



MOUNT PLEASANT

EST. 1859

NORTH CAROLINA

**Board of Commissioners
Town Board Meeting Minutes
Monday, April 8, 2024 at 6:00 P.M.**

Attendance: Mayor Tony Lapish
Mayor Pro-Tem/Commissioner Lori Furr
Commissioner Chris Carter (absent, excused)
Commissioner Steven Dixon
Commissioner William Meadows
Commissioner Justin Simpson
Town Administrator Randy Holloway
Town Attorney John Scarbrough
Town Clerk Amy Schueneman

Also Present: Erin Burris, Crystal Smith, Ally Schueneman, Rodney Schueneman, Deputy C Camille, Associate Pastor Tim Smith of Propel Church, ABC Board Members (Lee Kluttz, Steve L McAllister, Gene Sneed, Eric G. Boulware, Amy Underwood, and Graciela Martinez), Terrie Reece, and Captain Kluttz from Cabarrus County Sheriff's Dept.

CALL TO ORDER

Mayor Tony Lapish called the meeting to order.

INVOCATION

Associate Pastor Tim Smith of Propel Church led the Board in prayer.

PLEDGE OF ALLEGIANCE

Mayor Lapish led the Pledge of Allegiance.

1. Public Forum

No one spoke.

Mayor Lapish asked for a motion to excuse Commissioner Carter from the meeting. A motion was made by Commissioner Furr with a second from Commissioner Meadows. All in favor. (4-0, Commissioner Carter excused)

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)

TOWN OF MOUNT PLEASANT

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Commissioner Dixon felt he had a conflict of interest concerning the Resolutions adding project checking accounts since his wife works at the bank.

3. Approve Agenda

A motion to approve the Agenda as presented was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (4-0, Commissioner Carter excused)

4. Consent Agenda

- A. Minutes March 11, 2024
- B. Minutes Budget Workshop March 18, 2024

Commissioner Furr made a motion to approve the Consent Agenda as submitted with a second by Commissioner Simpson. All Board Members were in favor. (4-0, Commissioner Carter excused)

5. Staff Reports

- A. Town Manager-Randy Holloway
- B. Town Asst. Manager-Crystal Smith
- C. Town Clerk/Finance Officer - Amy Schueneman
- D. Planning & Economic Development Director - Erin Burris
- E. Code Enforcement/Grant Writer- Jim Sells
- F. Public Works- Daniel Crowell
- G. Cabarrus Co. Sheriff's Dept. Report
- H. Fire Department-Dustin Sneed

6. Presentation to Crystal Smith for her retirement.

Mayor Lapish and the Board presented Crystal Smith with a plaque for her retirement to thank her for her many years of service to the Town.

7. Old Business

A. Resolution to adopt the Water Shortage Response Plan which received final approval by NC DEQ.

Randy Holloway reminded the Board that they reviewed and approved the Water Shortage Response Plan on February 12, 2024 and it was sent to North Carolina Department of Environmental Quality for final approval. NC DEQ signed off on the Plan and has returned it to the Town.

Jim Sells created a Resolution to Approve the Water Shortage Response Plan for the Town Board to approve.

A motion to approve Resolution to Approve the Water Shortage Response Plan was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (4-0, Commissioner Carter excused)

8. New Business

A. Consider hiring McAdams Engineering to provide a Schematic Design for the future new Town parking lot connected to the Buddy's Restaurant and Theater property along with Budget Amendment #19 and Resolution to open new checking account.

Randy Holloway asked Erin Burris to come to the podium to discuss the item and also

introduced her as the new Assistant Town Manager.

Ms. Burris requested to hire McAdams Engineering for a Schematic Design for the future new Town parking lot connected to Buddy's Restaurant and the Theater property. This property is what will be received by the Town in exchange with Town Square Properties for the gravel parking lot on South Main Street. It is a catalyst project for the Comprehensive Plan. This will help the Town apply for funding with grants to help the Theater property and economic development. Because McAdams Engineering was selected in the procurement process and they did the Downtown Stormwater Study, they are the best choice for the project since the stormwater is intertwined with the parking lot.

Commissioner Simpson asked when the exchange will take place. Ms. Burris replied that the Town is waiting on their attorney to draw up the deed. Surveys have been completed on both properties. Hopefully, the exchange will be within the next couple of weeks. The property must be in our ownership to apply for the grant.

A motion to approve the Resolution to Open a New Checking Account, Budget Amendment #19 McAdams Schematic Design for new Town Parking Lot and allow Town Manager to sign all related contracts was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (3-0, Commissioner Carter excused, Commissioner Dixon had a Conflict of Interest)

B. Consider declaring 625 Jackson Street surplus property.

Mr. Holloway said the property was previously used by the Public Works Department. They have cleaned up the area, seeded the lot, and it is now ready to surplus if the Board agrees. Staff research the best way to dispose of the property is by sealed bid. It involves the least amount of time involved in selling the property.

