

# Mount Pleasant

North Carolina

*Founded in 1848*

**Town of Mt. Pleasant  
Board of Commissioners  
Town Board Meeting Minutes  
Monday, March 14, 2022 at 6:00 P.M.**

**Attendance:** Mayor Del Eudy  
Mayor Pro-Tem/Commissioner Lori Furr  
Commissioner Chris Carter  
Commissioner William Meadows  
Commissioner Jim Sells  
Commissioner Justin Simpson  
Town Administrator Randy Holloway  
Town Attorney John Scarbrough  
Town Clerk Amy Schueneman

**Also Present:** Erin Burris, Crystal Smith, Deputy Claudett Camille, Captain Tessa Burchett, Ally Schueneman, Ryan Shaver, Pastor Earl Bradshaw, Steve & Peggy Chambers, Kevin Crutchfield, Liz Fitzgerald, Amy Starnes, Fire Chief Dustin Sneed, Ryan Sellers, Ryan Pope, Jennifer Frontera, Andy Clement, Scott O'Loughlin, Joseph Burleyson, a few unknown audience members, and Boy Scout Troop #5 (Kasie Long, Nancy McKenna, Brice Long, Caleb Cline, Carter Jones, Eli Brown, Eric McKenna, Jaxson Presley, Will Charest, and several parents entering late.)

## **CALL TO ORDER**

Mayor Eudy called the meeting to order.

## **INVOCATION**

Pastor Earl Bradshaw of Mount Pleasant United Methodist Church led the Board in prayer.

## **PLEDGE OF ALLEGIANCE**

Mayor Eudy led the Pledge of Allegiance.

### **1. Public Forum**

- Kevin Crutchfield introduced himself to the Board as a candidate running for NC House Representative for 83<sup>rd</sup> District. He moved to NC in 1981 with IBM. He owns a family business, Casco Signs, in Concord and a farm in Mount Pleasant. Mr. Crutchfield stated he would like to represent the citizens of Mount Pleasant.

### **2. Conflict of Interest**

*The Mayor and Commissioners are asked at this time to reveal if they have a Conflict of Interest with any item on the Agenda in order to be recused for that item.*

(No member shall be excused from voting except upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234 or 160D-109(a). NC State Statute 160A-75 and no public official shall knowingly participate in making or administering a contract, including the award of money in the form of a grant, loan, or other appropriation, with any nonprofit with which that public official is associated. NC State Statute 14-234.3)

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No one had a conflict.

### 3. Approve Agenda

Mayor Eudy added two items to the Agenda:

New Business C: Eddie Carrick, CPA, PC contract for FY2021/2022 Audit Services.

New Business D: Fire Dept presentation for request to purchase 1996 Pierce Lance 100-foot Aerial Platform Truck.

A motion to approve the Amended Agenda was made by Commissioner Furr with a second by Commissioner Sells. All Board Members were in favor. (5-0)

### 4. Consent Agenda

- A. Minutes February 14, 2022
- B. Budget Amendment #16- Kaufman Enclosed Trailer
- C. Policy for Program Income Related to the Expenditure of American Rescue Plan Act Coronavirus State and Local Fiscal Recovery Funds by North Carolina Local Governments (*needed for ARP Funds*)
- D. Record Retention Policy: Documents Created or Maintained Pursuant to the ARP/CSLFRF Award (*needed for ARP Funds*)
- E. Nondiscrimination Policy to comply with the "Coronavirus State Fiscal Recovery Fund" (*needed for ARP Funds*)

Commissioner Sells made a motion to approve the Consent Agenda as listed with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

### 5. Reports

- A. Town Manager-Randy Holloway
- B. Asst. Town Manager-Crystal Smith
- C. Town Clerk/Finance Officer - Amy Schueneman
- D. Planning & Economic Development Director - Erin Burris
- E. Code Enforcement-Jeff Watts
- F. Public Works- Lane Bost
- G. Fire Dept. -Chief Dustin Sneed
- H. Cabarrus Co. Sheriff's Dept Report - Deputy Claudette Tarte

### 6. Introduction: Liz Fitzgerald, Executive Director, for the Cabarrus Arts Council

Ms. Fitzgerald is the incoming Director for the Cabarrus Arts Council. She previously worked for the Charlotte Arts Council. The last two years have been difficult for artists to make a living. The Arts Council granted the Town funds for the mural on the Barringer building and has given many other grants to help support the arts and artist. At the various Art Walks, they are asking participants what they would like to see in the way of the arts in the future. She hopes to reach all the students in every school and grade level within the next few months with the arts.

No motion was made. Information only.

