

Mount Pleasant

North Carolina

Founded in 1848

**Town of Mt. Pleasant
Board of Commissioners
Town Board Meeting
Monday, July 8, 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 Jim Scarbrough
Town Clerk Amy Schueneman

Also Present Erin Burris, Deputy Stephen Wagner, Shirley White, Caren Dowless, Katie Cauther, Jane Cauthen, Ally Schueneman, Terrie Reece, Keith Cauthen, Jeff Helmtoller, Rick Hammac, Jeff Bollte, Matthew Esposito, Jordan Esposito, Wayne Collins, Kay Beckett, Terry Crayton, Lisle Crayton, David McDonald, Angela McDonald, Greg & Shelby Furr, Kimberly Baker, Kirk Hanson, Lewis W Cress, Brad A Cues, Lauren C Hill, and Tim & Melissa Seagraves.

CALL TO ORDER

Mayor Eudy called the meeting to order.

INVOCATION

Commissioner Simpson led the Board in prayer.

PLEDGE OF ALLEGIANCE

Mayor Eudy led in the Pledge of Allegiance.

1. Public Forum

Rick Hammac of 2835 Alish Trail is coaching a Little League Baseball Team that is going to the Little League World Series in Lumberton July 25-30, 2019. He wanted the Town Board to know since this is a once in a lifetime experience for the boys.

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)

None of the Board Members had a Conflict of Interest.

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3. Approve Agenda

Mayor Eudy added one item to the Agenda under New Business:

B. Consider approving Alley, Williams, Carmen, and King as the Engineering Firm for the Dutch Buffalo Creek raw water intake dam project.

Mayor Eudy changed the reason for the Closed Session:

143-318.11.(a)(#5) Closed session-Purchase of Property for Town

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

4. Consent Agenda

A. Minutes June 10, 2019

B. Minutes Special Called Meeting June 26, 2019

C. Consider approving the annual Economic Development Public Investor Agreement with Cabarrus Economic Development, Inc in the amount of \$2,000.

D. Budget Amendment #12 Year End Transfers

No items were brought out for discussion.

Commissioner Sells 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

E. Code Enforcement Officer- Jeff Watts

F. Police Dept.-Deputy Stephen Wagoner

6. Public Hearings

ANX 2019-01, REZ 2019-01, SUB 2019-01 Walker Road Subdivision

Requests for voluntary noncontiguous annexation, map amendment (rezoning), and major subdivision preliminary plat approval for 74 single-family residential lots. These requests are also accompanied by a development agreement in order to facilitate the location of an emergency services substation and public utilities. Area: approximately 38 acres. Location: 777-941 Walker Road (east side near schools). Cabarrus County PINs: 5650-95-6345, 5660-05-0225, 5650-95-8958, 5650-96-8496 Current Zoning: Cabarrus County Countryside Residential (CR). Proposed Zoning: Town of Mount Pleasant Conditional Zoning Residential Medium Density (CZ RM) with associated plan and development agreement

Erin Burris, Town Planner, introduced herself and read the following statement:

"Thank you, Mayor and Town Board of Commissioners. I welcome everyone here this evening in attendance for the Public Hearing for the proposed Walker Road Subdivision. For those of you I have not met, my name is Erin Burris. I am the Planning & Economic Development Director for the Town of Mount Pleasant. I have spent a four-year portion of my 18-year career working on behalf of the Town of Mount Pleasant. I have also provided zoning administration, planning, and ordinance

preparation for dozens of communities with populations ranging from 100,000 to 900 people. In each and every community I have assisted, my role as an AICP certified planner is to serve the public interest, ensure that due process is followed for both applicants and the general public, and ensure that all stakeholders are afforded a place at the table to discuss the broad and long-range impacts of development proposals. Stakeholders for this proposed residential development include:

- *The owners of the subject property*
- *The applicant/developers/builders*
- *Surrounding property owners*
- *Citizens of the Town of Mount Pleasant (those living in the Town limits)*
- *State and local government agencies*

The purpose of the public hearing is to hear from those stakeholders.

