

Mount Pleasant

North Carolina

Founded in 1848

**Town of Mt. Pleasant
Board of Commissioners
Town Board Meeting Minutes
Monday, July 12, 2021 at 6:00 P.M.**

Attendance: Mayor Del Eudy
Mayor Pro-Tem/Commissioner Lori Furr (by phone)
Commissioner Steve Ashby
Commissioner Justin Simpson (arrived at 6:06pm)
Commissioner William Meadows
Commissioner Jim Sells
Town Administrator Randy Holloway
Town Attorney John Scarbrough
Town Clerk Amy Schueneman

Also Present: Erin Burris, Crystal Smith, Matt Sharrock, Deputy Stephen Wagoner, Kay Beckett, Sharon Perdew(?), and Faith Eudy.

CALL TO ORDER

Mayor Eudy called the meeting to order.

INVOCATION

Associate Pastor Matt Sharrock of Propel Church led the Board in prayer.

PLEDGE OF ALLEGIANCE

Mayor Eudy led the Pledge of Allegiance.

1. Public Forum

No one spoke

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, 160A-381(d), or 160A-388(e)(2). NC State Statute 160A-75)

No one had a conflict.

3. Approve Agenda

ADDED:

New Business F- Town Branding added by Commissioner Furr

A motion to approve the Amended Agenda was made by Commissioner Sells with a second

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by Commissioner Meadows. All Board Members were in favor. (4-0, Commissioner Simpson had not arrived)

4. Consent Agenda

- A. Minutes June 14, 2021
- B. Items Sold on Gov Deals and direct by Fire Dept. June 2021
- C. Cabarrus Economic Development Contract FY21/22
- D. Budget Amendment #17 Year End Corrections
- E. Budget Amendment #18 Year End Future Retiree Insurance
- F. Budget Amendment #19 Year End Manhole Repair Fund

Commissioner Furr made a motion to approve the Consent Agenda as listed with a second by Commissioner Ashby. All Board Members were in favor. (4-0, Commissioner Simpson had not arrived)

5. Reports

A. Town Manager-Randy Holloway

Mr. Holloway briefed the Board on the conference call held last Friday with FEMA. Despite all the questions asked and guidance by FEMA about funding if there was an overage to the estimated cost of \$230,000 for the Dutch Buffalo Creek Dam repair, FEMA denied any additional funds for the project. Because the Town selected "fixed cost", we are unable to receive any additional funds. Town Clerk Amy Schueneman had email trails showing responses from FEMA and the state showing that we were asking the right questions. However, because of the bad advice by them, they will not permit additional funds for the project.

Mayor Eudy suggested staff should reach out to Congressman Richard Hudson's office to see if he can help with the matter.

Mr. Holloway did talk to engineer Wes Webb with Alley, Williams, Carmen, and King to see if the lowest bidder can modify the repairs to fit within the budget.

B. Asst. Town Manager-Crystal Smith

Mrs. Smith recognized Faith Eudy as a 6-year member of the Youth Council. She was always the first to arrive and last to leave. She will attend Western Carolina this fall. Mrs. Smith jokingly said she is now promoted to the Events Committee now. The Board gave her a standing ovation for her dedication to the Town.

C. Town Clerk/Finance Officer - Amy Schueneman

D. Planning & Economic Development Director - Erin Burris

Ms. Burris had several items to report to the Board:

- Utilities: During the last week of June Town staff was made aware of sewer capacity issues as WSACC's Rocky River Waste Water Treatment Plant. Staff from WSACC, Cabarrus County, Concord, Kannapolis, Harrisburg, and Mount Pleasant have formed the WSACC Capacity Allocation Committee. They will be meeting weekly for the next few months to come up with recommendations on how future sewer capacity should be allocated ahead of the expansion at the treatment plant. Paper capacity showed a significant increase in request for allocation with a large increase in I&I from storm water. On paper it is scary. Will ask state to reduce capacity of each bedroom from 100 to 70 gallons a day. This one step would gain Cabarrus County a million gallons a day on

paper. Allocation will have to be rationed until the first expansion in 2022 and the completed project in 2027. Commissioner Sells said it use to be first come first serve. Now each area will have an allocation.

- Comprehensive Plan Implementation: Cabarrus County approved budget for FY21/22 included \$4.1 million to construct a new park and/or ballfields in the Northeast portion of the county.
- The Buffalo Creek Preserve Trailhead Parking Area-the application was submitted to the County for a grant to expand parking and build a shelter. Because the Town had not signed the lease, the Active Living and Parks Committee did not take it seriously because the Town “was not committed.” to the project. They suggested trying again in October but only \$16,000 will be available and the Town needed \$45,000. Mrs. Burris asked the Board for guidance. The Board thought staff should reach out to the Threadtrail and report back.
- Transportation-The Surface Transportation Block Grant is something that the Town would have to pursue for Washington St. because the CMAQ money that we were going for would cover the sidewalk but not the place to put the sidewalk. NCDOT and MPO are trying to figure out if DOT will not pay curb and gutter even though they use to. Pairing the money with STBG and CMAQ may be the way to get it done.
- Intersection of 73 and Main- the draft pavement markings are not adequate for fire trucks to get through the intersection. When came out to field verify, they had questions on if it would work. Waiting on decision. There will not be turn lanes on Main St.

