

# Mount Pleasant

North Carolina

*Founded in 1848*

**Town of Mt. Pleasant  
Regular Board Meeting  
Monday, February 13, 2023  
6:00 PM- Town Hall Commissioners Room**

Call to Order- Mayor Del Eudy

Invocation- Pastor Duane Jarmen Friendship United Methodist Church

Pledge of Allegiance- Mayor Del Eudy

**1. Public Forum**

*(Please limit comments to 3 minutes or less)*

**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)*

**3. Approve Agenda (Pages 1-2)**

**4. Consent Agenda (Pages 3-23)**

- A. Minutes January 9, 2023 (pages 3-6)
- B. Minutes February 1, 2023 Special Called Meeting (page 7)
- C. Policy & Notice of Non-Discrimination (pages 8-10)
- D. Non-Discrimination Policy & Procedures for Persons with Disabilities Including Limited English Proficiency (LEP) (pages 11-12)
- E. Non-Discrimination & Harassment Complaint Policy & Procedure (pages 13-17)
- F. Emailed Approval for Fire Dept. to apply for Regional Grant for Radios (page 18-19)
- G. Budget Amendment #4 Correction: USDA Expenses related to sewer easements (page 20)
- H. Annual list of Purged documents (page 21)
- I. Emailed Approval to not continue in the foreclosure suit of Mr. Neal (pages 22-23)

**5. Staff Reports (Pages 24-41)**

- A. Town Manager-Randy Holloway (page 24)
- B. Town Asst. Manager-Crystal Smith (page 25)
- C. Town Clerk/Finance Officer - Amy Schueneman (pages 26-30)
- D. Planning & Economic Development Director - Erin Burris (pages 31-33)
- E. Public Works- Daniel Crowell (page 34)
- F. Cabarrus Co. Sheriff's Dept. Report (pages 35-39)
- G. Fire Department-Dustin Sneed (page 40)
- H. Code Enforcement- Jeff Watts (page 41)

**6. Update by Carolina Thread Trail**

8590 Park Drive : PO Box 787 : Mount Pleasant, North Carolina 28124 : tel. 704-436-9800

**7. Old Business** (Page 42)

A. Town Staff received an update from Granite Sky on Branding/Logo Project and would like to give an update to the Board on presentation and next step. (page 42)

**8. Public Hearings**

A. **Amendments to Town of Mount Pleasant Code of Ordinances Part 8: Nuisances and Offenses** (Continued since Nov. 14<sup>th</sup> meeting-no attachments for this item)

Public hearing regarding proposed amendments to Code of Ordinances Part 8 to include form of government updates, enforcement provisions, disorderly conduct, animals, abandoned and junk vehicles, public nuisances, public facilities, noise ordinance, and general offenses.

**9. New Business** (Pages 43-66)

A. Consider approving the Junior Firefighter program for the Mount Pleasant Fire Department to allow 16-18 year olds to volunteer. (pages 43-46)

B. Consider selecting 4 unfunded Town projects in order of importance to submit to Representative Kevin Crutchfield's office for possible State funding. (page 47)

C. Consider using the ABC FY21/22 distribution for Infrastructure & Streets. (pages 48-49)

D. Mural Wall Lease (pages 50-57)

E. ANX 2023-01 N Skyland Dr.-Common Grounds Management Property Voluntary Contiguous Annexation (pages 58-66)

**10. Closed Sessions**

**1. 143-318.11.(a)(#5) Potential Personnel Contract** 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 ... (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

**2. 143-318.11.(a)(#3) Consult Attorney about legal matter** 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. ... 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.

**11. Adjournment**

**Budget Workshop  
March 18, 2023 8am-Noon  
in Conference Room of Town Hall**

# Mount Pleasant

North Carolina

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**Town of Mt. Pleasant  
Board of Commissioners  
Town Board Meeting Minutes  
Monday, January 9, 2023 at 6:00 P.M.**

**Attendance:** Mayor Del Eudy  
Mayor Pro-Tem/Commissioner Lori Furr  
Commissioner Chris Carter (absent)  
Commissioner William Meadows  
Commissioner Jim Sells  
Commissioner Justin Simpson  
Town Administrator Randy Holloway  
Town Attorney Jim Scarbrough  
Town Clerk Amy Schueneman

**Also Present:** Erin Burriss, Crystal Smith, Deputy CA Camille, Ally Schueneman, Nick & Tori Newman, Deputy TB Canaday, and Rita & Brian Gilmore.

