the deadline because there is a problem with the retention pond and they have not resolved. She stated the tennis courts are being used and we are waiting for the silt fence to be removed.

**Town Square Revitalization Update:** Mayor Underwood stated the design was drawn with input from the Prosperity Business Association. He stated we are using the existing space to make the Square inviting.

**Update on Washington Street Water System Improvements Project:** Mrs. Livingston stated we are waiting on funding to complete this project.

**Main Street Paving**: Mrs. Livingston stated we should know something Mid-August.

**GENERAL COMMENTS:**

Councilman Chad Hawkins commented on an incident at his work in which the employee had a medical issue and they did not have a contact to call in his case so he wanted us to make sure we have contact numbers on our employees in case of an emergency situation.

**A MOTION** by Councilman Robert Martin to move into Executive Session to discuss a contractual issue concerning land purchase; seconded by Councilman Allen Gallman, and so approved unanimously.

**A MOTION** by Councilman Robert Martin to move out of Executive Session: seconded by Councilman Chad Hawkins, and so approved unanimously.

Upon returning to open session, Council may take action on matters discussed in Executive Session.

Mayor Underwood stated there was no action or vote to be taken at this time.

Mayor Underwood adjourned the meeting at 8:07p.m.

**Michelle Bundrick** Michelle Bundrick, Clerk/Treasurer