E. Code Enforcement- Jeff Watts

F. Cabarrus Co. Sheriff's Dept Report -Deputy Stephen Wagoner

6. Public Hearings

A. TA 2021-01 160D Amendments

Ms. Burris said General Assembly signed by the Governor North Carolina General Statute 160D reorganized all the Planning Statutes. It used to be in 160A -19. Recommending it to be called the Mount Pleasant Development Ordinance. The biggest changes were in Articles 2 and 3.

Article 2 is the establishment of the Boards and Entities that oversee enforcing the ordinance. On page 1-14, 1.6.8.9 Criminal Penalties permits charging Class 3 misdemeanor. Fines must be put in fund for school system. If you remove the Criminal Penalty from the ordinance, Town could retain fines. This would take the “bite” out of the ordinance. Board thought it was a good idea to keep it in there based on advice from town Attorney John Scarbrough. The Historic Preservation Commission (which is only on paper) set up, Town Board role, and Conflict of Interest statements on voting are included in Article 2. The Historic Preservation Commission is there if you choose to use it, if you establish the Historic Preservation Overlay which is a legislative decision. To enact the overlay, a rezoning of the entire Historic District would be needed. To do that the Board would have to install a Historic Preservation Commission to oversee the program. Guidelines are governed by State Statutes or Secretary of Interior Standards.

Article 3 was heavily reorganized because the old flow charts were hard to follow. Page 3-4 shows the steps and what goes on in each step. Every approval type is listed with who you would go to for approval.

Article 4 - Table 4.6.1 specific standards in the Statutes are reference in the table. Government buildings excluding Animal Shelters and Correctional Institutions are a separate use. Animal Shelters were added to C1 and CD because of similar uses but only as Special Uses so they would have to go to the Board of Adjustment. The Statutes distinguishes Bed & Breakfast Homes from Bed & Breakfast Inns. Bed & Breakfast Homes (8 rooms or less) added as a line item under Office and Service Uses and only permitted as Special Use in residential districts. It was added to OI, Center City, C1 and C2. Bed & Breakfast Inns (8-12 rooms) permitted in CC and C1. Over 12 rooms would be considered a hotel. Amateur Radio Antenna 160D-905 that had to be added for certain districts. Sawmills were left out of last ordinance but added back to this one.

Article 5- Home Occupations-Furniture Refinishing was deleted since falls more under Artist & Craftsman exemption. Reception and Banquet Facilities changed from 5 to 4.

Article 6- It is all about Subdivisions with changes coming straight from Statutes. Some references were added about things being reviewed by the Town Engineer and members of the Technical Review Committee, not just the Director of Public Works. Under the vesting section of 160D, gives only 3 time frames for permits (1 year), plats (2 years), and plans (can renew after 2 years). Had to classify types of open space for developers as either passive or active.

Article 12- Signs that said you must allow fence wraps for advertising on construction sites.

Article 13- Information about vested rights. Developer can choose to go with old or new ordinance if changing when they come in on a project.

As of July 1st we were mandated to follow 160D.

No one spoke at the Public Hearing.

A motion to say 160D is Approve and consistent: The Town Board finds that proposed amendments are not addressed by the Comprehensive Plan, but are not inconsistent with it. These amendments are intended to bring the Development Ordinance into compliance with new NCGS Chapter 160D, as required by state law, to rename the Unified Development Ordinance (UDO) to the Mount Pleasant Development Ordinance (MPDO), and to reorganize and codify the Ordinance accordingly was made by Commissioner Ashby with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

Copy of the 200 page Mount Pleasant Development Ordinance is in the Minute Book.

B. TA 2021-02 CC Paved Parking Amortization Extension

Erin Burris stated this is to extend the Paved Parking Amortization for the Center City district for another two years due to the global pandemic. Hopefully, this will be the last extension.

No one spoke at the Public Hearing.

A motion to amend the extended amortization period for paving all gravel parking lots in Center City for two years until July 8, 2023 was made by Commissioner Sells with a second by Commissioner Ashby. All Board Members were in favor. (5-0)

A copy of the changes to Section 8.1.3.1.5 is included in the Minute Book.

7. Old Business

None

8. New Business

A. Façade Improvement Program request for awning by Moose Drug

A year and a half ago, the School of Government put out an interpretation of Façade Grants stating they constituted a gift. Therefore, the Town Façade Grant program was reworked to become the Historic Façade Improvement Program which is a more incentive based agreement. It is focused on historic facades over 50 years old. A Façade is the front, back or side of a building with emphasis on the front. The main purpose is to increase the tax base for the Town of Mount Pleasant. Landscaping and planters have been removed from the program. The property shall not be in violation of any zoning or code regulations; however, the program may be used on properties that have a plan to repair or restore historic buildings that may have code violations that will be corrected as part of the planned improvements. Each tier has a commitment time frame for the owner to maintain the facade.