## **CALL TO ORDER**

Mayor Eudy called the meeting to order.

## **INVOCATION**

Pastor Nick Newman from 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 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)*

No one had a conflict.

### **3. Approve Agenda**

Mayor Eudy stated two items needed to be added to the agenda:

Under Old Business: Golf Cart Registration

Closed Session

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

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#### **4. Consent Agenda**

- A. Minutes December 12, 2022
- B. Budget Amendment #9 FD reallocation of budget line items
- C. Budget Amendment #10 FD Sale of Ladder 1
- D. Proclamation Martin Luther King Day
- E. Amend Grant Project Ordinance for ARP funds
- F. Resolution Authorizing the Disposition of Surplus Property by the Town Manager on GovDeals

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

#### **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
  - Update on Part 7: Street/Traffic Signs will be implemented in quadrants. As they are installed the area will be enforced. 159 signs are being ordered and some will be on the same poles. Information was included in the water bills about the upcoming changes, as well as being put on social media. A *handout of what was in the water bills was distributed to the Board.*
  - Currently, working on scoring streets and hopefully one will be paved by the end of the year.
  - Golf Cart Registration application/guidelines were handed out to the Board. Later in the meeting the fee will be discussed.
  - The BRIC Grant has been submitted for the January 6<sup>th</sup> deadline. 46 applications were submitted to the State, and they will be paring them down to the ones they think can make it through Federal. The awards will not be known until September. If awarded, the Town will have to pay 12% of cost. It will help to bury the power lines in the square and help with storm water.
  - hmwPreservation will start their survey work for the National Register this month. A press release and notifications to everyone in the National Register District.
- E. Code Enforcement-Jeff Watts
- F. Public Works- Daniel Crowell
- G. Cabarrus Co. Sheriff's Dept. Report
- H. Fire Dept.-Dustin Sneed

#### **6. Presentation of FY21/22 Audit by Tony Brewer of Eddie Carrick, CPA, PA**

Mr. Brewer thanked the Board for allowing them to serve as the Town's Auditor once again. He said the Town of Mount Pleasant received a clean or unqualified opinion which means that the financials fairly represent the state of the Town as of June 30th. The audit is a public document. A handout was given to the Board with details from the audit to follow. Since there are no "concerns" from the State about the audit, the Town will not have to submit a letter to the State. Financially the Town is above average in funds compared to other Towns the same size in North Carolina, even with all the expenses the past year. The water and sewer account is operating efficiently and did

not need help from other funds which shows rates are adequate to cover services. Mount Pleasant had a good audit year.

## **7. Public Hearings**

- A. Amendments to Town of Mount Pleasant Code of Ordinances Part 8: Nuisances and Offenses** (Continued from Nov. 14<sup>th</sup> meeting-no attachments for this item)  
Mayor Eudy opened the Public Hearing and no one spoke. Staff asked for it to be held open until the February meeting.

A motion to continue the Public Hearing until the February 13<sup>th</sup> meeting was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (4-0, Commissioner Carter absent)

## **8. Old Business**

### **Add On: A. Golf Cart Registration**

Erin Burris stated Part 7 of the Ordinances contains the use of Golf Carts on Town streets and the Staff is recommending adding a \$30 annual fee to the Fees & Charges Schedule. The Code Enforcement Officer will be the one to check golf carts and meet the guidelines. Once approved, a registration will be issued.

A motion to approve the \$30 fee for Golf Cart Registration to be added to the Fees & Charges Schedule was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (4-0, Commissioner Carter absent)

## **9. New Business**

### **A. Consider allocating the ABC Store FY21/22 fund distribution to Infrastructure (streets and sidewalks).**

Randy Holloway stated the Town received a check from the ABC Board in the amount of \$24,023 from their annual profits and is asking the Board to allow the funds to be used for Streets & Sidewalks. Currently only \$20,000 is budgeted.

