

**Town of Mount Pleasant
Board of Commissioners
Town Board Meeting
Town Hall – Commissioners Meeting Room
Monday, January 4, 2010
7:00 P.M.**

Attendance: Mayor Troy W. Barnhardt
Mayor Pro-Tem/Commissioner Del Eudy
Commissioner Warren Chapman
Commissioner Maura Eberhardt
Commissioner Rick Burleyson
Commissioner Scott Barringer
Town Administrator Adrian Cox
Town Clerk Cathy Whittington
Town Attorney Christy Wilhelm
Fire Chief Chris Honeycutt

Also Present: James Senecal, Sharon Senecal, Rev. James White, James Johnson, Samantha Moose, David Fargo, and Boy Scout Troop 52 from Gold Hill

CALL TO ORDER

Mayor Barnhardt called the meeting to order and recognizes Boy Scout Troop 52 from Gold Hill that was working on their Communications Badge.

INVOCATION

Rev. James White led in prayer.

PLEDGE OF ALLEGIANCE

Mayor Barnhardt led in the Pledge of Allegiance.

PUBLIC FORUM

No one spoke at public forum.

APPROVE AGENDA

Under new business Commissioner Barringer would like to add #5 Street Legal Cart Ordinance and Commissioner Eberhardt would like to add #6 Maintenance Employee Dress Code. With these amendments, Commissioner Eudy made a motion to approve the agenda. Commissioner Barringer seconded the motion with all board members in favor. (5-0)

PUBLIC HEARINGS/DECISIONS

Proposed Text Amendment: TA 2009-07-UDO Text Amendment to modify the definition of Minor Subdivision in Article 6.3.1 to limit the number of lots allowed to be approved through the Minor Subdivision process and to limit the number of time the process can be used on a parent parcel.

The current definition of a Minor Subdivision allows the unlimited use of the process to create new lots from parent parcels if no new street right-of-way is required. While there has been no evident abused of this process from a staff review of past subdivisions, the potential does exist for the circumvention of a more thorough Planning Board review of subdivisions which, because of the number of lots created, would merit more consideration and community input. The proposed changes of the definition of a Minor Subdivision will, most importantly, limit the number of lots that can be approve by the Ordinance Administrator to five new lots. These changes will also limit the use of the Minor Subdivision process on parent parcels in a five year period to a single use if the maximum number of lots are created, or the number of uses which will create five lots from the parent parcel. These changes will not prevent the further subdivision of the parent parcel, but will merely shift the review of subsequent subdivisions to the Planning Board through the Major Subdivision process. It is hoped that these changes will limit the potential for the abuse of this expedited review process while ensuring that divisions of previously subdivided property receive the scrutiny that is warranted in light of their potential impacts.

Commissioner Eudy asked if anything over 6 lots would be considered a Major Subdivision. Vagn Hansen stated that that was correct.

Commissioner Barringer asked if it had to be reviewed every 5 years. Vagn Hansen stated that the new 5 lots would be approved administratively instead of having to go through the Planning Board. Vagn Hansen stated that going through the Planning Board would only add about 4 weeks to the process and it could be approved in a week or two if everything was in compliance with the ordinance.

Mayor Barnhardt asked it this comes as a recommendation from the Planning and Zoning Board. Vagn Hansen stated that it did come as a unanimous recommendation from the Planning and Zoning Board.

Commissioner Eudy asked that under the new amendment hypothetically you could create a 5 lot Minor Subdivision every 5 years if you have the land to do it on. Vagn Hansen stated that you could without going to the Planning Board.

Mayor Barnhardt stated that the decision was two fold. One decision is to vote to approve or deny the proposed UDO Text Amendment TA 2009-07 as stated and recommended by the Planning and Zoning Board. The second decision is to adopt a statement how the amendment is reasonable and in the public interest. That statement simply says, "This text amendment is reasonable and in agreement with the UDO".

Mayor Barnhardt closed the Public Hearing.

Commissioner Barringer made a motion to accept *Text Amendment TA 2009-07 as presented*. Commissioner Chapman seconded the motion with all board members in favor. (5-0)

Commissioner Burleyson made a motion to *adopt a statement that this amendment is reasonable and in agreement with the UDO of the Town of Mt. Pleasant*. Commissioner Eberhardt seconded the motion with all board members in favor. (5-0)

CONSENT AGENDA APPROVAL

The consent agenda consist of two items; minutes of the December 7, 2009 Regular Board meeting and a Proclamation for Dr. Martin Luther King, Jr. Day.

