

**Town of Mt. Pleasant
Board of Commissioners
Town Board Meeting
Town Hall- Commissioners Meeting Room
Monday, March 2, 2015
5:00 P.M.**

Attendance: Mayor Del Eudy

**Mayor Pro-Tem/Commissioner Lori Furr
Commissioner Scott Barringer
Commissioner James Sells
Commissioner Warren Chapman
Commissioner Steve Ashby
Town Administrator Randy Holloway
Town Attorney Brittany Love
Town Clerk Cathy Whittington
Fire Chief Jerry Taylor
Finance Officer Crystal Smith
Public Works Director Bobby Hartsell
Benchmark Vagn Hansen, Andy Goodall
Events/Project Coordinator Amy Schueneman**

Also Present: Troy Barnhardt, Officer Wagoner, Vance Miller Resa Treadaway, Sam Treadaway, Samantha Grass, Jason Dillon, Tonya Taylor, Amber Pope, Todd Berg, Jeff Helmtoller, Melinda Helmtoller, Shelia Harper, Elizabeth Canup, Lisa Coronus, Sandy Deaton, Stephanie Blackburn, Michelle Turner, Lori Barrier, Jeff Jones, Kelly Meade, Tina Conder, Andy Goodall Maness, Cheryl Widenhouse, Allison Cottingham, Erica Barrier, Misty Little, Monica Clapp, Dave Burnett, Sarah Blackwell, Deanna Jones, Ester Hauber, Chelsea Lemasters

CALL TO ORDER

Mayor Eudy called meeting to order.

INVOCATION

Mayor Eudy led in prayer.

PLEDGE OF ALLEGIANCE

Mayor Eudy led in the Pledge of Allegiance.

APPROVE AGENDA

Commissioner Ashby made a motion to approve the agenda. Commissioner Barringer seconded the motion the motion with all Board Members in favor. (5-0)

PUBLIC HEARINGS/DECISION

Mayor Eudy opened the public hearing for the Closure of a Public Street Right of Way.

Dave Burnett with Cabarrus County Schools showed a billboard of the school property and explained the drawing. Mr. Burnett stated that this is a 722 student school which is larger than the student body now. What they are going to construct is a core capacity of 858 so they can accommodate more students. The required length for accommodating traffic for 858 students is 1400 lunar feet. They are doing a great job with the traffic. The goal is to close North Drive and keep the school on the same site; they are aware of the history with the football fields and would not do anything to disrupt that.

Commissioner Ashby made motion to set the time for Public Comments to 3 minutes. Commissioner Sells seconded the motion with all Board Members in favor. (5-0)

Mayor Eudy asked if there was anyone in Opposition of Closing North Drive that wanted to speak.

There was no one.

Mayor Eudy asked anyone wishing to speak in Favor of Closing North Drive to come forward, state their name and address and the reason they were in favor.

Esther Hauber. 590 Jackson Street stated she has been a teacher at the Mt. Pleasant Middle School since 2000 and they need a new school. She stated that the budget and economy was always in the way. She stated that there was asbestos in the building and the bathrooms only have cold water. The students deserve better.

Amber Pope, 8812 Valley Street, she has looked at the plans and she's excited that the school will get something that is on par with the rest of the county. Both of her daughters will attend the new school. She stated that we have waited long enough and our children have waited long enough. She stated, please, please vote to close North Drive and give our children the school they deserve.

Tim Farrar, Principal at Mt. Pleasant Middle School, stated that when he was asked 9 months ago to be the Principal at MPMS it was a difficult decision to leave Northwest where he had been for 9 years. There were two reasons he wanted to come. One was to know the people of Mt. Pleasant and also to be a part of the new school. Mr. Farrell stated that he has worked at three other campuses and he was shocked when he came to MPMS. It wasn't just the musty smells, peeling paint and a roof that leaks; it was obvious that we need a new school. Another thing that was bothersome was that a State road was running through the middle of the campus. He stated thankfully nothing has happened and he has spoken with former Principal Sam Treadaway about it also. He said equity has been mentioned but he is talking about the school. He stated that there is a timeline on this project. He is asking for the Town's support on closing the road for the children.