#### 2 motions:

1. A motion to allocate the ABC Store FY21/22 fund distribution to Infrastructure (streets and sidewalks) was made by Commissioner Sells with a second by Commissioner Meadows. All Board Members were in favor. (4-0, Commissioner Carter absent)

2. A motion to approve Budget Amendment #11 was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (4-0, Commissioner Carter absent)

### **B. Consider approving the Town Manager and Staff to vote on the top ten Legislative Goal Statements as recommended by the North Carolina League of Municipalities Board of Directors.**

Randy Holloway informed the Board that he received notification from the North Carolina League of Municipalities that their Board of Directors came up with a list of 16 items they would like to take to the NC General Assembly the next two years. He asked if the

Board would allow the Staff to make the recommendations of the top 10 that would help the Town of Mount Pleasant.

A motion to approve the Town Manager and Staff to vote on the top 10 goals to be submitted to the NC League of Municipalities Board of Directors was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (4-0, Commissioner Carter absent)

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

**10. Add On: Closed Session**

A motion to come out of Closed Session was made by Commissioner Meadows with a second by Commissioner Sells. All Board Members were in favor. (4-0, Commissioner Carter absent)

**11. Adjournment**

With nothing else to come before the Board, Commissioner Simpson made a motion to adjourn. Commissioner Furr seconded the motion. All Board Members were in favor. (4-0, Commissioner Carter absent)

By our signatures, the following minutes were approved as submitted on Monday, February 13, 2023 in the Regular Meeting.

\_\_\_\_\_  
**Town Clerk Amy Schueneman**

\_\_\_\_\_  
**Mayor W. Del Eudy**

SEAL

# Mount Pleasant

North Carolina

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**Town of Mt. Pleasant  
Special Called Meeting Minutes  
Wednesday, February 1, 2023  
5:30 PM- Town Hall Commissioners Room**

**Attendance:** Mayor Del Eudy  
Mayor Pro-Tem/Commissioner Lori Furr  
Commissioner Chris Carter  
Commissioner William Meadows (absent)  
Commissioner Justin Simpson (arrived at 5:32pm)  
Commissioner Jim Sells  
Town Administrator Randy Holloway  
Town Attorney Jim Scarbrough  
Town Clerk Amy Schueneman

**Also Present:** Crystal Smith, Erin Burris, and Dr. Allen Dobson.

Mayor Eudy opened the meeting and stated Commissioner Meadows was under the weather and would not attend.

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

**Closed Session 143-318.11.(a)(#5) 1473 S Main St.** 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;

A motion to come out of Closed Session was made by Commissioner Simpson with a second by Commissioner Sells. All Board Members were in favor. (4-0, Commissioner Meadows absent)

No motions were made by Board after returning from Closed Session.

## **Adjournment**

With nothing else to come before the Board, Commissioner Furr made a motion to adjourn. Commissioner Carter seconded the motion. All Board Members were in favor. (4-0, Commissioner Meadows absent)

By our signatures, the following minutes were approved as submitted and amended on Monday, February 13, 2023 in the Regular Meeting.

\_\_\_\_\_  
Town Clerk Amy Schueneman

\_\_\_\_\_  
Mayor Del Eudy

Seal

8590 Park Drive : PO Box 787 : Mount Pleasant, North Carolina 28124 : tel. 704-436-9800

**Website:** [www.mtpleasantnc.org](http://www.mtpleasantnc.org) **Email:** [townhall@mtpleasantnc.us](mailto:townhall@mtpleasantnc.us)

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## POLICY AND NOTICE OF NON-DISCRIMINATION

The Town of Mount Pleasant complies with Federal civil rights laws and is committed to providing its programs and services without discrimination in accordance with:

- *Title VI of the Civil Rights Act of 1964*, which prohibits discrimination based on **race, color, or national origin** (including **language**).
- *Section 504 of the Rehabilitation Act of 1973*, which prohibits discrimination based on **disability**.
- *Title IX of the Education Amendments Act of 1972*, which prohibits discrimination based on **sex** in education programs or activities.
- *Age Discrimination Act of 1975*, which prohibits discrimination based on **age**.
- *U.S. Department of Homeland Security regulation 6 C.F.R. Part 19*, which prohibits discrimination based on **religion** in social service programs.

It is against the law for the Town of Mount Pleasant to retaliate against anyone who takes action to oppose discrimination, files a grievance, or participates in the investigation of a grievance in accordance with the above authorities.

