

# Mount Pleasant

North Carolina

*Founded in 1848*

Town of Mt. Pleasant  
Board of Commissioners  
Town Board Meeting  
Monday, September 9, 2019 at 6:00 P.M.

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

**Also Present** Cadet Captain Josh Flanagan, Cadet Senior Airman Clay Newmyer, Cadet and Senior Airman Michaella Good, Lt. Col. Timothy Neel, Erin Burris, Deputy Stephen Wagner, Capt. Laura D. Heggins, Kay Beckett, Jennifer Blake, Terrie Reece, SSGT Justin Walters, Richard L. Wines, Andrea S. Edmondson, Bill Lutrick, John & Louise Murdock, Tom Earnhardt, Brian Seagraves, Jason Shive, Crystal Smith, Jerry Taylor, 1 unknown person, and Jeff Young.

## CALL TO ORDER

Mayor Eudy called the meeting to order.

## INVOCATION

Youth Pastor Jason Shive from Mount Pleasant Community Church led the Board in prayer.

## PRESENTATION OF THE COLORS

Presentation of the Colors by Mt. Pleasant High School Jr. ROTC Cadet Captain Josh Flanagan, Cadet Senior Airman Clay Newmyer, Cadet and Senior Airman Michaella Good under the direction of Lt. Col. Timothy Neel.

## PLEDGE OF ALLEGIANCE

Mayor Eudy led in the Pledge of Allegiance.

Mayor Eudy presented John C Murdock, III a plaque to thank him for his 15 years serving as Chairman of the Planning & Zoning Board. The Board applauded him for his commitment to the Town.

### **1. Public Forum**

No one spoke in the Public Forum.

### **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*

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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*)

Commissioner Steve Ashby and Commissioner Justin Simpson both had a Conflict of Interest with Public Hearing Item B: Right-of-way closures-N. Halifax Street and Old Mount Pleasant Collegiate Institute Alley since they each are living on property that will be affected.

### **3. Approve Agenda**

Mayor Eudy added two items to New Business:

E. Consider appointing a person to fill the ABC Board position soon to be vacated by Harry Lassiter effective September 30, 2019.

F. Consider approving a Memorandum of Agreement with Alley, Williams, Carmen & King, Inc. for the engineering services related to the Dutch Buffalo Creek Dam Repairs in the amount of \$72,500.

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

### **4. Consent Agenda**

- A. Minutes August 12, 2019
- B. Items sold on GovDeals in August 2019
- C. Notice of Gravel Parking Amortization in Center City (CC) District

No items were brought out for discussion.

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

### **5. Reports**

- A. Town Administrator- Randy Holloway
- B. Asst. Town Administrator-Crystal Smith
- C. Town Clerk/Finance Officer- Amy Schueneman
- D. Planning & Economic Development Director -Erin Burris –wanted approval by the Board to start a Comprehensive Plan Task Force to help implement the Plan. Town residents and ETJ volunteers could help in their area of interest. Board consensus was to allow the Task Force to form and allow all who are interested in helping.
- E. Code Enforcement Officer- Jeff Watts
- F. Police Dept.-Deputy Stephen Wagoner – asked the Board if they needed any help reading the new Crime Data Report issued by the Cabarrus County Sheriff's Dept..

### **6. Public Hearings**

#### **A. ANX 2019-02 5061, 5122, & 5130 NC Highway 49 North Voluntary Non-Contiguous Annexation**

Erin Burris stated property owners have submitted a petition for voluntary non-contiguous annexation for the subject property, which is comprised of an approximately 3.6-acre tract on the north side of and 38.4 acres on the south side of Highway 49 near Cold Springs Road. The properties are currently Cabarrus County Office & Institutional

(OI), Cabarrus County General Industrial Special Use District (GI-SU), and Cabarrus County Countryside Residential (CR). The property is located outside of the Town's extraterritorial jurisdiction (ETJ), however it is located within the Town's Planning area and within the Town's annexation agreement area between the Town of Mount Pleasant and the City of Concord. The property has access to water and sewer lines along Highway 49.

If annexed, the Town of Mount Pleasant would have 60 days to establish an appropriate Mount Pleasant zoning district on the property. The property is located within the Mount Pleasant Planning Area as established by the adopted Comprehensive Plan. The Future Land Use Map designates this area for High Intensity uses which may include civic, institutional, retail, service, office, and higher density residential uses. There are currently two buildings associated with a previous light industrial use on a small portion of the property along south side of Highway 49. The rest of the property is vacant.