My role also includes providing a detailed analysis of development proposals and how they meet or do not meet the adopted Comprehensive Plan and how they meet or do not meet the Unified Development Ordinance. It is my job to use the Comprehensive Plan and Unified Development Ordinance as filters through which development proposals navigate. If a development proposal necessitates an annexation or rezoning, a decision is made by the Planning & Zoning Board and/or Town Board of Commissioners. I will now present this analysis for the information and edification of all present."

The applicant proposes annexing the approximately 38-acre subject property into the Town of Mount Pleasant and applying Residential Medium Density Conditional Zoning (RM CZ) in order to construct a 74-lot single-family residential subdivision with a reserved 1.81-acre site for a future emergency services substation. The applicant has provided a Preliminary Plat for concurrent review and approval. Due to the reservation of a site for public use and the need to coordinate utility line construction, a development agreement pursuant to North Carolina General Statutes Article 19 Part 3D (160A-400.20-32) is also proposed. The draft agreement is included as an attachment to this report. The site-specific plan has been provided to members of the Technical Review Committee for review including the Town Engineer, Public Works Director, Fire Marshal, Fire Chief, NCDOT, Cabarrus County Schools, and the Water and Sewer Authority of Cabarrus County (WSACC).

Property owners have submitted a petition for voluntary non-contiguous annexation for the subject properties. The properties are currently zoned 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. The property is located within 750 feet of the Mount Pleasant Middle School satellite (non-contiguous) annexation on Walker Road between NC Highway 73 and NC Highway 49. Water service is located within 700 feet along Walker Road. Gravity sewer is available within 1,700 feet along Adams Creek.

Based on the evaluation criteria, the proposed annexation has one (1) instance of being Most Favorable (Fire Dept access), three (3) instances of being Favorable (size of proposed area, availability of Utility Services, and development status) and one (1) instance of being Least Favorable (contiguity). Staff considers this proposed annexation to be Favorable.

The site is currently listed as CR whereas Mount Pleasant Middle School was zoned O-I. The next closest residentially zoned area in the Town of Mount Pleasant is Green Acres zoned RM for medium density residential. Applicant has requested Conditional Rezoning District. Conditional Rezoning's have to provide a site specific plan. The one they provide shows 74 home sites and a 1.8 acre Fire Station site.

This proposal meets the Comprehensive Plan. The subject property is located in the "Low Intensity" land use classification in close proximity to the "Medium Intensity" land use classifications on the future land use map of the Town's Comprehensive Plan. These classifications are described below:

- Low Intensity: "This land use classification is intended primarily for low density single-family residential development of greater one dwelling unit per acres and less than 2 dwelling units per acre. This classification would also include low impact uses compatible with surrounding development. Low intensity designated areas typically have limited access to infrastructure."

Ms. Burris read from the Annexation Packet which is included in the Minute Book.

Ms. Burris distributed two handouts to the Town Board: How to calculate density and Cabarrus County Schools Capacity information. Both are included in the Minute Book with the Annexation packet. Ms. Burris said,

"There have been questions as to how the density was calculated. I have provided you a handout on calculating density from the Ordinance. Density, in its simplest form and as defined by the Ordinance, is the total number dwelling units divided by the total number of acres. Therefore, the only two appropriate corresponding residential zoning districts for the Low Intensity land use designation on the Future Land Use Map are the Residential Low Density (RL) district or a Conditional Zoning Residential Medium Density district with a site-specific plan that limits the density to no more than 2 dwelling units per acre.

Now I have worked in varying capacities for the cities of Concord, Kannapolis, Harrisburg, and to a lesser extent Midland. The information I am about to provide, is far more detailed than any of the other municipalities look at when they are considering new development. The chart in your staff report shows current and projected school capacity based on building capacity and program capacity. This information came from Cabarrus County Schools. The handout that I am providing is from the recently completed redistricting study. Notice for Mount Pleasant Elementary the recommended (and adopted) school district boundaries made no change to available capacity. Also, our elementary school district is not even addressed in the Cabarrus County Schools 10-year plan, even though it is one of the four oldest and smallest Elementary Schools in the entire district. I called to ask why that is, and was told that the consultant hired to do this study recommended no changes for the Mount Pleasant Elementary School district because there was no pattern of growth and no projected growth in the foreseeable future. I was told that without growth, in five years the elementary school students will age up, actually causing the elementary school enrollment to shrink, further ensuring that no new elementary school will be needed, deferring to more quickly growing portions of the County. Basically, because very little growth has occurred in Mount Pleasant historically, there was no need to redistrict to relieve overcrowding and no need to plan for a new school. In other words, the squeaky wheel gets the oil, and Mount Pleasant residents will continue paying for school construction elsewhere in the county if current growth patterns continue. I was also informed that both the middle school and high school have built-in capacity, but that the elementary school does not, due to site constraints."

