

Gate City Planning Commission
Proposed Minutes
July 7, 2009

The Regular Monthly meeting of the Gate City Planning Commission was held on Tuesday, July 7, 2009.

Present: Planning Commission Chairman Richard Hubbard, Rita Tipton, Steve Templeton and David Flanary.

Absent: Tammy Johnson and Walter Salyer.

Also attending were: Mark Jenkins, Mayor and Beate Flanary and her husband.

Richard brought the meeting to order at 6:05, after determining there was a quorum present at the meeting.

There was a motion by Rita Tipton, seconded by David Flanary to defer approval of the June minutes until the August meeting.

Voting aye: All members present.

Voting nay: None Motion passed. Old

Business Noise Ordinance;

Mayor Jenkins brought a decibel meter to the meeting due to the fact the committee would be setting the decibel levels for the Noise Ordinance at this time. After a lengthy discussion the following motions were submitted for approval:

There was a motion by Rita Tipton, seconded by David Flanary, to adopt for the purpose of this ordinance, a noise disturbance shall be defined as any noise in any residential zone in excess of 75 db between the hours of 6 a.m. and 10 p.m.

Voting aye: All members present.

Voting nay: None Motion passed.

There was a motion by David Flanary, seconded by Rita Tipton, to adopt for the purpose of this ordinance, a noise disturbance shall be defined as any noise in any residential zone in excess of 45 db between the hours of 10 p.m. and 6 a.m. (measured at the real property line).

Voting aye: All members present.

Voting nay: None

Motion passed.

There was a motion by David Flanary, seconded by Rita Tipton, to adopt the following as a definition in ordinance 15.20.2 (b). Sound level. In decibels (db), the A-weighted sound pressure level obtained by the use of a sound level meter as specified by the American National Standards Institute (ANSI SI.4-1093).

Voting aye: All members present.

Voting nay: None Motion passed.

There was a motion by David Flanary, seconded by Rita Tipton, to adopt Sec. 15.20. Noise Ordinance as submitted to the Planning Commission by Beate Flanary, with the exception of the changes as just previously adopted and voted on in these minutes.

Voting aye: All members present

Voting nay: None

Motion passed.

Transient Lodging

There was discussion regarding the use of funds collected under this ordinance.

There was a motion by Rita Tipton, seconded by David Flanary, as to the use of funds collected under this Chapter. (Sec. 27.6.1) The Economic Development and Revitalization Committee (EDARC) shall be responsible for annually drafting a plan for use of such funds and may cooperate with the local tourism authorities and "Gate City Main Street" to further tourism within Gate City, subject to approval by the Gate City Town Council, such plan shall be presented along with and included in the town's annual budget. Also, (27.6.3), Funds collected under this Chapter are dedicated to this use and should not be considered to be a part of, and shall have no effect on, the budgeted funds allocated to the EDARC.

Voting aye: All members present.

Voting nay: None Motion passed.

There was discussion on the fact that legal advice is frequently needed during our meetings. Richard asked the town manager to request the attorney's presence at these meetings.

Town License Taxes Levied

There was discussion on the topic of mixed drinks. It was decided that \$50.00 be added back on mixed drinks.

Regulation of Public Sidewalks

There was a motion by David Flanary, seconded by Rita Tipton, to remove the "90 days notice" in section 28.3.2 (e) for termination of the encroachment agreement, leaving only the 10 days notice called for in the current Zoning Ordinance.

Voting aye: All members present.

Voting nay: None Motion passed.

There was a motion by Rita Tipton, seconded by David Flanary, to change 28.3.2 © (2) to read "Whether the encroachment will allow for a minimum of 6 feet of unimpeded sidewalk space for pedestrian traffic, or if on a street or alley, a minimum of 9 feet for the passage of vehicles. In cases where a sidewalk is less than 6 feet in width, a minimum of 4 feet of unimpeded space shall be required."

Voting aye: All members present.

Voting nay: None Motion passed.

There was a motion by Rita Tipton, seconded by David Flanary, to have section 28.7.5 (f) to read, "All displays of merchandise must be of no less than four (4) feet in height, and sufficient size so that safe pedestrian traffic is not impeded."

Voting aye: All members present.

Voting nay: None Motion passed.

There was a motion by Rita Tipton, seconded by David Flanary, to repeal Sections 19.4, 19.5, and 19.6 (Snow removal), 19.12, 19.14, 19.15 and 19.20.

Voting aye: All members present.

Voting nay: None Motion passed.

The Ordinances discussed in this meeting are each ready to pass on to Mike Carrico, Town Attorney, for review.

There was a motion by David Flanary, seconded by Rita Tipton, to adjourn.

Voting aye: All members present. Voting nay: None Motion passed.

Secretary

Chairman