Commissioner Eudy made a motion to *approve the consent agenda*. Commissioner Burleyson seconded the motion with all board members in favor. (5-0)

REPORTS

- (1) Police – No report
- (2) Fire Chief- Fire Chief Honeycutt submitted a written report. Commissioner Barringer asked about # 6 on his report that stated a total dollar loss last year was \$206,500.00. Commissioner Barringer asked if this was due to fires. Mayor Barnhardt stated that it was due to fires, automobiles accidents, etc.
- (3) Town Administrator- Town Administrator Adrian Cox introduced the new Public Work Director David Fargo. David Fargo will start his new job on January 5, 2010. (2)All employees have received a copy of the new personnel policy. Staff held presentations and question and answer sessions. One-on-one meetings were also conducted with each employee. (3) The connection

- between Concord and Mt. Pleasant has been opened because of an emergency water loss that Concord had due to maintenance on their water tank. This is a temporary situation. Concord is purchasing about 30,000 gallons of water a day from us. (4) Carolina Thread Trail plan was adopted and they are now requesting proposals for grants. Staff is working to prepare a preliminary letter of interest for an acquisition grant to fund property acquisition along the trail corridor. The final grant will come before the Board for approval. (5) The playground repair will begin as soon as soil conditions become more suitable for work and the contractor's schedule. Depending on weather, work may not begin until the first of spring. (6) The annual Budget Retreat is schedule for February 13, 2010 at the Kannapolis Train Station. The agenda will be available at the February 1, 2010 Board meeting. (7) Commissioner Barringer asked about the CMAQ Sidewalk Project. Town Administrator Adrian Cox stated that he had submitted proposal request to DOT and one of the things that have held this up is the construction engineering and inspection that is required with federal grant projects. The new DOT regulations require us to bid them out, however they are looking into whether or not they need to bid out on a project this small or if they can be done in house with DOT staff. They are also looking at how these bids need to look and whether they need to be approved first by Federal Highway before going out.
- (3) Finance- No report submitted but Finance Officer Cathy Whittington stated she was working on end of the year reports and was starting on the W2's for the employees.
 - (4) Public Works- No report- Included in Town Administrators report.
 - (5) Planning/Code Enforcement-No report
 - (6) Town Attorney- No report

OLD BUSINESS

(1) Police Patrol Car

One of the Town police cars is due to be replaced this year. Most law enforcement agencies remove cars from patrol when they reach 100,000 miles. The mileage of our car is nearing this threshold. The Board budgeted \$25,000.00 to replace a police vehicle. In the past, the retired vehicle was used as a Town Car for staff and firefighters to attend meeting and training. The last decommissioned vehicle was finally salvaged on GovDeals with 147,000 miles for \$1,610. The Town does not currently have any spare police vehicles. Officers do not have a car to use when one is out for repairs. The old police car could be converted to a Town Car or retained as a spare police vehicle.

The Town has historically used a Ford Interceptor (Crown Victoria). Many law enforcement agencies, including Cabarrus County, are now diversifying their fleets with Dodge Chargers because of superior speed, handling and gas mileage. This vehicle is also reported to be well built and not prone to break down.

There was discussion on the split cage on the Dodge Charger. The split cage was quoted because it gave the officer more room because the interior in the Dodge is not as large as the Ford. Mayor Barnhardt stated that he had spoken with some Highway Patrolmen and they stated they went with Dodge Charger because of the speed. They could chase motorcycles better on the Interstates. Commissioner Eudy stated that he had spoken with Sheriff Riley and asked about both vehicles. He stated that they had bought several of the Dodges and Harrisburg had bought several. He did not have anything negative to say about either one. Sheriff Riley stated if we went with the Crown Victoria that the cage might be interchangeable and it might save us a little bit of money. Commissioner Eudy also checked with Dan Knuckles with the City of Concord Fleet Operations. He manages about 900 pieces of equipment including the police force. He had nothing negative to say about the vehicles.

Commissioner Burleyson asked if we needed to keep the existing car as a back up police car and how many times our police have been without a car. Town Administrator Adrian Cox stated that he did not have that information. He stated that the officer was without a car when repairs were being made to their car. Commissioner Barringer asked if they would just borrow the car from the officer that was not on duty or a spare car. Town Administrator Adrian Cox stated that could be a possibility, he could contact the county about that option. Commissioner Eberhardt asked how much use would we need for a Town Car. Town Administrator Adrian Cox stated that the primary use was for the firemen to use the car to attend training, several board members used the car to save mileage.

There was continual discussion about keeping the car for a back up car, where the car would be stored if it was a back up car, the additional expense that would be involved if the car was kept for a back up car.