*A copy of the PowerPoint is included in the Minute Book.*

### 7. Public Hearings

**TA 2021-04 Home Occupations** (continued from February 14, 2022 meeting)

Erin Burris did a quick recap of last month's presentation for Home Occupations. The Home Occupations Text Amendment was to respond to evolving changes in working environments and increase in businesses operating in residents' homes. The text amendments are proposed to update home occupations regulations, expand permitted home occupations, to clarify certain home occupations already permitted, permit home occupations in accessory structures, and provide provisions for the storage of heavy equipment for home occupations in the AG and RL districts.

Last time there was discussion from page 5-13 mainly dealing with heavy equipment in the AG and RL districts, specifically the one-acre lot threshold. She presented a zoning map to the Board to show Zoning Districts. Larger lot areas could accommodate more of the heavy equipment.

Public Hearing was reopened by Mayor Eudy.

Ryan Pope, 1616 Junior Linker Drive off Mt. Pleasant Road West, and is one of the people that falls under the ETJ part. He is in the middle of 22 acres and he built a garage in 2017 for a camper, boat, and he has a small landscaping business. He purchased an extra acre from a gentleman that passed away a year ago. Had issues with the County and the Town having to deal with everything since the building is in the middle of each jurisdiction. He has permits on the building and has been paying taxes on it since 2017. Nothing can be seen from Mt. Pleasant Rd West. His concern is that he is in the ETJ and if he doesn't like it, he has no say since he can not vote in municipal elections. Times have changed and more people are working from home. He would like the Board to keep that in consideration.

Mayor Eudy stated that what the Board is doing will affect the ETJ. Since no one else wanted to speak he closed the Public Hearing.

Ms. Burris directed the Board to the "Town Board Action Requested" in the TA 2021-04 Home Occupations Packet. If the Board would like to change anything in the packet, they are able to.

The Text of the Ordinance does not allow someone to run a home occupation from an accessory structure currently. If this text amendment passes, you could run a home occupation from an accessory structure as long as it is not any larger than 25% of the home. It does allow several pieces of equipment to be outside an enclosed structure if necessary, depending on the size of the property. The Planning Board recommended an acre size for up to 2 pieces of heavy equipment with a maximum of 6 pieces of equipment. There has to be a line between residential versus commercial use. If people were properly permitted prior to these changes they would be able to continue since it would be a legal nonconforming use. Heavy equipment is considered anything over 63,000 pounds (size of a full garbage truck).

The Board asked for heavy equipment to be allowed on 2 acres or more not the 1 acre presented.

A motion with the change to 2 acres minimum for heavy equipment for "Approval and consistent: The Town Board finds that proposed amendments are consistent with the Economic Development Goal of the Town's Comprehensive Plan and reflect prevailing changes in the economy" was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

*A copy of TA 2021-04 Home Occupations Packet and Zoning Map are included*

*in the Minute Book.*

**TA 2022-01 Nonconforming and Temporary Signs**

Article 12 of the Development Ordinance- There are two separate areas of Text Amendment. The first is to accommodate the exchange of manual changeable copy on nonconforming signs with electronic changeable copy. The second part is in order to permit each property in Mount Pleasant to display one small temporary sign as a means to promote economic development. On page 12-7 a section was added to exchange manual changeable copy to electronic changeable copy signs in existing signs.

Page 12-11 one change was made in the table for Type 1 signs (real estate or political type signs). This will make Code Enforcement easier. Before it was limited to homes for sale. It will allow for one sign per property.

Public Hearing was opened by Mayor Eudy. No one spoke.

A motion that the Town Board of Commissioners finds that proposed amendments are consistent with the Economic Development Goal of the Town's Comprehensive Plan was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

*A copy of TA 2022-01 Nonconforming and Temporary Signs is included in the Minute Book.*

**TA 2022-02 Flag Lots**

This Text Amendment would restrict flag lots from taking access on major thoroughfares and increase the minimum street frontage to 22 feet for residential lots and 44 feet for non-residential lots to match the driveway standard of Appendix D. Currently, there is a conflict in the text. Flag lots are permitted, but only one in a division of 20 lots. In section 6.6.6 B Flag lots shall not take access from any major thoroughfares (Hwy 49, Hwy 73, Main Street, Mount Pleasant Road North, Mount Pleasant Road South).

Public Hearing was opened by Mayor Eudy. No one spoke.

A motion that the Town Board of Commissioners finds that proposed amendments are consistent with strategy IS7 of the Town's Comprehensive Plan was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

*A copy of TA 2022-02 Flag Lots is included in the Minute Book.*

**Revised Development Agreement for REZ 2017-01/SUB 2017-01 Green Acres**

Mayor Eudy stated that the Board would have the Public Hearing tonight. Since the closing has not happened with the sale of the property yet, the Board will be unable to take action tonight.