The current real property value for the Town of Mount Pleasant is approximately \$132,000,000 with an annual tax revenue of \$666,600. Projected real property value for the Walker Road Subdivision is \$18,500,000 (based on an assumed average value of \$250,000 per property for the 74 lots). This would produce an additional \$93,000 in tax revenue, a 14% increase over the current revenue. Current motor vehicle tax for the Town is \$14,912,900 with an annual tax revenue of \$75,310. The projected vehicle tax revenue for the Walker Road Subdivision is

\$10,500. The total projected annual tax revenue for the Walker Road Subdivision is \$103,500.

The proposed subdivision would also increase the total number of in-town water and sewer customers by 10% for an estimated increase of 370,000 gallons per month or 12,333 gallons per day. This increases daily water usage towards the goal of 250,000 gallons per day. Current usage is approximately 200,000 gallons per day. At an average of 4,500 gallons of usage per month per household, a projected \$67,050 of revenue would be generated annually for the water and sewer budget.

At this point, Mayor Eudy opened the Public Hearing. He asked everyone to state name and address and advised them they would have 3 minutes. He asked for those in favor to start the meeting.

IN FAVOR OF DEVELOPMENT

Melissa Seagraves, wife of Tim Seagraves the developer, stated that this piece of property is ideal for development since there are highways at both ends. They have 2 contracts with two different major developers to build the homes. It also includes an area for a Fire Dept. for that area which is a biggy for that area since schools are nearby.

Time Seagraves, the developer, said that after the meeting with Planning & Zoning Board they took their comments and redesigned to subdivision from 97 homes to 74. They are donating the land for the Fire Dept. to help the schools and local residents. The requirements are stricter than when Oldenburg was built and requires more infrastructure to build.

Jeff Helmintoller, 8931 Crestwood Dr., understands that when a new neighborhoods like Oldenburg or Walker Road are introduced to Mount Pleasant that neighbors get nervous. Will the homes sale? Cabarrus County residents are growing at rate at 2.63% per year. Averaging of 5,200 people moving into Cabarrus County a year. Mount Pleasant is following this tread of 2% per year. In May, 2018 New Life Developers posted plans on social media for the new N. College St. subdivision which is the first new neighborhood to be built in Mount Pleasant in nearly 20 years. Although only 10 homes were to be built, they had over 60 inquiries by people requesting more information. Will people drive from Mt. Pleasant for jobs? 50.3% of Cabarrus County residents work outside of Cabarrus County. 63.4% Cabarrus County residents drive at least 20 or more minutes to work a day with more than half of those driving 30 minutes or more. Will there be enough jobs for the increase in population? Charlotte Pipe & Foundry recently closed a deal to move its business to Oakboro, NC. This will bring 475 jobs to the area. Job growth for Cabarrus County in 2018 was 2.7% and projected to grow in the next 10 years to 46.7% well above the 33.5% national average. Residents moving into the area will have a more peaceful life style and help ease the burden of the current Mt Pleasant tax rate. According to the Comprehensive Plan, Mt. Pleasant has the highest tax rate of .505/per hundred in the area. This is nearly twice the rate of the surrounding area. What about school capacity? MPMS has an additional capacity of 100 students. Due to the decline in enrollment there has already been a decrease of 1 teacher at the Middle School for FY2019-2020. Revenue from water and sewer services and tax revenue will help with Fire services to this location.

