

The Town of
Mt. Pleasant



Mt. Pleasant, North Carolina

Founded in 1848

Troy W. Barnhardt
Mayor

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**Town of Mount Pleasant
Board of Commissioners
Town Board Meeting
Town Hall – Commissioners Meeting Room
April 5, 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
Assistant Clerk Joy Eudy
Public Works Director David Fargo
Project Planner Vagn Hansen of Beachmark
Town Attorney Christy Wilhelm

Also Present: Jim Senecal, Sharon Senecal

CALL TO ORDER

Mayor Barnhardt called the meeting to order.

INVOCATION

Mayor Barnhardt led in prayer.

PLEDGE OF ALLEGIANCE

Mayor Barnhardt led in the Pledge of Allegiance.

PUBLIC FORUM

Mayor Barnhardt opened the Public Forum. With no one speaking Mayor Barnhardt closed the Public Forum.

APPROVE AGENDA

Mayor Barnhardt entertained a motion to approve or make changes to the agenda. Commissioner Burleyson stated he would like to add for discussion Proposed Text Amendment TA 2010-01 to remove Article 15 – Overlay District from the UDO and delete all references to the Thoroughfare overlay District throughout the UDO to the agenda.

Mayor Barnhardt stated he would like to add to the Executive Session of the meeting, General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee, or to hear or investigate a complaint, charge, or grievance by or against a public officer or employee.

Commissioner Eudy made a motion to approve the agenda with changes made.

Commissioner Chapman seconded the motion with all board members in favor 5-0.

CONSENT AGENDA

Minutes of the March 1, 2010 meeting

Mayor Barnhardt entertained a motion to approve the Consent Agenda.

Commissioner Burleyson made a motion to approve the Consent Agenda as presented. Commissioner Eudy seconded the motion with all board members in favor 5-0.

REPORTS

Police: Written

Fire Chief: Out of Town, said everything was running smoothly.

Town Administrator: Adrian Cox said the Highway 49 project is about 50% complete and we will make a second payment soon. In regards to the Highway 73 rehab, staff made a request at the Board meeting regarding the widening of the entrance and also the trail closing of the entrance off of Highway 73 at Buddy's restaurant. He said this issue has been referred to traffic signal department to do an analysis of the situation from both entrances. The expected date to start this project is July 6, 2010.

Town Administrator Adrian Cox stated that repairs to the playgrounds have been completed.

Adrian Cox said in regards to the water reading, we did get some data for the month of March regarding those users with Aqua American meters. He said if you look at the data we have, the use is consistent with a thirty dollar (30.00) base rate, given the new base rate structure that should go into effect in June 2010.

Town Administrator Adrian Cox asked if there were any questions. Commissioner Burleyson said going back to the meeting we had with the sports administration, are you exploring options that are strictly related to the counsel field. Town

Administrator Adrian Cox yes, at this time. He said as far as the MOU is concerned that could be applied to any Town facility or Town recreation facility. He said he had checked with the county electrical inspector also and the inspector said that it would be usable a few more years if we do what has been suggested.

Mayor Barnhardt said we could look at spending a few thousand dollars and continue to use what we have now or we can replace or abandon these facilities, whichever the Board chooses to do. Mayor Barnhardt said the Board would have a little more time to make those decisions rather than the amount of money we are talking about in the meeting, which was around forty thousand dollars. He said it probably will be brought to the Board in more details at next month's meeting.

FINANCE DEPARTMENT

Cathy Whittington is still on sick leave. Town Administrator said he had reviewed the budget for last month and we are on target.

PUBLIC WORKS

Public Works Director Dave Fargo said that his department had an inspection on Department of Environmental of Natural Resources, and that it went very well. The inspector asked for some items and Dave Fargo said he already had those items for him.

Dave Fargo said they have received the sewer jetting machine and staff has had training on it and during training they were able to knock out over 1700 feet of sewer cleaning. Staff adapted very easy to this machine.

Commissioner Burleyson asked about pot hole in town and Dave Fargo said he had marked off with white paint some of the areas around town. He said he would get some quotes and ideas from contractors. Dave Fargo also said that East Walnut Street would need some design work for a storm water system. He said he would contact Northeast Engineers and get some help from them.

Town Administrator Adrian Cox said they had at one time explored Walnut Street and one of the issues there were the power lines and utilities. He said they were on top of the storm water.

PLANNING AND CODE ENFORCEMENT

Vagn Hansen of Benchmark said he issued two zoning permits. One permit is for Rick Hammac, for a building with a dwelling in it and the other one for the Methodist Church. He said construction would be starting soon on the church.