Erin Burris reminded everyone that in 2008 the property on Hwy 73 was annexed by the Town of Mount Pleasant. In 2009 the Town entered into a Development Agreement with the property owner to provide water and sewer service as long as the property owner built the sewer line to the property. That is when the recession started, and everything stopped. In 2017 the Town was reapproached by the property owner with a plan with a few more lots and a different Zoning District. The plat that was approved has 37 lots,

zoned Conditional Zoning RM which has not changed since 2017. The preliminary plat approval was renewed because it had been more than 2 years. Nothing in the ordinance has changed on the standards of how to build a subdivision, so the Planning & Zoning Board did renew that approval. This Development Agreement takes into consideration that the plan changed in 2017 and the sewer line that will be serving this property also serves the entire drainage basin. Therefore, it does require some participation from the Town as far as accommodating that. Benchmarks that were previously discussed for reimbursements are now in the agreement: First disbursement, the line must be completed and accepted by the Town and in accordance with DEQ standards and conveyance of Lot 5 and Lot 6 by developer to the Town. Second, the first 10 homes must be completed with issue of Certificates of Occupancy by December 31, 2023. Third, an additional 10 homes must be completed with issue of Certificates of Occupancy by December 31, 2024. Total will be \$263,788.

Public Hearing was opened by Mayor Eudy.

Peggy Chambers asked a question about the "schedule" mentioned in the letter sent to the adjacent property owners and what it meant. Erin Burris replied that she was following State guidelines to send out the letters, but it only affected the Developer's reimbursement payments and nothing else. Everything else stays the same with the layout.

Mayor Eudy informed the Board that they would need to leave the Public Hear open until the property closed to prevent having to readvertise.

A motion to hold the Public Hearing open was made after Closed Session at the end of the meeting. (see below)

*A copy of Green Acres Preliminary Plat and the Development Agreement are included in the Minute Book.*

## **8. Old Business**

None

## **9. New Business**

### **A. Code of Ordinances-Part 5 Municipal Utilities**

Erin Burris said Code of Ordinances Part 5 need to be corrected because when we are looking at this Development Agreement, we realized the utility section of our ordinance needed attention.

The following is a summary of the changes in Code of Ordinances Part 5:

#### Numbering System

A new numbering/codification system has been introduced to make the code more user-friendly and to improve the ability to add new section numbers in the future. The Part numbers of the Code will remain the same, but and Chapter and Section numbers will be changed for consistency.

#### Manager-Council Form of Government Updates

Updates will occur throughout the code to reflect the Manager-Council form of government adopted in 2019.

### Part 5: Municipal Utilities

Updates have been made for consistency of terms throughout Part 5. Additional updates reflect current and best practices as well as statutory and regulatory references. Additional discussion may be needed regarding water and sewer connection requirements and well and septic within the town limits.

There were a few typos:

- in Section 5.1.9- should read Water Plant (not Plan) Supervisor
- in Section 5.2.6 A- At the direction of the Town Manager, the Public Works Director and Water Plan Supervisor shall share the duties of ~~Water~~ (should be Sewer) Superintendent and supervise the sewer system of the Town.

After discussion on "5.2.18 E: At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in section 5-2.3 (D), a direct connection shall be made to the public sewer in compliance with this article, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material" the Board decided to remove this from the Code of Ordinance.

Section 5.4 references using contractors to run water and sewer lines on NC DOT roads since the Town is not qualified to do those to NC DOT standards.

System Development Fees may be added in the future. 5.4.4 C. System Development Fees Subject to Article 8 of N.C.G.S. 460A, (per John Scarbrough should be 162A) the Town may adopt a system development fee for water and sewer service to fund water and sewer improvements.

5.4.5 Utility system extension and connection-Does the Town want septic systems in Town if there is no sewer treatment capacity at WSACC? The Board decided to allow on a case by case basis if a last resort. The Board also gave the Town Manager the ability to decide whether or not a property owner would have to annex if water and sewer are not both available.

A motion to approve the changes made to Code of Ordinances Part 5 as presented was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

*A copy of the Code of Ordinances Part 5 is included in the Minute Book.*

### **B. Code of Ordinances-Part 7 Motor Vehicles and Traffic**

Erin Burris provided a list of streets and the widths of the streets to the Board. None of the Town maintained streets are wide enough to meet the current fire code. It should be 24' wide from back of curb to back of curb and 26' at fire hydrants. The widest streets are 22' while most are 16'-18'. Our streets and ordinances were built for 1922 not 2022. One benefit of having narrow streets is that it does slow down traffic. The current ordinance state that if someone parks on the street, they must leave 10' for traffic. Roads must be 16' to be included on Powell Bill from state. She asked for Boards general thoughts on what they would like to see when the Code of Ordinances-Part 7 is redone.