With no more discussion, Commissioner Barringer made a *motion to purchase a 2010 Ford Interceptor (Crown Victoria) police vehicle and to put the current police vehicle on GovDeals for public auction when the new car is operational.*

Commissioner Eberhardt seconded the motion with all board members in favor.
(5-0)

NEW BUSINESS

(1) Concession Stand

Town Administrator Adrian Cox stated that this was for information only. The concession stand at McAllister Field is used by club organizations for storage and to sell concessions which support their activities. The facility has been built and maintained by volunteers. However, there are several safety issues regarding the electrical system at the building and the park.

With assistance from the Cabarrus County School Electrician, staff evaluated some of the safety concerns at the park. Power has been shut down due to bolt-in electrical wires, mixed boxes, standard outlets and broken conduits.

Commissioner Barringer asked what the electrician's recommendation was as far as a remedy. Town Administrator Adrian Cox stated that one of the ways to address the electrical issues was in phases. One way would be to set up a new electrical service outside of the concession stands on the field and run lines off of that and then the Town could make changes on the field without having to worry about the electrical issues.

Commissioner Barringer asked what the cost of this would be. Town Administrator Adrian Cox stated that to put a new service, pull out the old service and to extend new lines, not to connect the concession stand, it would run around \$38,000.00 to \$40,000.00. Commissioner Eberhardt asked if there would be any grants available for this. Town Administrator Adrian Cox stated that there was a grant called PARTF that has a 50% matching grant and may not be feasible for this. Commissioner Burleyson asked if there were any electrician involved with the sports programs that would help with this.

Mayor Barnhardt stated because of the liability issues that the concession stands would not be able to be used. No longer could there be cooking where there is water standing. Commissioner Barringer asked if that part of the concession stand could be shut off. Mayor Barnhardt stated that this is the area where the serving window is located.

Commissioner Barringer stated that we might want to check with the FCCA. They might assist with a project in return for using the facility.

Mayor Barnhardt stated that this item will be put on the retreat agenda to be discussed. Locks have been placed on the circuit panel that can't be cut off and the power is disconnected at this time.

(2) DOT Project Highway 73

Staff has been consulting with engineers at the NCDOT regarding the proposed project, public safety and traffic mitigation. DOT is expecting to close a section of Franklin Street between the 5/3rd Bank and the intersection of Franklin and Main Street. This section is expected to be closed between two to four weeks. Four weeks is the maximum time of the closure before a contractor would be forced to pay liquidated damages. The actual time could be much shorter.

On January 6, 2010, staff and DOT engineers are scheduled to visit businesses along Franklin Street to provide information and answer questions. The proposed project will eliminate three on-street parking spaces in order to improve the entrance into the lot next to Moose Pharmacy and Buddy's Restaurant. New curb and gutter will

also make parking more crowded for the on-street parking that is adjacent to Moose Pharmacy. DOT engineers have considered eliminating these spaces as well, but they are retained in the current plan. After review of the project, the Planning Board has requested that the Board of Commissioners investigate public parking in the downtown.

There was discussion about the parking situation in the downtown area while this construction was being done. There was also discussion about the elimination of the three parking spaces in front of Dr. Mock's. It was suggested to take spaces from in front of Moose Pharmacy to enhance the entrance there, but that entrance will be closed. There will only be one entrance to Buddy's. That entrance will be accessible for the fire trucks to enter. The back parking area at Cabarrus Bank and the Post Office was suggested as parking areas. The Mini Park parking lot was mentioned.

Mayor Barnhardt suggested that a DOT Engineer come to the February 1, 2010 meeting to talk about the project. This was agreeable with the Board.

(3) Internet Sites

Mt. Pleasant Fire Department has worked with a consultant to prepare a departmental website. If approved, this site would be updated by the consultant with information provided by the Fire Department. The site will have information available to the public, and will not have any member's only sections. The site could be lined to the town's existing website. Maintenance of the site would cost \$300.00 annually.

Another site that was presented was a Facebook site that staff built. This is a free site and Facebook users could become a fan of the site which allows them to receive information but not post comments to the site. The site is automatically updated through the feeds on the Town's webpage and other public pages. Facebook Fan Pages have become common tools of communication for local governments. Both Kannapolis and Concord have Facebook pages.

Commissioner Burleyson asked if the Fire Department was subject to the open records laws. Town Attorney Christy Wilhelm stated that they were. Commissioner Burleyson stated that they needed to be educated on the use of e-mail and know that they were subject to public records law. They need to acknowledge that they have received this training. Commissioner Barringer asked if the Fire Department has a copy of the Personnel Policy. Town Administrator Adrian Cox stated that he could bring a draft e-mail policy to the next meeting. Mayor Barnhardt stated that the Fire Department wanted to do the updates on their own page without going through the town's website. The Fire Department came up with this on their own. The fireman for Flowe Store agreed to put the website up and host it for the \$300.00 annually. Facebook came up in some of the meetings that were held.

