

**Town of Mount Pleasant
Board of Commissioners
Town Board Meeting
Town Hall – Commissioners Meeting Room
Monday, March 7, 2011
7:00 P.M.**

Attendance: Mayor Del Eudy
Mayor Pro-Tem/Commissioner Richard Burleyson
Commissioner Warren Chapman
Commissioner Maura Eberhardt
Commissioner Scott Barringer
Commissioner Michael Metcalf
Town Administrator Adrian Cox
Town Clerk Cathy Whittington
Town Attorney Christy Wilhelm
Fire Chief Chris Honeycutt
Public Works Director Dave Fargo

Also Present: James Senecal, Sharon Senecal, James Overcash, Bradley Overcash,
Rev. Brian Beck. Samantha Moose, Troy Barnhardt, Bill Jermyn

CALL TO ORDER

Mayor Eudy called the meeting to order.

INVOCATION

Rev. Brian Beck led in prayer.

PLEDGE OF ALLEGIANCE

Mayor Eudy led in the Pledge of Allegiance.

PUBLIC FORUM

Bill Jermyn, 8507 Circle Drive, came before the Board and stated that he had his bank send his payment to us on February 18, 2011. We did not receive his payment until February 23, 2011. The banks and post office were closed on February 21, 2011 for President's Day. Town Hall was open on that day. Mr. Jermyn got a \$5.00 late fee on his bill because it was not paid by the 20th. Mr. Jermyn is asking the Board to honor the date on the envelope as payment. He also asked if the Town was considering bank draft in the future.

With no other comments, Mayor Eudy closed the public forum.

APPROVE AGENDA

Mayor Eudy stated that a closed session needed to be added, GS 143-318.11(a)(6). With this addition, Commissioner Barringer made a motion to approve the agenda. Commissioner Metcalf seconded the motion with all board members in favor. (5-0)

PUBLIC HEARINGS/DECISIONS

TA 2011-01 Text Amendment Article 3.2.4.1.3 of the Town of Mt. Pleasant UDO

The proposed text amendment will remove the current exemption from the commercial design requirements granted to accessory structures that are smaller than 400 square feet. The presence of the existing language in the UDO means, in effect, that any enclosed storage building on a commercial property, that would otherwise be subject to the design requirements of the UDO, can be established without regard to those standards. This language is inconsistent with the Town's goal of establishing and enforcing a set of high quality design standards for nonresidential development in the Town. Removing this language will help the Town achieve this goal. After the effective date of the amendment, at a minimum, all commercial accessory structures will have to comply with the commercial design guidelines, which mandate consistent architectural styles and exterior finishing materials are utilized on a commercially developed property.

The question was asked if this was inside the city limits. Vagn Hansen stated that it was.

With no more questions, the public hearing was closed.

Commissioner Burleyson made a motion to approve TA 2001-01Text Amendment Article 3.2.4.1.3 of the Town of Mt. Pleasant UDO and amended it to include a statement of consistency that reads, "The Town Board finds that the proposed Text Amendment is consistent with the plans and policies of the Town of Mt. Pleasant". Commissioner Chapman seconded the motion with all board members in favor. (5-0)

CONSENT AGENDA APPROVAL

The consent agenda consist of the minutes of the February 7, 2011 Regular Board Meeting and a Proclamation for “National Athletic Training Month”.

Commissioner Barringer made a motion to approve the consent agenda.

Commissioner Eberhardt seconded the motion with all board members in favor.

(5-0)

REPORTS

(1) Police – Written

(2) Fire Chief- One item in the Fire Chief’s report was about the fire siren. He wanted to know if anyone had any concerns about the siren.

(3) Town Administrator- Town Administrator Adrian Cox reported that there was an error on his report about the dates of the Independence Day Celebration. It will be June 23, 24 and 25. He also wanted to bring up about the Piedmont Farmers Market not having an interest to support a market in Mt. Pleasant. Commissioner Eberhardt asked why Mt. Pleasant couldn’t have there own Farmer’s Market.

(4) Finance- Written

(5) Public Works- Written

(6) Planning/Code Enforcement- There was a positive meeting with Wic Neal, the Town and the County about the property on West Franklin Street.

(7) Town Attorney- Nothing to report

OLD BUSINESS

1. Sidewalk Repair Options

At the January Board meeting the Board reviewed a quote from Precision Sidewalk to repair sidewalk trip hazards. Town Administrator Adrian Cox has cost estimates for various options to address sidewalk repair. Precision Sidewalk has agreed to extend the terms of the original proposal, which include several options for trip hazard removal.

There is \$10,500 allocated out of the Powell Bill Funds for sidewalk repairs.