Sam Treadaway, 1120 North College Street, stated that he wanted to talk about the safety issues. He stated that one thing he can talk about is the intersection of North Main and North Drive. He stated the intersection is not safe, he has seen issues with park and rec., parking issues, kids crossing the streets. Mr. Treadaway stated that they would have to hire off duty police for some of the school events held at night. He stated that the school needed to be built more kid friendly and let's hope that some of our tax dollars can build schools on the eastern side of the county for a change.

Tina Condor, 200 North Moose Road, is here to represent MPMS PTO. She stated that at every meeting they have the new school is discussed. The school is wanted. The school is not the argument; the argument is whether to close the road. She stated to talk to the resource officer with the school and he would tell you that the school needs to be built. Please don't delay.

Resa Treadaway, 1120 North College Street, wanted to re-enforce the safety issue. She stated that she has helped with the Mt. Pleasant parades and we're fortunate no one's been hurt. She's been involved in fund raisers at the school and with the buses coming in; it's amazing that no one's been hurt. Ms. Treadaway wants a new school and she wants the Board to vote to close to vote North Drive.

Rick Hammac, 2835 Alish Trail, stated that he had two children at MPES that have played ball for 5 years and crossed the road there. He stated that it was just a matter of time before someone was hit. His main reason for being here was because it was his understanding that some of the Commissioners may vote no and if they did he wanted to know why. He stated if there was a better plan, they would like to hear about it.

Vance Miller, 8096 North Drive, stated that he was not for or against closing North Drive. He just asked the Board not to close North Drive until the funding was in place and the school was going to be built on the property. He stated that once the road was closed it was closed.

Mayor Eudy asked those in favor of closing North Drive to stand. Almost everyone in the audience stood.

With no one else to speak, Mayor Eudy closed the Public Hearing.

Town Administrator Randy Holloway wanted to thank Cabarrus County for putting out the signs and sending out the letter to the adjacent property owners. Because North Drive is part Cabarrus County and part Mt. Pleasant it will take approval from both to close the road. Cabarrus County had their Public Hearing on February 16, 2015 but delayed their decision until March 16, 2015. North Carolina Department of Transportation has not heard this yet. It is on their agenda for March 4 or 5. Town Administrator Randy Holloway recommends the Town does not take any action until the NC DOT hears this on March 4 or 5.

Vagn Hansen with Benchmark stated that what the NC DOT will do is abandon state maintenance of the right of way of the road. The Town's action would be to close half of the public right of way. Mayor Eudy asked Vagn Hansen if there was a right way that the process should happen. Vagn Hansen stated the Statue was not well written. He stated that the Town cannot close a NC DOT maintained right of way without the NC DOT's permission.

Mayor Eudy asked the Board to allow Vagn Hansen to take questions from the audience.

Mayor Eudy asked the Board if they had any questions.

Commissioner Barringer stated that he has heard from many citizens that they want what other middle schools in the county have. He stated that he agrees, that for the thirty years he has worked for the school system, he has heard that we don't get what everybody else gets. We don't get what Winkler gets; we don't get what Hickory Ridge gets. He stated that athletics is very important in kids' lives. One thing that has not been brought up is the funds for the athletic facilities. You have students now that cross North Main Street and North Drive to get to the track. What are the plans to build a track? Every middle school in this system has a track. Not just athletic but PE classes use the track on a daily basis. Commissioner Barringer asked Dave Burnett to answer the question about the track. Mr. Burnett stated that they would no longer have to cross two roads but one. There is talk to maybe upgrade the pedestrian crossing. Commissioner asked if it was on the diagram to upgrade the crossing and re-do the track. Dave Burnett said it was not in the project scope but it is something the design team can talk about.