Commissioner Barringer made a *motion to allow the Fire Department to put up and maintain the website at their cost and to sign off on an e-mail policy on open records laws when adopted by the Board.* Commissioner Burleyson seconded the motion with all board members in favor. (5-0)

(4) Mission and Vision Statement

At the December meeting, staff presented a draft mission and vision statement as part of reports. These statements were derived from the key issues identified in the Community Plan conducted last year. The vision statement expresses in broad terms what the Town of Mt. Pleasant hopes to be in the future. The mission statement, also in broad terms, expresses the Town of Mt. Pleasant's role in achieving the vision. Goals are more specific action that the Town will take to implement its mission.

After the vision, mission, and goals are established they can be used to determine and assess strategies, budgets and policies. This is a strategic planning process that organizations and governments use to focus their efforts and accomplish the desired results. The strategic planning process is cyclical and strategies are evaluated after implementation. This evaluation begins the process again.

The vision, mission, and goals of an organization play a critical roll in the strategic planning process and can impact policy for many years.

Commissioner Barringer asked about electrical outlets in the crept myrtle trees. Town Administrator Adrian Cox stated that the crept myrtle trees will be removed and planters will be put in with shrubs. Commissioner Eudy asked if we received DOT's approval to put the crept myrtle trees on the sidewalks. Commissioner Eberhardt asked if we would have any say in the planters that were put in. Commissioner Chapman asked if the crept myrtle trees could be salvaged. Town Administrator Adrian Cox stated that they could be. Mayor Barnhardt made notes of the concerns of the Board.

Commissioner Barringer stated that he had no problem with a vision and mission statement as long as it was within reach. He liked the ones that were set up now.

Commissioner Eudy made a motion to *approve the Vision and Mission Statement and Goals as presented.* Commissioner Chapman seconded the motion with all board members in favor. (5-0)

(5) Street Allowed Golf Carts

Commissioner Barringer brought an article from the Charlotte Observe on December 13, 2009 about street allowed golf carts. Several of the surrounding towns have passed an ordinance which allows golf carts on street with certain

restrictions. These are licensed vehicles with windshields, lights and tag. There is a General Statute that has been passed on this.

Commissioner Barringer made a *motion to have Town Administrator Adrian Cox to look into this and bring it back to the Board at the February 1, 2010 meeting.* Commissioner Eudy seconded the motion with all board members in favor. (5-0)

(6) Employee Maintenance Dress Code

Commissioner Eberhardt stated that several of the employees had approached him about the khaki dress pants that they wear. The employees state that the pants look nice but they are hard to keep clean and they are not warm in the winter. The employee stated that the jeans were more practical for them. Mayor Barnhardt stated that they had met with the maintenance crew that morning and are working with them on this issue. Commissioner Chapman stated that they also stated that in the summer the pants were too hot. Commissioner Eudy asked if we purchased the uniform and they keep them clean. He asked if it would be easier to get a uniform company to maintain the uniforms for them. Mayor Barnhardt stated that they had discussed options but the majority of the uniforms budget had already been spent for this year. Town Administrator Adrian Cox will bring information back at the meeting in February.

MAYOR'S REPORT

Mayor's report stands as written. Mayor Barnhardt gave an update on the Sewer Project that is under way.

COMMISSIONER'S REPORT

Commissioner Barringer stated that Don Horn, 1150 North College Street, stated that sewer backs up in his yard. He states that there is a rise in the line and sewer is coming up in his bathtub. Town Administrator Adrian Cox stated that he had been contacted about what he needs to do to correct this problem. Town Administrator Adrian Cox will contact Mr. Horn.

EXECUTIVE SESSION

Commissioner Eudy made a motion to go into Executive Session according to N.C.G.S. 143-318.11(a)(3) Consult with Attorney-To consider and give instruction concerning a potential or actual claim, administrative procedure, or judicial action, and N.C.G.S. 143-318.11(a)(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease. Commissioner Eberhardt seconded the motion with all board members in favor. (5-0)

Town Administrator Adrian Cox stated that the Planning Board recommended that UNCC consultant do a parking study for about \$10,000.00-\$20,000.00. It was the consensus of the Board to look at other options.

ADJOURNMENT

Commission Chapman made a *motion to adjourn*. Commissioner Eberhardt seconded the motion with all board members in favor. (5-0)

By our signatures the following minutes were approved as submitted and amended on Monday, March 1, 2010 in the Regular Meeting.

Town Clerk Cathy Whittington

Mayor Troy Barnhardt

SEAL