

TOWN OF RANLO
BOARD OF COMMISSIONERS
SPECIAL BOARD MEETING
JANUARY 27, 2020

A regular board meeting of the Ranlo Board of Commissioners was held Monday, January 27th, 2020 at the Ranlo Town Hall. The Ranlo Board consists of the following:

Mayor Lynn Black

Commissioner Doug Moore

Commissioner Jamie Fowler

Commissioner Effie Locklear

Commissioner Katie Cordell

Commissioner Robin Conner

Other(s) Present: Interim Town Coordinator, Jason Green

Finance Director Tracey Smith called the roll all were present with Commissioner Conner arriving shortly after the roll had been called. Pastor Huffstetler gave the invocation.

I. Public Hearing for Amending Ranlo Ordinance to add convenience store as a permitted use under a B-1 Zone

A. Open Public Hearing

Mayor Black asked for a motion and Commissioner Locklear made a motion, Commissioner Fowler seconded, same passed unanimously.

B. Citizen Comments pertaining to Public Hearing

None

C. Close Public Hearing

D. Board Discussion

Commissioner Locklear asked to make sure that this had nothing to do with alcohol and was informed that this had nothing to do with alcohol only amending the ordinance for future growth.

E. Motion to Adopt Proposed change and additions to the Ranlo Zoning Ordinance

Commissioner Moore made a motion, Commissioner Fowler seconded, all others were for and Commissioner Locklear voted no. Same passed.

II. Public Hearing for consideration for the addition of the skatepark ordinance

A. Open Public Hearing

Town Attorney Mr. Windham advised the Mayor that we did not have to go out of one Public Hearing to go right back into another one. Mayor Black called on Jason Green for

the discussion. Jason Green said, this is an ordinance that the League of Municipalities said that we needed to have in the books for our skate park that we have had to close because we do not have an ordinance for insurance reasons. Jason Green said we have to adopt this ordinance to be able to carry the skate park on our town's insurance. Jason Green said we also have to have a sign posted on the gate of the state park to alert people of what has to happen while using the skate park with it to include the words helmet, elbow, and kneepads. Mr. Green stated that if the participants in the skate park are not using the proper equipment the police would just ask them to move along until they have the proper equipment.

B. Citizen comments pertaining to Public Hearing

None

C. Board Discussion

None

D. Motion to adopt proposed change and additions to the Ranlo Zoning Ordinance

Commissioner Cordell made a motion and Commissioner Conner seconded, same passed unanimously.

III. Public Hearing for consideration for the addition of the alcohol ordinance

Jason Green said he would start and that if there were any questions there was an ALE Officer in the back of the room that could answer additional questions, along with Interim Chief of Police Jimmy Lunsford. Mr. Green stated that the ordinance that the board has in front of them tonight would be for us to be able to govern this versus a nonprofit being able to come in and apply directly to the State for a permit. Jimmy Lunsford described to the board what a nonprofit consisted of and that process. ALE Officer Baskill advised the board that once the county had passed the vote for all wet it supersedes what the town had voted on. Officer Baskill advised the board by putting this ordinance in place it gave them more control instead of just at a state level.

A. Citizen comments pertaining to Public Hearing

Citizen Charlotte Roberts asked if someone like Standard Distributors wanted to come to an event and set up their wagon with that be allowed? Commissioner Moore said it would have to be done through a non-profit that that Standard Distributors could not just come out and set up. Mr. Huffstetler came to the podium and stated he was against any selling of alcohol. Mayor Black informed the citizens that we were not voting on the selling of alcohol that the County had already done that for us but, we are needing to set an ordinance pertaining to the use of our facilities and alcohol to sale or not and hopefully to not. Citizen Jack Green spoke against allowing alcohol at the Town's facilities. Citizen Jerry Willard spoke against allowing alcohol at the Town's facilities. Pastor James Land with Ranlo Baptist spoke against allowing alcohol at the Town's facilities. Rosalyn Smith spoke against allowing the alcohol sales at the Town facilities. Commissioner Cordell said by having this ordinance it gives us a say, as it stands right now, we would just be left out and it would go directly to the State to have the say. Commissioner Fowler asked Officer Lunsford that without this ordinance they can go to the State and apply for a permit for any day and sale it and we have no say in it, correct? ALE

Officer Baskill said yes that's correct from my understanding. Citizen Rick Benfield also spoke in opposition of allowing the sale of alcohol on the Town facilities.