Based on the evaluation criteria, the proposed annexation has two (2) instances of being Most Favorable, one (1) instance of being Favorable, one (1) instance of being Less Favorable, and one (1) instance of being Least Favorable. Staff considers this annexation to be Favorable.

Public Hearing:

Jeff Young spoke in favor of the annexation stating the Developers and Engineers met with Town Staff to work with the Town to develop a plan that will work for both parties.

Mayor Eudy closed the Public Hearing.

Erin Burris said this is an important intersection leading into the Town.

Commissioner Ashby though it was a good opportunity for the Town and its citizens to develop the corner.

A motion to approve the annexation request of properties located at 5061, 5122, & 5130 NC Highway 49 North was made by Commissioner Simpson with a second by Commissioner Ashby. All Board Members were in favor. (5-0)

*A copy of the Annexation packet with all maps and documentation is included in the Minute Book.*

\*\*\*\*Prior to the Right-of-way closures-N. Halifax Street and Old Mount Pleasant College Property Alley, Mayor Eudy asked for a motion to excuse Commissioner Ashby and Commissioner Simpson from the discussion since each have a Conflict of Interest in the matter. A motion to excuse Commissioner Ashby and Commissioner Simpson was made by Commissioner Furr with a second by Commissioner Ashby. All Board Members were in favor. (3-0, Commissioner Ashby and Commissioner Simpson excused from vote)

Commissioner Ashby and Commissioner Simpson left the stage to sit in the audience for this discussion.

## **B. Right-of-way closures-N. Halifax Street and Old Mount Pleasant College Property Alley**

Erin Burris presented information concerning the closing of each area. Pursuant to North Carolina General Statute 160A-299, the Town of Mount Pleasant is requesting the closure of existing rights-of-way that no longer serve as streets or alleys.

N. Halifax Street, listed as a Town-maintained street on the Powell Bill map, no longer serves as a public street and is completely encompassed by the Kindley Mill property owned by Craver-James properties LLC. The street functions as more of a driveway for the property and encumbers future redevelopment of the property as located. Town staff recommends closing this street right-of-way and retaining access and utility easements in place of the right-of way.

The Old Mount Pleasant College Property alley right-of-way between does not appear to have ever been used. The alley appears to have been recorded in a 1942 plat. The right-of-way currently splits each of the properties with frontage on North Main Street and N. College Street in half, also encumbering the use of those properties. Town staff recommends that this alley right-of-way be closed and recommends retaining a utility easement in place of the right-of-way.

The alleyway to the south of Walnut Street, between Saint James Reformed Church and the properties that front on North Main Street, is a mystery. Staff cannot find any record of the right-of-way being recorded, and the right-of-way is not mentioned in the deed descriptions for adjacent property. A few of the property owners along this portion of alley right-of-way stated that they prefer for the right-of-way to remain in place as they have no other driveway access to a few of those houses. The alley roughly follows the edge of the Saint James Reformed Church parking lot. Town staff recommends leaving this right-of-way open.

Public Hearing:

Bill Lutrick, President of the Eastern Cabarrus Historical Society (ECHS), informed the Board that the museum met on Sunday and gave him the authority to speak on their behalf. The ECHS is in full support of closing the alleyway across their property.

Mayor Eudy closed the Public Hearing.

Commissioner Meadows asked if the Town is responsible for maintenance of the alleyway by St. James if it remained open. Ms. Burris answered that it is a private access and is not being maintained by the Town now or in the future. The residents have a private agreement to keep it maintained.

Four motions were needed for this agenda item.