TOWN ATTORNEY

No Report

OLD BUSINESS

Prudential 457 K:

Town Administrator Adrian Cox at the last meeting it was requested the staff do some research on the North Carolina 457 option deferred compensation plan. He said this is a retirement investment plan available through Prudential, who also manages the North Carolina 401K plan.

Town Administrator Adrian Cox said that vesting in the 457 plan can be automatic and can be made available to any type of employee, including temporary, part-time, and elected officials. Adrian Cox said to establish the 457 plan we will need another resolution and agreement similar to the one that is required for the 401K plan. It will also require an amendment to the personnel policy and changes to the payroll system.

Town Administrator Adrian Cox stated that if the Board wants to go forward with this plan, that he would recommend for consideration to make it effective in June since our finance director is on leave.

Mayor Barnhardt asked if they would like to bring this back to the Board for adoption in June.

Commissioner Burleyson asked if we could do it either way, adopt tonight and defer our compensation until June. Mayor Barnhardt said yes on the 457 plan you can,

Upon this information Commissioner Barringer made a motion to adopt the 457K Plan by adopting changes in the personnel policy and with a resolution.

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

TEXT AMENDMENT: TA 2010-01

Vagn Hansen of Benchmark stated that this Text Amendment was one we held a hearing on at a previous meeting and a work shop this evening April 5, 2010 at 6:00 o'clock. This Text Amendment will remove Article 15, the Thoroughfare Overlay District from the UDO. This will not affect the Commercial Design Standards we have now or diminish any other standards we have in the Ordinance, Setbacks or Streetscaping.

Mayor Barnhardt made the statement that it will be opened up to approve, deny or postpone the decision on the Text Amendment. He said we will need two votes if it passes and one of those is to provide a statement of consistency.

Commissioner Burleyson made a motion to approve Text Amendment TA- 2010-01 To remove Article 15, Thoroughfare Overlay District from the UDO.

Commissioner Chapman seconded the motion with all members in favor 5-0.

Mayor Barnhardt entertained a motion to adopt a statement of consistency. Commissioner Eudy made a motion to adopt a statement of consistency stating it

was consistent with the town policy. Commissioner Barringer seconded the motion with all members in favor 5-0.

NEW BUSINESS

1: CMAQ AWARD – Rewarding of the Sidewalk Project Washington Street and North Drive

Town Administrator Adrian Cox said that on June 6, 2009 Mount Pleasant received a grant contract for construction of sidewalks on Washington Street and North Drive. By using Town funds we were able to do fast tracking, which entitles the Town to 100% reimbursement expenses. He stated that the lowest qualified bidder was W.M. Warr. He also stated that there was attached a Resolution to the lowest qualified bidder. He said W.M. Warr is located in Charlotte.

Town Administrator Adrian Cox said that Staff is putting together a package for DOT and we hope to send this package to DOT in April. He said we will receive 100% financing because of fast tracking and the town will not have to put any money to this project. We will be saving about twenty five thousand dollars.

Mayor Barnhardt asked if there were any comments or questions. Commissioner Chapman said he would have liked to see the contract kept with a local contractor. Commissioner Eberhardt wanted to know if we have to vote for both streets tonight, that he was still having problems with the sidewalk on Washington Street. He said it is a sidewalk going nowhere.

Commissioner Burleyson said it was not intentionally meant to go nowhere, but the creek prevented that issue. Commissioner Barringer wanted to know if a crosswalk could be installed. Town Administrator Adrian Cox stated that was included in the contract plus signs.

Commissioner Barringer also wanted to know if there would be warning lights at this crossing. Commissioner Eberhardt said that was a very dangerous hill.

Commissioner Barringer wanted to know if a walking bridge could be put over the creek and the sidewalk extended on down the street. Town Administrator Adrian Cox said they could look into that but it probably would be greater in cost than this one is. He said this grant would not let them put a bridge over the creek but they might look into future grants.

Mayor Barnhardt said just for the Boards information, this grant was applied for ten years ago.

Mayor Barnhardt entertained a motion to approve awarding the contract for sidewalks on Washington Street and North Drive to W.M. Warr.

Commissioner Burleyson made the motion. Commissioner Eudy seconded with the motion with the vote 4-1 with Commissioner Eberhardt opposing because of Washington Street.

2: CABARRUS COUNTY FIRE DISTRICT REQUEST

Approve Cabarrus County Fire District Budget

Town Administrator Adrian Cox said that Cabarrus County Fire District request that Mount Pleasant Fire District set the budget and tax rate to contract Fire Services for Mount Pleasant Fire District. He said he had been working closely with the Fire Chief in developing this request. He said he had included in the packet a draft of the budget they expected to submit for the departments expensed. He said this is not the town's budget, but the one for Cabarrus County. Commissioner Eberhardt said looking at protective gear there was 106,000.00 and wanted to know what that was for. Town Administrator Adrian Cox said that that we are looking at the 2009/2010 budget and that included the grant.