Kirk Hanson, Blackwelder Dr. Concord, said he owns 5 pieces of real estate in Mount Pleasant. He is a Real Estate agent that is alarmed by the fact that the county is not considering building a school since we are not growing. If we are not growing, we are dying. Currently on the Multiple Listing Service (MLS) there are only 5 homes listed in the entire 28124 zip code listed under \$300,000. We have a real need for housing. New construction sales in the last 2 years under \$300,000 showed only 9 new homes sold. Of the 9 homes sold, the two homes that took over 100 days to sale were on 1+ acre lots. The smaller lots sold a lot quicker. Average days on market for other 7 homes was 10 days. They do sale quick so there is a definite need.

Joe Burleyson from Stanly County said he is a Real Estate Broker for Tim Seagraves. They did their homework and know the development will be successful. He has served on many boards for Stanly County and knows what our Board is facing. He knows being able to fund the updating of infrastructure, park, fire, or ems protection is a dream come true. This should help with water and sewer also. Getting a 14% increase in revenue without raising taxes is positive to grow Town and provide services. Just looking at that is a good reason to approve this project.

Wayne Collins, 929 Walker Road, stated that he and his wife represent 22 of the acres being discussed. Social Media said houses won't sale. Since we have had the property up for sale, we have had 15 people come by his house to see if we would split the houses up from the property. Our agent has had 20 phone calls for the same thing. He understands the worry about the traffic. He thinks Mr. Seagraves has done a good job planning it out and hopes the Board will pass it.

IN OPPOSITION OF DEVELOPMENT

Lewis Cress, 1223 Walker Rd, said he knows about the land we are discussing. His home is built on land that would not perk, even though he knows they do not need that. It will not hold up concrete. It cracks because it is shrink swell clay on the whole ridge. Mt. Pleasant Middle & High School spent \$500,000 each to get rid of that shrink swell clay. It is not a good soil to build on at all. The homes are supposed to be built to reflect neighborhood character but there are no homes around there to reflect a neighborhood character. Walker Rd is where the sewer line is supposed to go but his land is between the road and the sewer line and he thinks it is a problem. Also, Mr. Helmintoller spoke at the Planning & Zoning meeting and that should be against parliamentary procedure. He lived there for 57 years and it says land is abandoned. Scary part of this thing is traffic. High school students leave school in a hurry. Lucky no one has been killed on Walker Road. This is the worst place to put a development.

Matthew Esposito, 1110 Walker Road, thinks as a millennial with advanced degrees and work in Charlotte that they are looking for land with their home. This does not suit character of town. Culture is king and if no one wants to buy it, there is a problem. He moved here with his wife because of the people. They did not move here because there is no sound pollution. Do what is best for your neighbors.

David McDonald came with wife Angela and live at 830 Walker Road. They are of the opinion that the development should be done based on current zoning which is country residential. There are guidelines in place for country residential properties to be zoned. Can be done with 2 houses per acre. Thinks buffer could be put on back of lot. An easement could be put on property to give a buffer. If rezone property it will set a precedent. We have 21 acres across the road. The current zoning was made years ago and was carefully thought out by the county. That zoning serves a specific purpose and spot zoning is not good with the area surrounding it.

Shirley White, 667 Walker Road, said that the land is no good. She thinks the developers have misjudged the property and need to look at it again.

Jan Cauthen, 9135 Meadowood Rd, states formulas used to calculate traffic and growth sound good but the Town should not base decisions on if it meets the letter of the law. It should be a two prong approach: meet the law and be in the best interest of the citizens of Cabarrus County. Formulas, predictions, and estimates do not meet reality. Reality trumps statistics. Growth and traffic will not be what the numbers say. Walker Rd cannot handle the traffic. Yes, we need the growth, but is this the property? Probably not. Formulas will not comfort a grieving parent of a child lost in an accident.

Terry Crayton, 301 St. Johns Church Rd, said all the people in favor of the development are making money. Because they are making money everything they say will be tainted. Figures lie and liars figure. Every statistic they give you can be refuted. The 37 acres they are using is only 20 when you pull out the acreage they cannot use. 74 homes jammed on 20 acres. Are we going to let them do that? Mt. Pleasant is special. It is different in a good way. You are getting ready to start a precedent. Board is presiding over Harrisburg 2.0. It does not fit this Town or this people. If property taxes is driving this train, 20 larger house, 1 per acre, will give you more property taxes than 74 tiny little teepees.