Commissioner Ashby asked where the talks were at about the funding.

Dave Burnett stated that it was on the agenda for the meeting that he was to attend right after he left this meeting tonight. What they are asking for tonight is to go

before the County Board of Commissioners with the dollar amount that they are asking for the project. There is a second board meeting on March 9, 2015.

Commissioner Barringer asked why the school project went up 14 million dollars. Dave Burnett explained that there was a budget that was provided, but that was a partial budget. The 22 million dollars was what the County had earmarked for the project. The original request was in the 33 million dollar range. The scope is still on the Winkler and Hickory Ridge model and it has not been twiddled down. Commissioner Barringer stated that when this was brought to the Board almost a year ago it was 22 million dollars. Dave Burnett explained that when you talk construction budgets you're talking construction costs but there are other costs. He stated that's what the general contractor's going to bid and that's what that scope of work is going to include. There is also the cost of furniture, equipment, design fee and other cost. There are also contingences. The contingences themselves are over 1 million dollars. When you add all these things together they come up to the 35-36 million dollars.

Commissioner Ashby asked if the 22 million was for construction cost and the rest was for furniture and the rest. Dave Burnett said he hoped he wasn't getting in trouble but they thought the 22 million was a hope.

Commissioner Chapman stated that the County was hoping to come up the difference of 14 million for the school, now we're talking about another 12 million. The County doesn't know, unless they can pull some strings, where it can come up with the money.

Mayor Eudy told Dave Burnett he knew he needed to go to his Board meeting and he could excuse himself.

Town Attorney Brittany Love stated that under General Statute 160 we cannot close the road until the NC DOT does. We have provided NC DOT with documentation that we support the closing of the road. We are on the agenda for later this week; however we cannot take action until NC DOT takes action. As far as the Town, we've done what we need to do. We could vote but, it would act as a recommendation at this time, it would not be a binding decision for the Town or NC DOT. The NC DOT would still have to meet and vote to close the road for that to be a binding resolution.

Mayor Eudy asked if we could do our vote and make it conditional.

Brittany Love stated that we could but, the road can only be closed by the Town if the Board finds there is nothing contrary to public interest. That is under the Statute. Brittany Love thinks the ordinance can be written to say that the road is closed contingent upon the Middle School being built on this property.

Mayor Eudy asked if we could put in the ordinance, about continence upon Cabarrus County, NC DOT and the funding. Brittany Love stated that you could, but when you stated that you were building Middle School all of that was covered that under the umbrella.

Commissioner Barringer stated that he spoke with a lady that lived on North Drive and she has talked to most the residents on that end of North Drive and they are not in favor of closing North Drive. He told her that they need to come to the Board meeting and let the Board know their feelings. Commissioner Barringer did not see any of the residents at the meeting.

Town Administrator Randy Holloway asked to speak on the timing. He stated that when he was working with the County representatives in January and we were setting the February agenda it was our understanding the NC DOT was going to hear this at their February meeting. The County and the Town set our hearing dates assuming that NC DOT was going to hear it on February 4th or 5th. For some reason it did not make it on their agenda. If it had happened in February then the timing of the County and Town's public hearing would have been appropriate. We had already advertised, so we felt compelled to have our public hearing believing that NC DOT would have already had this on their agenda.

Commissioner Sells stated that he has seen 2 identical letters. The letters didn't say they didn't want it, they said they were contingent on the funding. He stated he does agree with the safety. He works in safety every day. He stated you can't reduce all your risk, but you start somewhere. We need to ask the community what we want as a community

Mayor Eudy stated that he agreed with Mr. Treadaway and Mr. Farrell. His daughter started at the school this year and as they walked down the hall he stated that it had not changed since he graduated high school.

Mayor Eudy asked the Board what they would like to do.

Commissioner Barringer suggested that Town Attorney, Town Administrator and Vagn Hansen get together and come up with the language for the ordinance.