B. Board Discussion

Commissioner Locklear asked would the Town profit off of these sales in any way?

Jason Green said he spoke with other Towns and it's not that we set up a percentage it is what the percentage that the non-profit would want to give us back.

Commissioner Locklear said that she had done a lot of thinking and praying on this matter and that the festival has been here many years, however, Milltown nights have not been, and I am asking our board to think about our children and

grandchildren. Commissioner Locklear said the May Milltown Nights was Senior

Adult night they love to come play bingo and have gospel music. June Milltown is

children and youth night, Ranlo is like Mayberry just a family-oriented town and that

is what we strive for. Commissioner Moore asked who said anything about it being

at the Fall Festival and the Mill Town Nights? Commissioner Moore said if they pass

this could there not be other events geared just towards adults like food truck

nights and car shows? Commissioner Locklear said she tried to have an event just

for your age and couples and hardly anyone showed up. Commissioner Moore said I

am just asking something more geared towards adults then kids, I don't agree with

it being out there with the kids and gospel singing night. Mayor Black asked what

the liability would be on the Town if they did have an alcohol event and there was

an accident as bars can be liable if someone leaves and is involved in an accident?

ALE Officer Baskill said it would be the individual that applied for the permit that

would be responsible. Commissioner Cordell said so just one more question to make

absolutely certain if we pass nothing and let's say the VFW submits a permit to the

State, we can't do anything about it? ALE Officer Baskill said the law has already

passed and we can't stop it unless we have an ordinance in place the ordinance

would be beneficial to the Town as giving us a say in what is allowed here because it

is going to happen anyhow. Mayor Black said we can change this ordinance to say if

we do or do not want this on our facilities or like Commissioner Moore said maybe a

rock band and a beer truck, but, not with festivals that has children, but, that would

be up to the Board. Town Attorney Mr. Windham said I don't have a dog in this

fight, I don't live in Ranlo, but it seems to me that this ordinance relates to whether

alcohol is served on public property owned by Ranlo and Ranlo functions. Mr.

Windham said the language says permitted at any function and I understood if the

ordinance is not here that any 501-c could come in and get the permit regardless

and if that is what everyone wants to do of course, that's fine I am just thinking that

there is some disconnect here between whether or not a municipality may say we

do not allow alcohol on our public property, and I think that you have a right to do

that if you want to. I don't think a 501- C (3) can avoid any municipal ordinance that

restricts alcohol use on public property, and I think that needs to be determined so

that this council knows what the situation is. Commissioner Conner asked how the

sales were doing across the street at the Kingsway? Officer Lunsford said he had no

idea. Commissioner Locklear said she heard it wasn't going well at all, but she didn't

know.

C. Close Public Hearing

Commissioner Locklear made a motion to come out of Public Hearing and Commissioner Cordell seconded same passed unanimously.

D. Motion to adopt proposed change and additions to the Ranlo Zoning Ordinance

Mayor Black asked if we had any motions pertaining to the skatepark?

