

**PLANNING COMMISSION MEETING MINUTES**  
**Piedmont Civic Center – 314 Edmond Road Northwest**  
**Monday, May 7, 2012**

**MEMBERS PRESENT:** Chairman Richard Felton, Commissioners Ron Cardwell, and Eric Berger

**MEMBERS ABSENT:** Vice – Chair Steve McCormick and Judy Richards

**STAFF PRESENT:** Community Development Director Arti Patel;  
City Attorney Mike Segler; Secretary Mary Ramsey

**1. CALL TO ORDER**

Chairman Richard Felton called the Planning Commission meeting to order at 7:00 P.M.

**2. ROLL CALL**

Secretary Mary Ramsey called the roll. There was a quorum present. There were approximately 8 citizens in the audience.

**3. CONSENT AGENDA – All items on the consent agenda are non-controversial and may be approved by one motion for items.**

- a. Approval of the Minutes for the Planning Commission meeting on April 16, 2012.**

**Commissioner Ron Cardwell made a motion, seconded by Commissioner Eric Berger to approve consent agenda item (a) as presented. The vote was:**

**AYE:** Chairman Richard Felton, Commissioners Ron Cardwell, and Eric Berger

**NYE:** None

**4. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA**

None

**5. HEARING OF CITIZENS -Topics to include those items not listed in the agenda –**

None

## **6. DISCUSSION ITEMS**

### **A. Consideration and Possible Action to have Piedmont Windmill Regulation in the Piedmont Code of Ordinances. (Pg. 6-9)**

Community Development Director Arti Patel stated that a citizen is inquiring about City Regulations on putting a Windmill on her property. Currently there is no ordinance on the books, so she consulted with the City Attorney Mike Segler.

City Attorney Segler provided some definitions, codes and regulations to consider.

Commissioner Eric Berger mentioned the current City's Tower Ordinance which he believes has verbiage applying to Towers and Antennas that could cover safety issues until a new ordinance could be written.

Commissioner Ron Cardwell mentioned that height and size of any Windmill should be taken into consideration based upon land size.

Chair Richard Felton is okay with provided verbiage from Attorney, but if there is a Tower Ordinance on the books currently, he would like for consideration of merging the two ordinances together to be considered. Also he asked about an Agricultural exemption?

Attorney Mike Segler explained that the verbiage does not allow for an Agricultural exemption.

Further discussion continued with concerns about Windmills causing interference with surrounding neighbor's board castings, noise, and cost associated with measuring noise levels, and analog technology vs. more current digital technology. Things that need more consideration such as Commercial Wind farms. More homework needs to be done on the topic before an ordinance can move forward. The Commercial Wind farm conversation raised the questions by Chair Richard Felton should the ordinance be written for residential only.

Attorney Mike Segler spoke about the Commercial Wind Farms. He has experience working with these types of companies and Wind Farm companies will work with local Governments at the time the area is being considered and will look for modifications that can be made to ordinance and still allow City to maintain some control. Attorney Mike Segler also explained that the ordinance does not require State of the Art equipment and noted that this should be taken into consideration when considering an ordinance.

Citizens mentioned things to be considered, shadows that the windmill blades create and ordinance should be written for Residential only. Attorney Mike Segler clarified that the verbiage submitted applies to all zoning.

Chairman Richard Felton summarized discussion by restating primary concerns, Fall radius, electric magnetic concerns for interference, and shadow casting. Also what is the permit process for a citizen? Would like to see if merging the current Tower ordinance with the verbiage provided and having one ordinance.

Commissioner Ron Cardwell added size of rotators dimension, current state of technology, and noise test.

Chairman Richard Felton asked that these concerns be looked into and information brought back to Commission for further consideration.

**B. Consideration and Possible Action to require Street Improvements to be made by developments abutting section line roads. (Pg. 10-23)**

Discussion about do we have an ordinance that addressed Street Improvements currently. Review of Chapter VI occurred during the meeting. Commissioner Ron Cardwell stated that the ordinance needs to be more cut and dry.

Chairman agreed that the regulations currently are not clear enough.

Community Director Arti Patel stated that the regulations are not fine tuned enough and has gone through 2 past attorneys and both came back with different understandings. Focus needs to be on sub division regulation and additional focus on other types of developments.