With no more questions or comments Commissioner Barringer made the motion to approve the Cabarrus County Fire District Request as submitted. Commissioner Eberhardt seconded the motion with all members in favor 5-0.

3: DEPUTY FINANCE APPOINTMENT

Appointment of Deputy Finance Director

Town Administrator Adrian Cox stated that in the past a senior billing clerk has served to approve Purchase Orders and sign checks in the absence of the finance officer. These duties have been in the job description and in practice, but a formal appointment through a resolution would help to insure that the town is in compliance with General Statue NC 159 during an extended time of absence of the finance officer.

Commissioner Eudy made a motion to approve the appointment of deputy finance director. Commissioner Barringer seconded the motion with all members in favor 5-0.

4: PETITION FOR ANNEXATION

Consider Petition for Annexation

Town Administrator Adrian Cox said in February of 2010 Gmax submitted a petition for voluntary annexation into the Town of Mount Pleasant. On March 6, 2010 the Planning Board examined the petition and recommended the Town favorably consider the voluntary annexation and to exclude any services the Town provides. On March 29, 2010 staff met with owners of Gmax, discussing Town policies and codes. Gmax owners stated they would still like to continue with the annexation.

Commissioner Eberhardt wanted to know what services would be excluded. Town Administrator Adrian Cox said with that being commercial property they would not

have garbage pickup but for public safety they could have water and sewer, but the property owners said they did not want water and sewer and they would enter into an agreement stating so. Commissioner Barringer wanted to know if that whole corner was commercial. Town Administrator Adrian Cox said it was outside our ETJ area and he believed part is commercial and part is office institutional. Adrian Cox said the zoning that is there now is by the county and if annexed, the Town would have sixty days prior to the existing zoning becoming invalid and would want to place our own zoning on the property. The Planning Board could zone it a number of things including residential or commercial.

Commissioner Barringer asked the question what advantage is it to have that property annexed into the Town other than the two thousand, four hundred and some few dollars.

Mayor Barnhardt said it is our agreement with the county that we have annexation from our Town limits to Cold Springs road. It has been identified that the growth this Town wants to see, is toward Concord and that just ensures we are standing behind what we say. It is also in our fire district so we will not have to pay any other district to cover it. It is just another way of growth for our Town without investing anything in it.

Mayor Barnhardt said the Town will not grow smoothly with just voluntary annexation but it will with involuntary annexation.

Mayor Barnhardt said the county had already rezoned the property so WSACC could build a pump station on the property to serve the school.

After discussing the zoning on the property and the reason for Gmax wanting to annex into the Town, Mayor Barnhardt entertained a motion to approve or postpone the annexation until the May 3, 2010 meeting.

Commissioner Barringer made a motion to postpone the annexation until the May 3, 2010 meeting in order to get more information from Cabarrus County on the current zoning along Highway 49 from Cold Springs road to Highway 73 on both sides of the road. Commissioner Eberhardt seconded the motion with all members in favor 5-0.

MAYOR'S REPORT

Mayor Barnhardt submitted his report in writing

COMMISSIONER'S REPORT

Commissioner Barringer stated he had attended the Parks and Recreation meeting and it was a good meeting. They went down and looked at the concession building and stated that Parks and Recreation will not be using the back room except for maybe some storage. He stated Parks and Recreation will be working on a grant and will need to know their financial status.

Commissioner Eudy said the electrical inspector came down and looked at the building and he saw a few things that needed to be fix, but nothing that would prevent the use of the building.

Commissioner Chapman said he had attended a two day work shop and had attended the Arts and Counsels breakfast. He said he was still working on the Welcome Package.

EXECUTIVE SESSION:

Mayor Barnhardt entertained a motion to go into Executive Session according to General Statute NCGS 143-318.11(a) (5) and NCGS 143-318.11(a) (6)

Commissioner Eudy made the motion to go into Executive Session as stated. Commissioner Eberhardt seconded the motion with all members in favor 5-0.

RECONVENE:

Out of closed session

Commissioner Eudy made a motion to come out of Executive Session. Commissioner Barringer seconded the motion with all members in favor 5-0.

Mayor Barnhardt asked if we proceed with or decline the grant. He said we have to take action tonight.

Commissioner Barringer made a motion to stop pursuing the clean water and trust grant. Commissioner Eberhardt seconded the motion with the vote 4-1 with Commissioner Burleyson opposing the vote.

ADJOURNMENT:

Mayor Barnhardt entertained a motion to adjourn. Commissioner Chapman made the motion to adjourn. Commissioner Eudy seconded the motion with all members in favor 5-0.

Mayor Troy W. Barnhardt

Clerk to Board Joy Eudy

SEAL