After discussion by the Board, it was decided to get additional options and bring them back to the Board at the next meeting.

NEW BUSINESS

1. Engineering Flow Study

To effectively understand the water system, and begin modeling the system for future use, staff recommends that the town engineer conduct flow testing and

analysis. In addition to certified flows, acquiring GPS coordinates (x, y and z) would allow for a better analysis of the system. This would allow the Town to know what follow should be expected in each zone of the system. Hydrants coordinates would also be helpful to the Fire Department as they could access the information in the Fire House for hydrant maintenance and incident response. The information would help to identify the problem and could help prevent pressure and flow problems in the future.

There were questions about the elevation of the tank and the PRV's. Commissioner Eberhardt asked who much money had been spent so far on this problem. Town Administrator Adrian Cox replied between three and four thousand dollars.

With no other discussion, Commissioner Barringer made a motion to Authorize the Town Administrator to Execute Engineering IPO with Alley, Williams, Carmen and King. Commissioner Metcalf seconded the motion with all board members in favor. (5-0)

2. Fire Engine Replacement

At the regular meeting of February 7, 2011, the Board heard a report on the Mt. Pleasant Fire Department. One issue discussed was the replacement of Engine 2. As of June 30, 2010, the Town's general unrestricted fund balance was \$1,019,000. Of this amount, \$290,640 was derived for the purposes of fire protection from both Cabarrus County and the Town of Mt. Pleasant ad-valorem taxes. This amount is determined based on the annual property tax value ratio.

Following the meeting, Fire Chief Chris Honeycutt held several Fire Department meetings to develop apparatus specifications and research manufacture reviews. One product that meets the Department's specifications and is highly recommended by many other departments for price, quality, and maintenance is the Sutphen Pumper Tanker. The General Service Administration of Federal Government (GSA) has awarded formally bid contracts to Sutphen for this engine in the past 12 months. The bid was awarded as a base bid with several add-on options. This means the Town can piggyback off of this bid to acquire a truck that meets the exact specifications of the Fire Department. Suthpen has agreed to provide prices at or below the GSA award.

Once awarded, an engine can be constructed in approximately 6 months. Sutphen will provide the Town with a bond for the apparatus after the contract has been executed. Paying for the vehicle upfront can result in discount savings. The purchase price for an engine as specified by the Fire Department is \$383,518.38, is payment is made prior to construction. The savings on prepayment for exceeds any interest that would currently be earned by investing the funds.

There are three votes that need to be made:

- a. Adopt Amendment to the FY2010-2011 Budget Ordinance #0P004 for Engine 2 Replacement*
Commissioner Barringer made a motion to adopt the amendment. Commissioner Chapman seconded the motion with all board members in favor. (5-0)
- b. Approve the waiver of formal bidding requirements in accordance with NCGS 143-129, for the purchase of fire apparatus, at or below the price formally awarded to Sutphen Corporation by the General Services Administration of the United States Government.*
Commissioner Metcalf made a motion to approve this waiver. Commissioner Barringer seconded the motion with all board members in favor. (5-0)
- c. Enter into a contract with Sutphen Corporation for the construction of Fire Apparatus for the cost of \$383,518.38.*
Commissioner Barringer made a motion to enter into a contract with Sutphen Corporation for the construction of Fire Apparatus for the cost of \$383,518.38. Commissioner Metcalf seconded the motion with all board members in favor. (5-0)

3. Street Naming Ordinance

At the February meeting, the Board reviewed a draft ordinance that specified the procedure and requirements to rename a public street in the Town of Mt. Pleasant. To address the potential changes in the cost for petition review, staff removed the petition fee amount from the ordinance so that this fee can be assessed in the fee schedule. The will make it easier for the Board to set and change the fee amount in the future, while leaving the ordinance in place. Another change for the previous draft is reducing the petition requirement from 100% to 85%. This change is intended to all the Board to change a street name upon the request of a large majority of citizens. To approve this it will require a super majority vote 4 out of 5. Commissioner Eberhardt made a motion to approve the Ordinance for Naming of Streets. Commissioner Burleyson seconded the motion with all board members in favor. (5-0)

4. Street Renaming Application Fee

This is an amendment to the Adopted Fee Schedule. The amendment will incorporate a fee of \$300.00 for the review of petition for street renaming. Commissioner Barringer made a motion to set the fee for reviewing of street renaming petitions. Commissioner Chapman seconded the motion with all board members in favor. (5-0)

5. Area of Consideration

Current North Carolina General Statutes require Towns to adopt an area of consideration one year prior to adopting any resolution of intent to annex. The requirement for the area of consideration applies only to involuntary contiguous annexations. The area of consideration may only be valid for two years. Many municipalities adopt the area of consideration on a regular basis to avoid a year long wait when they prepare to annex.