Chairman Richard Felton asked that the commission work to develop one document that can be applied to multi type of development situations. He suggested that work begin with Section 6.5 street improvement regulation with in the Sub Division regulation, work to get this ordinance the way the commission would like it and then make it applicable to other types of development, such as commercial, industrial and city development.

Chairman Richard Felton asked for 2 Agenda items to be added to the next Planning Commission meeting.

1. Look at Section 6.5 street improvements make and changes needed. Develop what we want our ordinance to be.
2. Construction specifications for such street improvements.

Start with sub division regulations and then we can go back and tie any type of development to the regulation.

Staff needs to provide suggestion on modifications that need to be considered on Section 6.5 Street Improvements. And then as an additional agenda item, include for next meeting Part 14, Chapter 3 of Code of Ordinances for Construction Specifications.

Discussion continued on the excel spreadsheet provided in the meeting packet that the document needs to be updated and proofed for errors. Document has not been updated since 1992.

**C. Consideration and Possible Action to request master mapping of water and sewer lines update to our new City Engineering Services; in conjunction working with Community Development GIS files and Bud in public works for line location and drawings. (Pg.24)**

Chairman Richard Felton provided some background information on this item. Explanation that the water and sewer lines are not clearly mapped out and are difficult to find when development is occurring. Most of the information is in Public Works Director Bud Stuber head. He provided an example of when the Methodist Church was trying to find the water line, they had to dig 4 times before they were able to find it.

Community Development Director, Arti Patel, stated that she has already discussed item with City Manager Jim Crosby and he is in support of pursuing having the in house Engineering group look into creating a map of the sewer and water lines. He will look into the cost associated with such work.

Community Development Director Arti Patel has provided Engineer group with what information and maps are currently available.

**7. NEW BUSINESS - Unplanned Items**

None

**8. ADMINISTRATION REPORT – (Oral) City Manager, Engineer, Community Development, and Attorney.**

Community Development Director, Arti Patel reminded Commission about Comprehension meeting tomorrow night 5/8 at 7:00 at the Civic Center, every second Tuesday of month. Arti continued on with an update of where things are now, there has been some staff changes; first meeting will be catching all

members up on information.

## **9. COMMISSIONER'S COMMENTS – Oral Comments**

Commission Ron Cardwell asked about the Sidewalk Ordinance and would like to see any updates that have occurred. He would like to see the Sidewalk Ordinance on next month's agenda. He would like for the Planning Commission to make any finally changes and get it to City Council for approval.

2<sup>nd</sup> comment, have heard that some damage has been on 234<sup>th</sup> West of Piedmont Rd. Hopes that the City has contacted NRCS and OCC to look at damage, because if this damage is occurring due to work they done it should not be the City's problem to absorb to be fixed.

Community Development Director Arti Patel, explained that George Moore with RCS has gone out to look at the damage. He explained that the damage to the road is not due to the work they did. It appears that an additional pipe has been added to the current pipe allowing more water to flow out and that is what is causing the damage to the road. Could possibly be the County, but she is not sure. Believes the City Manger will have more information on this concern

Commission Ron Cardwell commented that he finds it hard to believe that after road and lake has existed for 40 year has survived 500 year storms on multi occasion and now has a 4 inch rain and is now having problems. He hopes that Triad is involved with this problem. He does not want the City to occur any expenses.

Chairman Richard Felton added that he drives that road everyday and was with Clark when the plan was signed, the plan was designed to release the same amount of flow, they came back multi times saying that they are not increases the output of water flow. The road is falling apart. No additional work has been done on that road.

Charles Coffman added that the Google Earth map does not show that pipe that is being discussed. Something has happened between now and the last Google Earth photo.

Attorney Mike Seglar added that Triad is involved and looking into getting resolution.

Commission Eric Berger – thanked the crowd to attending the meeting.

Chairman Richard Felton explained that he may or may not be on the Commission next month due to appointments are up. Was thankful for allowing him to serve, it has been a privilege. He has learned a lot and enjoyed this time of service.

**10. ADJOURN- Chairman**

**Meeting was adjourned at 7:56 p.m.**

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Chairman Richard Felton

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Secretary Mary Ramsey