1. A motion to close N. Halifax with closure and retention of access and utility easement was made by Commissioner Sells with a second by Commissioner Meadows. All Board Members were in favor. (3-0, Commissioner Ashby and Commissioner Simpson excused from vote)

2. A motion to close the right of way between Elm and MPC1 with retention of utility easement was made by Commissioner Meadows with a second by Commissioner Furr. All Board Members were in favor. (3-0, Commissioner Ashby and Commissioner Simpson excused from vote)

3. A motion to close the right of way between MPC1 and Walnut with no retention of utility or access easements was made by Commissioner Meadows with a second by Commissioner Sells. All Board Members were in favor. (3-0, Commissioner Ashby and Commissioner Simpson excused from vote)

4. A motion to leave the right of way open for the alleyway of S Walnut St. between St. James Church and the properties that front N. Main St. was made by Commissioner Furr with a second by Commissioner Meadows. All Board Members were in favor. (3-0, Commissioner Ashby and Commissioner Simpson excused from vote)

*A copy of the Right of Way packet with all maps and documentation is included in the Minute Book.*

**7. Old Business**

None

**8. New Business**

**A. Proclamation for Crop Walk 50th Anniversary presented by Dennis Testerman.**

This item was put on hold until Mr. Testerman could arrive from the Town of Harrisburg Board meeting.

**B. Consider approving Budget Amendment #4- New SCADA System Emergency Purchase.**

At the August 12th meeting, Kenny Black, Water Resources Director, discovered that all automated systems inside the Water Treatment Plant (WTP) were not working. Tim Wooten, IT for Town, found the hard drive for the system was not functioning and could not be repaired. At this time, estimates for the repair were \$50,000-\$100,000. Mr. Black contacted C. Wright Instruments, Inc. to get a quote to repair the system which is currently being manually operated.

To replace the system with SCADA, a system we currently are using at the raw water intake site installed last year, total cost is \$27,557. This will make the entire WTP system automated. There should not be any additional cost for this repair.

Randy Holloway, Town Manager, said he visited with Kenny Black today and he is very happy with the new system. Everything can be monitored from his cell phone now.

A motion to approve Budget Amendment #4- New SCADA System Emergency Purchase was made by Commissioner Sells with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

*A copy of the Budget Amendment is included in the Minute Book.*

**C. Findings from recent Actuary Study (post-employment retirement benefits study)**

Crystal Smith, Assistant Town Manager, updated the Board on the Actuary Study performed by Cavanaugh & Associates. This past Spring 2019, the Town partnered with Cavanaugh & Associates to perform an Actuary Study to determine the amount the Town should be setting aside for future retiree's monthly medical insurance premiums if they retire at 20 years and before Medicare eligible. These funds are for full-time employees hired before July 1, 2019. In this year's budget, we budgeted \$2500 from General and \$2500 Water/Sewer for a total \$5000 as a starting point.

Findings from Cavanaugh & Associates recommend the Town to begin setting aside \$6,600 each year as shown on page 17 of the report.

Town Staff is recommending we budget a minimum of \$5000 per year in future budgets, since this amount is in recurring dollars in this year's budget. As the revenue increases for the Town, the amount budgeted can increase for the Retiree Insurance budgeted line item in both the General and Water/Sewer Funds.

No motion was made. Information only.

**A. (postponed from earlier in the Agenda) Proclamation for Crop Walk 50th Anniversary presented by Dennis Testerman.**

This year is the 50<sup>th</sup> anniversary of the Crop Walk. It is the eldest Fund Raiser Walk in the country for charities. Mr. Testerman stated that hunger is not going away even with organizations Seniors Lunch Plus or Meals on Wheels.

The local Crop Walk alternates between the City of Concord and Kannapolis each year. This year's event will be in Concord on Sunday, October 13<sup>th</sup> at 2pm. He encouraged the Board and groups in Mt. Pleasant to get involved. All funds raised go to Cooperative Christian Ministry. Donations can be made online.

A motion to approve the Proclamation for Crop Walk Anniversary was made by Commissioner Simpson with a second by Commissioner Ashby. All Board Members were in favor. (5-0)

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

**D. FIP 2019-02 Old Barringer Motors Building Façade Improvement Program Request**

Erin Burris presented information on behalf of Francie Black/ Old Piedmont Farms LLC for the Façade Improvement Program.

Based on the criteria set forth in the Façade Improvement Program and the total estimated project cost for Part 1 of a two-part project, the applicant is requesting a Tier 1 grant of up to \$10,000 reimbursement for façade improvements to include the following:

- Four new garage doors (two on What-a-burger side and two on interior side behind Buddy's)
- New gutters
- Cleaning and painting of exterior doors and historic windows (cost of exterior door painting will be subtracted out if Part 2 door replacement is approved)

Soon after Part 1 is approved, the property owner would like to begin work on Part 2 which would include three new walk-through doors and awnings above those doors, which could be considered as part of a Tier 2 façade grant.