Karen Dallas, 493 Walker Rd, said fear is not the main concern but safety. I grew up in Charlotte. Excited to raise my family here. Likes the charm of the area. The playground/green space discussed are in front of the proposed Fire Dept. That is a safety concern with children. My 4th grader was pulled out of a class for overcrowding. Feels this is too much too soon. Sidewalks and green space are not what people are wanting.

Terry Reece, 6309 Cress Rd, was born and raised in this area and intends to die here. It is a great community. Her biggest concern is the safety of the children. They will want to walk to school and there are no crosswalks. Even with crosswalks, a distracted driver can hit one of these children. Her other concern is wildlife in the neighborhood. Wildlife refuges are becoming harder to find. Also, the amount of houses on this small amount of property is required to make it money feasible to supply water/sewer connections and anything else that needs to be developed there. Then, the spot for the firehouse, who will fund it and everything that is needed? The taxpayers. She does not want her taxes going up to support this neighborhood that is bigger than it should be.

Mayor Eudy closed the Public Hearing.

Randy Holloway wanted to share a few things with the Board and audience:

1. Current property value in Mt. Pleasant is \$132,000,000 = \$13,200 on 1 cent tax
2. Proposed development value would be \$18,500,000 = \$1,850 on 1 cent tax
This development would generate estimated \$93,000 tax revenue per year or a 14% increase over current revenues. This does not include motor vehicle taxes that we estimate to be \$10,500 per year for a total of \$103,500.
3. Comparison to other unit of government in Cabarrus County
 - a. Concord = 1 cent equals 1.6 million (48 cent tax rate)
 - b. Kannapolis = \$379,000 (63 cent tax rate)
 - c. Harrisburg = \$230,000 (35.5 cent tax rate)
 - d. Midland = \$44,000 (22 cent tax rate)
 - e. Mount Pleasant = \$15,000 (50.5 cent tax rate) The Town is a full service town.
4. Mount Pleasant will be 200 years old soon and we have infrastructure that is very old and needs replacement now. Examples
 - a. Main Street water line was installed in 1936. It's a 6" line in need of replacement now. Estimated cost to replace at today's cost \$1.5 million. In 2024 will be approximately \$1.7 million.
 - b. Water line Highway 49 to North Drive water tank \$917,000.
 - c. Sewer pump station replacements / relocations \$1.5 million. We cannot borrow money unless the LGC will let us borrow money and they keep saying no, we cannot acquire any more debt.

- d. Current debt service payments are \$175,619 that expires in 2024. We can finance only the top water line project and top sewer project for a 40 year period to keep the annual debt service payments. We cannot take on any more water and sewer debt until 2024.
 - e. The estimated capital needs and cost over the next five years is \$17,496,000.
5. Fire Department needs
- a. Four fire units that will need to be replaced within the next five years.
 - b. One unit that is going to be replaced in this budget year's budget. Estimated cost of \$600,000. County agreed to increase the Rural Fire District Tax 1.5 cents to pay for annual debt payment. We will need to finance the unit for 15 years to handle the annual debt payment. The service life of the unit is 15 years. There are 3 additional units that need to be replaced without any projected revenue to do so. We don't know where the revenue will come to fund this.
6. The Town's water and sewer rates and the highest in Cabarrus County. Water and sewer is where we have the greatest need for capital outlay. Currently that estimated need is \$7,026,000.
7. Options:
- a. Raise the tax rate remembering that a penny on the tax rate only generates \$15,000 per penny. This includes motor vehicle, public utilities, real property, etc. The Town would need to raise the tax rate tax seven (7) cents to equal the revenue from the proposed development. Mr. Holloway does not recommend this.
 - b. Benefits for employees. Last year we did not give a pay raise. This year we are giving a 1.5% increase. Not sure about funding for additional increases in the future without an increase in revenues.
8. Past five years
- a. Apartment complex \$19,043 in property tax and significant water usage. The biggest complaint to the Sheriff's Dept is kids riding their bikes in the parking lot.
 - b. Southern Grace Distillery \$5,611 in property tax and significant water usage.
 - c. 73 & Main \$3,625 in property tax.
 - d. The only infill development have been on ¼ acre lots

Erin Burris reminded the Board they could not vote on a zoning district if it is not in your zoning district. So, the Board would need to vote on the annexation first. And if you deny the annexation, there is no need to vote on the rezoning since it is not in your jurisdiction. The Planning & Zoning Board did recommend unanimously to approve this.