Estimates have to be done up front. Then, they will be presented to the Board for approval. Once the work is done according to the Program, the owner can get up to 50% reimbursement from the Town.

Currently, there is one application for an awning and two others with historical buildings that have pretty significant improvements that are in line. \$10,000 is budgeted each year with some in a side account that was not spent last year. Residential buildings are not eligible.

A motion to approve the updates to the Historic Façade Improvement Program was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

A copy of the Historic Façade Improvement Program Guidelines is included in the Minute Book.

B. Consider using local funding for Community Facilities Project including the Fire Dept. renovation and Municipal Complex improvements.

Mr. Holloway informed the Board that Town Staff is recommending not using USDA funding for the Community Facilities Project for the Fire Dept. renovation and Municipal Complex improvements. Reasons include more preliminary work and expense to apply for the USDA loan and cost will increase due to regulations attached to using USDA funds. The extra cost negates the lower interest rate. USDA loan term is only 25 years for Community Facilities and local banks should be able to do at least 20 years at a slightly higher interest rate.

Once we receive RFP's back from the local banks, the Town would request LGC approval to secure the loans prior to accepting the funds. The Board would give final approval to the bank with the best loan package at a future Board Meeting.

Motions:

1. A motion to use local funding for the Community Facilities Project including the Fire Dept. renovation and Municipal Complex improvements was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

2. Motion to allow staff to send out a Request for Proposal (RFP) to the three area banks for funding for the Community Facilities Project including the Fire Dept. renovation and Municipal Complex improvements was made by Commissioner Simpson with a second by Commissioner Sells. All Board Members were in favor. (5-0)

A copy of the Request for Proposal (RFP) is included in the Minute Book.

C. Consider approving McGill as the Engineering Firm for the Community Facilities Project for the Municipal Complex.

Town Manager reported that Town Staff reviewed the submissions to select an Engineering Firm for the Community Facilities Project for the Municipal Complex.

The Town advertised for RFQ's (Request for Qualifications) for engineering services and received six RFQ's from the following engineering firms:

Alley, Williams, Carmen, and King Inc.
Armstrong Glen, PC
LKC Engineering, PLLC
LJB Inc.
McGill Associates
Milligan Architecture, Inc.
The Wooten Company

After looking at the six presentation folders, the Town Staff consensus was McGill. They were the most experienced team with similarly related projects.

A motion to approve McGill as the Engineering Firm for the Community Facilities Project for the Municipal Complex was made by Commissioner Ashby with a second by Commissioner Meadows.

All Board Members were in favor. (5-0)

D. Consider continuing to use Milligan Architecture, Inc for the Fire Dept. renovation project.

Randy Holloway stated several years ago, Milligan Architecture was chosen to lead the Fire Dept. renovation. The project was put on hold due to higher-than-expected cost.

When the plan changed to use USDA funding for the Fire Dept. and Municipal Complex improvements, an RFQ for Architect/Engineering services was sent out combining the

projects. Town Staff would like to separate the projects since we will go for local bank financing and continue using Bill Milligan as the architect for the Fire Dept.

A motion to continue to use Milligan Architecture, Inc for the Fire Dept. renovation project was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

E. Consider allowing Town Manager Randy Holloway to sign the Budget Amendment for the American Rescue Plan (ARP).

Amy Schueneman explained to the Board that the next step for receiving the ARP funds was to do a Budget Amendment to account for the money. Since Rick Driscoll of Sherrill and Smith would not be here until July 15th to help set up the account line items in the financial software, she asked the Board to allow Town Manager Randy Holloway to sign the Budget Amendment when completed. This would eliminate a Special Called meeting for that purpose. Funds from the ARP should be arriving anytime. The Board would still be required to approve any spending of the funds.

A motion to allow Town Manager Randy Holloway to sign the Budget Amendment for the American Rescue Plan once guidance is received from Sherill and Smith was made by Commissioner Simpson with a second by Commissioner Ashby. All Board Members were in favor. (5-0)

ADDED F. Town Branding

Commissioner Simpson stated that he is excited about the new branding campaign. It is completely different than what is currently being used. Commissioner Furr and Simpson would like to get everything done at one time instead of only a piece of the rebranding and asked to go ahead and approve spending funds to do it all at once.

Amy Schueneman stated that since the exact amount was not known at the meeting and a Budget Amendment not prepared, it would be better to wait until the August meeting to approve the additional funding.

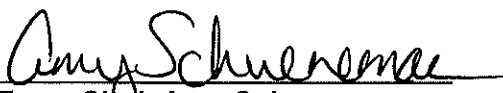
Board agreed to wait until the August meeting to discuss.


9. Adjournment

With nothing else to come before the Board, Commissioner Meadows 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, August 9, 2021 in the Regular Meeting.


Town Clerk Amy Schueneman


Mayor W. Del Eudy