The total estimated cost for the \$20,904. If this is the final cost, the Town would provide \$10,000 (50% match up to \$10,000). Staff has provided a rough illustrative rendering to show the visual impact of the proposed improvements (showing project Part 1 and Part 2). This rendering also includes a large format photograph mural that staff would work separately with the Cabarrus Arts Council and specialized contractors to produce a cost estimate and separate fund-raising effort. The photograph proposed depicts the front of the Old Barringer Motors building in the 1930s.

Commissioner Ashby felt in the future it would only be fair to allow applicants to get one grant per year. Commissioner Simpson asked if any landscaping would be involved with this

grant and if the gravel parking lot was included in the Ordinance that was approved recently. Erin Burris responded landscaping is not included and the gravel lot is under the new ordinance. Randy Holloway said the lot is narrow and it would require one way traffic that would exit at the back of the property.

A motion to approve the Façade Grant for up to \$10,000 was made by Commissioner Ashby with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

The Board's general consensus was they would entertain awarding another Façade grant to the owner this fiscal year if no others are brought forward.

**E. Consider appointing a person to fill the ABC Board position soon to be vacated by Harry Lassiter effective September 30, 2019.**

On Tuesday, September 3, 2019 at the ABC Board meeting, Harry Lassiter turned in his resignation letter (copy attached) to the ABC Board effective September 30<sup>th</sup>. His position will need to be reappointed by the Town Board. The term for the replacement would be from October 1, 2019 to June 30, 2020 which is the end of Harry Lassiter's current appointment.

The Town Board has two options to choose from:

1. Choose from the previous applicants submitted earlier this year. Amy Schueneman contacted Steve McAllister and Ricky Lambert to see if they were still interested and they confirmed they were.
2. Open up the application process to the Town and see who may apply; then make a decision at the October 14<sup>th</sup> Town Board Meeting.

A motion to put the ABC Board application back out to the community was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

**F. Consider approving a Memorandum of Agreement with Alley, Williams, Carmen & King, Inc. for the engineering services related to the Dutch Buffalo Creek Dam Repairs in the amount of \$72,500.**

Randy Holloway asked for consideration and approval of a memorandum of agreement with Allen, Williams, Carmen and King, Inc. for the architect / engineering services related to the Dutch Buffalo Creek Dam repairs that occurred as a result of Hurricane Florence in the fall of 2018. The Town Board awarded the engineering services for this FEMA project to this firm at the July 8, 2019 Board meeting. The original engineering estimate dated October 31, 2018 was \$67,875.

The Town has 18 months to complete this project in order to receive FEMA reimbursements. The 18 month time period started in May of this year.

1. A motion to approve the Memorandum of Agreement with Alley, Williams, Carmen & King, Inc. for the engineering services related to the Dutch Buffalo Creek Dam repairs in the amount of \$72,500 was made by Commissioner Ashby with a second by Commissioner Sells. All Board Members were in favor. (5-0)

2. A motion to approve the associated budget amendment to move \$72,500 from Water and Sewer Fund Balance to Engineering Services was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

*The Memorandum of agreement and the original estimate from October 3, 2018 are included in the Minute Book..*

At this point Commissioner Sells made a motion with a second from Commissioner Furr to go into Closed Session. All Board Members were in favor. (5-0)

**9. Closed Session 143-318.11. (a)(#5) To Discuss the Purchase of property by the Town**

*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; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.*

Commissioner Furr made a motion with a second from Commissioner Simpson to end the Closed Session. All Board Members were in favor. (5-0)

Upon returning to Open Session 2 motions were made:

1. A motion to purchase 405 Walker Road for future Fire Dept. satellite site was made by Commissioner Simpson with a second by Commissioner Sells. All Board Members were in favor. (5-0)

2. A motion to approve Budget Amendment #6-Purchase of 405 Walker Rd for FD Satellite site was made by Commissioner Ashby with a second by Commissioner Meadows. All Board Members were in favor. (5-0)


*A copy of Contract and Budget Amendment is included in the Minute Book.*

**10. Adjournment**

With nothing else to come before the Board, Commissioner Furr made a motion to adjourn. Commissioner Simpson 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, October 14, 2019 in the Regular Meeting.

  
Town Clerk Amy Schueneman

  
Mayor W. Del Eudy