Mayor Eudy opened up the discussion for the Board.

Commissioner Simpson thanked everyone who spoke tonight and for being engaged. He also thanked Town staff for the hard work in putting everything together for tonight. He rode out to Walker Road and looked over the area. Knowing the need for growth in our area is one of the reasons he ran for office. Even knowing the need for growth, he is concerned with lot size. He would love to see development in this area, but He is not comfortable with this specific plan.

Commissioner Furr said she agreed with Commissioner Simpson.

Commissioner Sells said he is very familiar with the area. He hunted and ran around that area growing up. He thinks it ought to be light residential not medium. The building boom in Concord a few years ago had a lot of homes with small lots going up that are now rental units. Growth is what we need but managed growth.

Commissioner Ashby held up a stack of letters and thought it was nice that people cared. He stated he had not been told by the Fire Dept. where the best site would be for a second station. He does not understand why they are voting on this if the Comprehensive Plan says low density. Randy Holloway said the Fire Dept. was happy with this site.

Commissioner Meadows thanked everyone and wished the room was this full for every meeting. His family is in construction and he has seen both sides of this. He thinks we need nice developments like Fieldstone and Oldenburg on large lots, not cookie cutter homes with only 10ft between the homes. He would like to see half acre lots. Feels developers just want to put as many house in as they can and then get out.

Commissioner Simpson would like them to bring back another proposal if feasible. Location and area are a no for him.

Developer Tim Seagraves stated infrastructure is a lot of cost and Fieldstone and Oldenburg did not have to conform to the same guidelines as they do now. Commissioner Meadows said there is an area in Mt. Pleasant with 10 acre lots in a subdivision with an HOA (referring to Saratoga).

A motion to deny the annexation was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0) Since the annexation was denied the rest of it went away and no motion was needed.

Mayor Eudy thanked everyone for attending and paused the meeting to let the audience leave if they would like.

A copy of the packet, handouts, and talking points are in the Minute Book.

TA 2019-02 Photography Studios in the Office & Institutional (O-I) and Light Industrial (I-1) districts

Erin Burris introduced the text amendment.

Affected Sections of UDO: Table 4.6-1

Town staff requests the proposed text amendment to Table 4.6-1 to allow photography studios by right in the Office & Institutional (O-I) and Light Industrial (I-1) districts, as this use provides a professional service and has similar impacts as other uses already permitted in the O-I and I-1 districts. This would also be supportive of the Economic Development goal of the Comprehensive Plan.

Economic Development Goal: Attract and retain a variety of businesses and light industry to promote a robust and diverse economic base and employment opportunities for residents.

Staff recommends approval of the proposed amendment.

Mayor Eudy opened the Public Hearing. No one spoke.

The Town Board of Commissioners finds that proposed amendment is consistent with the Comprehensive Plan in that it helps to implement the Economic Development Goal by attracting a variety of businesses to promote a robust and diverse economic base and employment opportunities for residents. Furthermore, photography studios provide a professional service that has similar impacts as other uses already permitted in the O-I and I-1 districts.

A motion to approve and consistent with TA 2019-02 Photography Studios in the Office & Institutional (O-I) and Light Industrial (I-1) districts was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

A copy of the packet is in the Minute Book.

TA 2019-03 Parking Standards

Erin Burris introduced the text amendment.

Town staff requests the proposed text amendments to allow more paving surface flexibility for rear-yard, overflow, and industrial storage parking. There are many instances where gravel parking areas may be appropriate, but the UDO currently only allows for paved parking or turf. Staff also proposes amortizing existing gravel parking in the CC district to improve parking within downtown. There are currently three permanent gravel parking areas and one temporary gravel parking lot that would have to either be paved or closed within two years.

Additionally, the amendments are intended to improve parking lot maintenance standards. Many parking lots in town have been neglected and are crumbling and/or have large potholes.

The amendments also set a threshold of 50 parking spaces for curb and gutter to be required in parking lots. There was previously no standard.