Commissioner Cordell said we have already voted on this and the Town Attorney Mr. Windham said I think what the Mayor is doing is regularizing what the Board has indicated their intent to do, I think after the Public Hearing is closed is when you officially proceed with adopting the ordinances that you wish to adopt and I think the Mayor is correct and that is to bring each one back now that we are out of the Public Hearing that this is the official vote right now. Mayor Black said so the official vote on the skatepark to accept as written, Commissioner Locklear made a motion and Commissioner Moore seconded, same passed unanimously. Mayor Black then moved onto the amending of the Ranlo Zoning Ordinance to add the word Convenience store. Commissioner Moore made a motion to accept as written and Commissioner Fowler seconded, same passed unanimously. Mayor Black then said the ordinance to be added Chapter 8-8001 pertaining to Public Consumption of beer and wine to the Ranlo Code of Ordinance. Commissioner Locklear said I make a motion that we add no alcoholic sale on Town property. Mayor Black said so change as written to no alcohol consumption of alcoholic beverages shall be permitted in or upon any property or any that is leased from the Town of Ranlo. Mayor Black said so we have a motion to accept this ordinance not as written, but, with the insertion of no in A and B and do we have a second? Mayor Black said Ok, so it dies for a lack of a second. Mayor Black asked if any other Commissioner had anything to vote on? Commissioner Cordell said I make the motion that we adopt the ordinance as written. Mayor Black asked if we had a second? Commissioner Conner said she was confused. Commissioner Locklear said if we leave it like Commissioner Cordell made the motion anyone can come in and apply for a permit and sale alcohol and or fortified wine at any of the functions that they get a permit for Commissioner Moore said at the discretion of the Board. Mayor Black said so this motion dies for lack of a second and asked for any other motions or do we want to table this for another meeting? Commissioner Locklear said I make a motion that we table it and Commissioner Conner seconded, Mr. Windham said I know you had a motion and a second to table this, but you would need to have a vote on that. Mayor Black said so we had a motion to table it, do we have a second to table it? Commissioner Conner said yes. Mayor Black said lets all vote in favor to table it with two for tabling it and two no's, so it isn't tabled. Commissioner Moore said I make the motion that we do it that instead of where it says permitted during any it would say permitted at the discretion of the Board of Ranlo. Commissioner Fowler said I will second that one. Commissioner Moore said that way we have the ultimate say so that if whomever wants to come here and sale alcohol we can say no or yes. Commissioner Moore said if we leave it wide open like that then anyone can come whether we want them to or not. Commissioner Moore said my motion is to change the wording in paragraph B, that first sentence where it says permitted by the discretion of the

Board or at the discretion of the Board, the council of Ranlo, right here on paragraph B, must be brought before the Board at the discretion of the Town of Ranlo Council for any Town of Ranlo facility, property, or anything. Commissioner Moore said if you don't put everything in there then someone will say you left the Lodge out and that is to sale or distribute any alcoholic beverages. Commissioner Conner said I would like to second that. Commissioner Moore said I would like to make that even better to say no hard liquors can be sold if any non-profit came in that no hard liquor can be sold or distributed anywhere. Mayor Black said Ok, so we are changing it at the Board of Commissioners direction or approval. Mayor Black asked for all those in favor of this adoption and it passed unanimously.

IV. Closed Session

Mayor Black asked do I have a motion to enter into closed session to discuss personnel matters? Commissioner Locklear made a motion, Commissioner Fowler seconded, same passed unanimously.

V. Any motion pertaining to Closed Session

Mayor Black asked if we had a motion to come out of closed session? Commissioner Locklear made the motion and Commissioner Moore seconded, same passed unanimously. Mayor Black asked if any Commissioner had any motions to be made out of any of the discussions that we had in closed session? Commissioner Fowler said I want to make a motion that we promote Assistant Chief Lunsford to Chief at a salary of \$67,000.00 and Commissioner Cordell seconded, same passed unanimously. Mayor Black asked if there were any other motions to be made? None

VI. Adjournment

Mayor Black asked do I have a motion to adjourn this meeting? Commissioner Locklear made a motion and Commissioner Fowler seconded, same passed unanimously.

ATTEST:

Mayor Lynn Black

Finance Dir/Town Clerk, Tracey Smith. Recorder and transcriber of the Special Meeting/Public Hearing on 01-27-2020.