Erin Burris stated there are many ways to sell the property by State Statutes: sealed bids, upset bids, and auction. The sealed bid process involves less advertising and more condensed process. Staff feel that the Town can still get what is wanted for the property this way. The property would have a minimum bid of \$110,000. It is approximately 1 acre and is zoned RM which is Residential Medium density. It could be divided into two properties. There are a set of water/sewer taps located there. It would be the responsibility of the new owner to pay for any additional taps needed if divided. All of this information would be included in the notice of sale which would be published in the newspaper. It will also be published on the Town website and social media pages of the Town. The bids would be opened on a date at least 30 days after the advertisement. Once the survey is completed, the Town will be able to do a proper property description and put it up for sale. Whoever bids on it will need to put down 5% the day of the bid opening. Then once the bids are opened, the highest bid will be brought to the Town Board for approval. The closing would take place within 30 days after that.

The current tax value is \$104,000 with a water/sewer tap on it valued at \$7,700. A couple other lots that were ½ an acre with no taps recently sold for \$85,000 each, so Staff feel that an acceptable bid will be made.

A motion to adopt the Resolution Authorizing Sale of Property in Accordance with North Carolina G.S. 160A-268 and the sealed bid process to sale 625 Jackson St. was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (4-0, Commissioner Carter excused)

C. Engineering for Downtown Storm Drainage Improvements Project

Erin Burris reminded the Board a couple of month's ago the Board adopted the Downtown Stormwater Study that was prepared by LKC Engineering and McAdams Engineering as subcontractors. It set forth a Capital Improvement Plan. The reason Staff is pushing this project now is that it would be better to go ahead and replace the stormwater while the streets will be torn up for the waterline project. It would be better than to do the waterline, pave, then come back in a year and rip it up again and have to repave. NC DOT has verbally told the Town that they would help by providing materials for the stormwater project that fell into the NC DOT right-of-way which would also cut down on the overall cost of the project to the Town.

Mr. Holloway hopes to have the engineering done by the time the Town opens the bids for the waterline projects. When the Town awards the bids, the Town will approach the low bidder to see if they would be willing to do labor only for the stormwater project and NC DOT will provide materials. The engineering needs to be done to discuss it with the lowest most responsible bidder.

The estimate by McAdams is a combination of "lump sum" and "not to exceed." Portions that are "not to exceed" could be lower than the maximum amount of \$169,537.50 given. It is a worst-case scenario since a lot of the surveying has been done.

The Town Engineer reviewed the draft proposal from McAdams Engineering for the Downtown Storm Drainage Improvements Project and responded with a list of questions. McAdams responded back with favorable responses to his questions. Staff is requesting Board approval of the contract with a not to exceed amount of \$169,537.50. Staff will review the responses with the Town Engineer on Wednesday, April 10th.

A motion to approve the McAdams Engineering contract not to exceed \$169,537.50, allow the Town Manager to execute all documents, Resolution to open new Checking Account, and Budget Amendment #20 Downtown Storm Drainage Imp- McAdams Engineering was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (3-0, Commissioner Carter excused, Commissioner Dixon had a Conflict of Interest)

9. Mini Budget Session

Amy Schueneman reviewed the slides (*copies are included in the Minute Book*) showing how the property taxes were figured for FY23/24 and how Staff reached the \$.36 revenue neutral tax rate after the reevaluation on Real Property for FY24/25. She also showed the Board how water/sewer rates would be adjusted for FY24/25 including the tiered rate for sewer usage over 2,000 gallons. Examples of different situations were given showing the total impact of the proposed \$.39/\$100 property tax rate with the water/sewer increases for a senior citizen in an older home, 4-member household using 5,000 gallons of water a month in a \$400,000 home, and Mount Pleasant High School as a higher water user.

Randy Holloway wanted to judge the comfort level of these figures with the Board prior to working on the line-by-line budget items to make sure everyone was in agreement. The Board consensus was to move forward with a \$.39/\$100 property tax rate and the proposed water/sewer rate increases.

No motion was made.

A motion to go into Closed Session was made by Commissioner Simpson with a second by Commissioner Furr. All were in favor. (4-0, Commissioner Carter excused)

10. Closed Session 143-318.11.(a)(#6) Personnel Issue *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. General personnel policy issues may not be considered in a closed session.*

POSTPONED until May 13th meeting-Closed Session 143-318.11.(a)(#3) *To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.*

A motion to come out of Closed Session 143-318.11.(a)(#6) was made by Commissioner Meadows with a second by Commissioner Furr. All were in favor. (4-0, Commissioner Carter excused)

A motion to approve adding a new position of Office Manager and to ask Mr. Holloway to fill the position as quickly as possible was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (4-0, Commissioner Carter excused)

11. Adjournment

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

By our signatures, the following minutes were approved as submitted on Monday, May 13, 2024 in the Regular Meeting.


Town Clerk Amy Schueneman


Mayor Tony Lapish