Requirements for large-scale parking lots have also been added. This limits parking in front of buildings to two (2) rows unless there is additional landscaping or outparcels so that parking lots are not the primary visual aesthetic on the Town's corridors. These amendments include a requirement for landscaping and pedestrian accommodations with more than three parking aisles.

The final amendment proposed is to limit the number of vehicles and boats that can be parked on a residential lot. The Town continues to receive complaints about the number operable and inoperable vehicles parked on properties within the Town Limits and ETJ. The junked vehicle requirement is the same as the Town's Code of Ordinances and follows NC General Statute 160A-303.

Mayor Eudy opened the Public Hearing. No one spoke.

If adopted gravel lots will need to be paved in commercial areas of Down Town/Center City (CC) with in the next 2 years. This will affect Hall Chiropractic, Francie Black's property beside What-A-Burger, and the back lot for DB Tee's. The Town lot on S. Main St. would fall under this, therefore the Town would have to conform also. It does not apply to single home residential lot. Business would have to have a 2" paving over a compacted base. Owners will also have to fix potholes and stripe spaces. Town would have to adhere to standards at Town Hall also.

Concerning the limit on the number of vehicles and boats that can be parked on a residential lot, it would be six outside of a garage. If cars are inside an enclosed garage, they do not count. Jet skis count as a vehicle.

Commissioners were concerned about large families with multiple cars. Boats are considered separate from cars. They decided they would like to table this discussion until another meeting when their minds are fresh.

A motion by Commissioner Simpson to approve the proposed Amendments for Section 8 of the UDO but table the Amendments for Section 5.2.10. Therefore, the Town Board of Commissioners finds that proposed amendments are not addressed by the Comprehensive Plan, but are not inconsistent with it. This amendment is intended to maintain the character of residential areas within the Town's jurisdiction and minimize potential adverse impacts on adjacent property owners. Commissioner Ashby seconded the motion. All Board Members were in favor. (5-0)

A copy of the packet is in the Minute Book.

7. Old Business

None

8. New Business

A. Consider approving the Purchasing & Contracting Policy and Procedure Guide.

The Town had a Purchasing Procedure Manual that was outdated and not under FEMA approved guidelines. The Town staff has modified the Procurement Policy from Onslow County that has been used when working on FEMA disasters. By adopting the new Policy, the Town should meet the FEMA guidelines to get reimbursed from the damage by Hurricane Florence at the raw water intake site.

A motion to approve the Purchasing & Contracting Policy and Procedure Guide effective July 8, 2019 was made by Commissioner Sells with a second by Commissioner Furr. All Board Members were in favor. (5-0)

A copy of the Purchasing & Contracting Policy and Procedure Guide is in the Minute Book.

B. ADDED- Consider approving Alley, Williams, Carmen, and King as the Engineering Firm for the Dutch Buffalo Creek raw water intake dam project.

Town Staff (Randy Holloway, Erin Burris, Justin Stallings, Kenny Black, and Amy Schueneman) met this morning to select an Engineering Firm for the Dutch Buffalo Creek raw water intake dam repair project. The dam had an 18" chunk of concrete removed during Hurricane Florence in September 2018.

The first time the Town advertised for RFQ's (Request for Qualifications) for engineering services, there were no responses. The second time the Town advertised we received four RFQ's from the following engineering firms:

Alley, Williams, Carmen, and King Inc.
Armstrong Glen, PC
McGill Associates
Meade-Gunnell Engineering & Surveying, PC

After looking at the four presentation folders, the Town Staff consensus was Alley, Williams, Carmen, and King. They had the most experienced team with FEMA and dam related projects which is

a major plus for the Town since we are filing for reimbursement from FEMA. They should also be able to complete the project prior to the 18 month deadline issued by FEMA.

A motion to approve Alley, Williams, Carmen, and King as the Engineering Firm for the Dutch Buffalo Creek raw water intake dam project was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

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

9. CHANGED- Closed Session 143-318.11. (a)(#5) Acquisition of Property


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

10. 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, August 12, 2019 in the Regular Meeting.


Town Clerk Amy Schueneman


Mayor W. Del Eudy

SEAL