Board mentioned requiring more parking spots for new home construction from two spots to three.

Ms. Burris also asked about the Board's feelings on horse drawn carriages on Town streets. Someone is wanting to do carriage rides around the Town. It can not be regulated by land use. Horses do not have to be allowed on the streets, but the Town is also going to be addressing Low Speed Vehicles (golf carts). The Board was not completely opposed to the idea of horses, but they are smelly and slows down traffic.

Appendix for Part 7 was given to the Board. This will be incorporated into the Code of Ordinances- Part 7 when it comes back to the Board.

No motion was made. Discussion only.

*A copy of the Code of Ordinances- Part 7 and the Appendix for Part 7 are included in the Minute Book.*

**Added On:**

**C. Eddie Carrick, CPA, PC contract for FY2021/2022 Audit Services.**

Amy Schueneman asked the Board to consider signing the Eddie Carrick, CPA contract for FY2021/2022 Audit Services. It will cost \$10,000 for the Audit and \$2,000 each for Major Program. With all the money the Town is getting from the Federal and State government for grants, the Town will have to have special audits (Yellow Book and single audit) done this year or next when funds are spent. They have done a great job for the Town and are easy to work with.

A motion to sign the contract with Eddie Carrick, CPA, PC for FY 2021/2022 audit services was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

*A copy of the Audit Contract are included in the Minute Book.*

**D. Fire Dept presentation for request to purchase 1996 Pierce Lance 100-foot Aerial Platform Truck.**

Fire Chief Dustin Sneed and Fire Fighter Ryan Sellers presented a PowerPoint to the Board for the 1996 Pierce Lance 100-foot Aerial Platform Truck they would like to purchase from Selden, New York. Four members of the department went this past weekend to look over the truck and drive it. All were impressed with the handling and condition of the truck. Cost would be \$190,000 and an estimated \$10,000 for transportation to bring to North Carolina.

After the presentation the Board discussed if there was a need for a 100' ladder, difficulty in driving the truck on narrow town streets, and how often the current ladder truck is used.

A motion to move forward with the purchase (of 1996 Pierce Lance 100-foot Aerial Platform Truck) was made by Commissioner Simpson with a second by Commissioner Furr. **The motion did not pass:** Commissioner Simpson and Commissioner Furr were in favor while Commissioner Sells, Commissioner Carter, and Commissioner Meadows were against. (2 for-3 against)

*A copy of PowerPoint is in the Minute Book.*

Commissioner Meadows made a motion to go into Closed Session with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

**10. Closed Session 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.*

- 1. Development Agreement -Green Acres**
- 2. Property Acquisition - 8563 E. Franklin St. and sewer easement Hwy 49**

**Closed Session 143-318.11.(a)(#6)** To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee...

- 1. Discuss Town Manager Compensation**

A motion to come out of Closed Session was made by Commissioner Furr with a second by Commissioner Carter. All Board Members were in favor. (5-0)

**Motions made after Closed Session ended:**

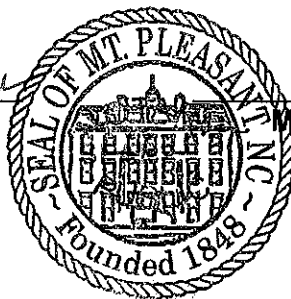
- 1. A motion to allow the Town Manager to make an offer on N. Washington St. property (8563 E. Franklin St.) of \$210,000 and then pursuant to the closing of that agreement enter into a rental agreement on the property for a period of 12 months for \$1,000 per month was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)
- 2. A motion to authorize the Town Manager to enter into an agreement on the Hwy 49 sewer easement property and to allow the payment of \$1,000 earnest money was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (5-0)
- 3. A motion to continue the Public Hearing for the revised Green Acres Development Agreement was made by Commissioner Simpson with a second by Commissioner Carter. All Board Members were in favor. (5-0)
- 4. A motion to make a pay raise for our Town Manager of \$40 an hour starting next Fiscal Year (July 1, 2022) was made by Commissioner Simpson with a second by Commissioner Sells. All Board Members were in favor. (5-0)

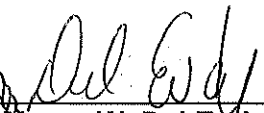
**11. Adjournment**

With nothing else to come before the Board, Commissioner Furr made a motion to adjourn. Commissioner Sells seconded the motion. All Board Members were in favor. (5-0)

By our signatures, the following minutes were approved as submitted and amended on Monday, April 11, 2022 in the Regular Meeting.

  
Town Clerk Amy Schueneman



  
Mayor W. Del Eudy