The area of consideration was adopted by the Board of Commissioners in April of 2008 and readopted in March 2010. The latest adoption will be valid until March 2012. There is legislation being considered in the general assembly that would place a moratorium on any annexation activity until June 2012. If the moratorium becomes law, the Board will not be able to readopt the area of consideration until after the moratorium expires. By that time, the area of consideration adopted in March 2010 will have expired. This means that the Town would not only have to wait until the moratorium expired, but also wait another year before beginning any annexation process. Adopting an area of consideration now would allow the area of consideration to be valid after the moratorium is planned to expire.

Commissioner Burleyson made a motion to Adopt the Area of Consideration to Annex. This motion was made at 8:30 pm. Commissioner Metcalf seconded the motion with all board members in favor. (5-0)

6. Small Tow Main Street Program

Participating in this program requires a commitment from the Town and business community. Interested Towns undergo onsite evaluation as part of the application process. Communities must commit to be in the program for at least one year, however two years is encouraged to ensure a successful program.

After discussion and question about the cost and matching dollars, the Board decided there was no interest in this program.

7. Phone System

The current phone system at the Town Hall is a Com-dial system that is no longer being produced. The phones are old and have limited functions.

Town Administrator Adrian Cox submitted a quote from Windstream to install a new Mitel 3000 Phone system. The turn key price for the system is \$2,930.78, and includes the main system, 5 phones, installation, and training. The system would operate exactly like the current system, but the phones would have all the standard capabilities. The quote does not include a phone in the Board Room or Conference, but these could be added for the cost of a phone. Mitel 3000 operates up to 8 lines,

and can be expanded up to 48 lines. Windstream's quote includes a 1 year warranty.

There are currently funds in the budget to purchase the system, due to competitive pricing for the Board Room HAVC system. three small HAVC units and one large unit have been replaced in the last three years. Three small units remain for replacement. Funds in the budget are sufficient to purchase the phone system, and replace one more small HAVC system, if needed. This would leave two small HAVC units remaining for future years and eliminate the future cost of replacing the phone system.

Commissioner Barringer made a motion to Authorize the Town Administrator to purchase a new phone system for the Town Hall through Windstream Communications. Commissioner Eberhardt seconded the motion with all board members in favor. (5-0)

8. Telephone Contract

The Town of Mt. Pleasant has contracted with Windstream Communication for telephone services for several years. Staff has looked into other providers but there are currently none that would meet the Town's need. A three year contract for phone service would allow the Town to reduce phone expenses by approximately \$90 per month.

Commissioner Metcalf made a motion to Authorize the Town Administrator to enter into a three year contract for phone service with Windstream Communication. Commissioner Chapman seconded the motion with all board members in favor. (5-0)

MISCELLANEOUS

1. Avett Brothers Sign Request

Vicky Cline with the Eastern Cabarrus Historical Society has asked that the Town of Mt. Pleasant consider a sign reading "Home of the Avett Brothers" for the Town's entrances. Installing such a sign would first require the approval of the band's record label. A letter requesting the use of the name will be sent. Design of the sign is not mentioned in the letter which could be determined by the Board if approval is granted. The band's record label may also have some special request. NCDOT will also be consulted for any signs placed on State roads.

Commissioner Barringer made a motion to send a letter to the Avett Brother. Commissioner Burleyson seconded the motion with all board members in favor. (5-0)

2. Law Enforcement for ABC Board

The ABC Board has requested that the Town designate an officer to provide law enforcement on behalf of the ABC Board. However, no contract currently defines the duties and authorities of such an officer. Additional training may also be required, as the Sheriff's Department does not typically train officers for the Alcohol Law Enforcement, as described in the NCGS 18b.

Town Administrator Adrian Cox stated that he spoke with Chief Deputy Paul Hunt and he stated that officer do not have the training to comply with this statute. It was also stated that since the ABC store is not reporting any profit, the ABC store can report no law enforcement activity. This is for information only.

MAYOR AND COMMISSIONER COMMENTS

Commissioner Burleyson wanted to thank the Public Works department for their hard work.

Mayor Eudy read a Thank You card from the Hamilton Family.

EXECUTIVE SESSION

Commissioner Barringer made a motion to go in executive session according to NCGS 143-318.11(a)(6) To hear or investigate a complaint, charge or grievance by or against a public officer or employee. Commissioner Chapman seconded the motion with all board members in favor. (5-0)

ADJOURNMENT

With no other business, Commissioner Barringer 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 4, 2011 in the Regular Meeting.

Town Clerk Cathy Whittington

Mayor Del Eudy

SEAL