Town Attorney Brittany suggested that the Board table the vote until the NC DOT heard the request with the understanding that an ordinance will be presented with the correct language after NC DOT hears the request.

Commissioner Barringer made a motion to continue the public hearing until Monday, March 9, 2015 at 5:00 p.m. Commissioner Furr seconded the motion the motion with all Board Members in favor. (5-0)

CONSENT AGENDA

The Consent Agenda consist of the minutes of the February 2, 2015 Regular Board Meeting and a Proclamation for National Athletic Training Month. Commissioner Furr made a motion to approve the consent agenda. Commissioner Barringer seconded the motion with all Board Members in favor. (5-0)

REPORTS

1. Police
2. Fire Chief
3. Town Administrator
4. Finance Officer
5. Public Works
6. Town Attorney
7. Code Enforcement

All reports were submitted as written.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

1. Set Filing Fees for November Election

The Town Clerk has received a request from the Cabarrus County Board of Elections requesting information on the 2015 filing fees for the Town of Mount Pleasant. The current filing fees are \$25.00. We also have the estimated budget for the 2015 elections and that will be included in the recommended FY-2015-16 Town budget.

Commissioner Furr made a motion to leave the filing fees at \$25 for the November 2015 Election. Commissioner Ashby seconded the motion with all Board Members in favor. (5-0)

MAYOR AND COMMISSIONERS COMMENTS

Commissioner Chapman commented on the North Drive issue. He wanted to thank the guys for the work that they did during the snow to clear the streets.

Commissioner Ashby stated that he had e-mails about the North Drive issue both pro and Con. He had people asking his questions about the Green Acre standoff. He's looking forward to the White Owl opening later this month.

Commissioner Sells stated that everything was good from the ice storm.

Commissioner Furr stated that there was great feedback from the standoff. She stated that the guys did a good job during the snow.

Commissioner Barringer stated that the guys did a good job plowing the roads. Commissioner Barringer asked what were the plans for the buildings downtown. He stated that he did not have an issue with closing North Drive if we get what everyone else gets.

Mayor Eudy stated that he had also received good comments about the guys plowing the roads. He also commented on a voice mail he received about the guys fixing a water leak in Oldenburg. He stated the lady did not leave her name but said that the guys stopped picking up garbage to fix the leak.

Mayor Eudy stated that he, the Town Administrator and Andy Goodall had a conversation and would like to make a recommendation. They have had some request to put in the UDO to look at variable message boards. The recommendation is to come from the Board to do a Text Amendment and then send it to the Planning & Zoning Board. Commissioner Furr made motion to do a text amendment to allow message boards. Commissioner Sells seconded the motion with all Board Members in favor. (5-0)

Commissioner Furr made a motion to amend the agenda to include #2 Farmer Market to New Business. Commissioner Ashby seconded the motion with all Board Members in favor. (5-0)

Amy Schueneman reported that the Mt. Pleasant Methodist Church has offered to allow their parking lot to be used at no cost to the Town for the Farmer's Market. They are requesting that the Town provide a port-a-john and cover the cost of any water used.

Commissioner Ashby made a motion to allow the church to host the Farmer's Market for a year. Commissioner Ashby amended his motion to include the Town would pay for the cost of the port-a-john. Commissioner Chapman seconded the motion with all Board Members in favor. (5-0)

Commissioner Barringer made a motion to go into Executive Session according to N.C.G.S 143-318.11(a)(5) To establish or instruct the staff or agent concerning the negotiation of the price and terms of a contract concerning the acquisition of real property. Commissioner Sells seconded the motion with all Board members in favor. (5-0)

ADJOURNMENT

After coming out of Executive Sessions and with nothing else to come before the Board, Commissioner Furr made a motion to adjourn. Commissioner Chapman 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 April 6, 2015 in the Regular Meeting.

Town Clerk Cathy Whittington

Mayor Del Eudy