### To File a Complaint

If you think that the Town of Mount Pleasant has failed to provide these services or discriminated in another way based on race, color, national origin (including language), disability, sex, age, or religion, you can file a complaint in person or by mail with:

Town of Mount Pleasant  
ATTN: Town Manager  
8590 Park Drive  
PO Box 787  
Mount Pleasant, NC 28124

You can also file a civil rights complaint with the U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL):

**E-mail:** [CRCLCompliance@hq.dhs.gov](mailto:CRCLCompliance@hq.dhs.gov) (fastest method to submit your complaint)

**Fax:** 202-401-4708

**U.S. Mail:**

U.S. Department of Homeland Security  
Office for Civil Rights and Civil Liberties  
Compliance Branch, Mail Stop #0190  
2707 Martin Luther King, Jr. Ave., SE  
Washington, D.C. 20528



For additional information: [www.dhs.gov/crcd](http://www.dhs.gov/crcd) Phone: 202-401-1474 Toll-Free: 1-866-644-8360

## **Information and Services for Persons with Disabilities and Persons with Limited English Proficiency (LEP)**

The Town of Mount Pleasant upon 24-48 hour advanced request

- Will provide free aids and services, such as qualified sign language interpreters and written information in other formats (large print, audio, accessible electronic formats, etc.), to communicate effectively with persons with disabilities.
- Will provide free language services, such as qualified foreign language interpreters and information written in other languages, to ensure meaningful access to programs and activities for persons with Limited English proficiency.

If you need these services, please contact 24-48 hours prior:

Town of Mount Pleasant  
ATTN: Town Manager  
8590 Park Drive  
PO Box 787  
Mount Pleasant, NC 28124  
704-436-9800

## **Reporting & Enforcement**

- The Town of Mount Pleasant shall cooperate in any enforcement or compliance review activities by the Department of the Treasury. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The Town of Mount Pleasant shall comply with information requests, on-site compliance reviews, and reporting requirements.
- The Town of Mount Pleasant shall maintain a complaint log and inform the Treasury of any complaints of discrimination on the grounds of race, color, or national origin (including limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, whether pending or completed, including the outcome. The Town of Mount Pleasant shall inform the Treasury if it has received no complaints under Title VI.
- Any person who believes they have been aggrieved by a discriminatory practice under Title VI has a right to file a formal complaint with the Treasury. Any such complaint must be in writing and filed with the Treasury's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence.

- Any person who believes that because of that person's race, color, national origin, limited English proficiency, familial status, sex, age, religion, or disability that he/she/they have been discriminated against or unfairly treated by the Town of Mount Pleasant in violation of this policy should contact the following office within 180 days from the date of the alleged discriminatory occurrence:

Town of Mount Pleasant  
ATTN: Town Manager  
8590 Park Drive  
PO Box 787  
Mount Pleasant, NC 28124

- Staff members should report any complaint of discrimination in writing to the Town Manager as quickly as possible.
- Town Manager will process complaints, train staff on civil rights policies, respond to requests for reasonable accommodations, coordinate the translation of documents, etc. for *Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments Act of 1972, the Age Discrimination Act of 1975, and the US Department of Homeland Security regulation 6 CFR Part 19*, OR Town Manager may assign another Staff member to address any of the listed items.

Adopted by the Town Board of Commissioners on the 13<sup>th</sup> day of February 2023.

\_\_\_\_\_  
Mayor W. Del Eudy

\_\_\_\_\_  
Amy Schueneman, Town Clerk

# Mount Pleasant

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## **Non-Discrimination Policy & Procedures for Persons with Disabilities Including Limited English Proficiency (LEP)** *(related to Section 504 of the Rehabilitation Act of 1973)*

Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

The Town of Mount Pleasant intends to honor *Section 504 of the Rehabilitation Act of 1973* by providing reasonable accommodations for anyone with a disability to work at the Town or to participate in any of the events, programs, and services offered by the Town.

Anyone with an accommodation request should contact:

Town of Mount Pleasant  
ATTN: Town Manager  
8590 Park Drive  
PO Box 787  
Mount Pleasant, NC 28124  
Email: [townhall@mtpleasantnc.us](mailto:townhall@mtpleasantnc.us)  
704-436-9800

### **Information and Services for Persons with Disabilities and Persons with Limited English Proficiency (LEP)**

The Town of Mount Pleasant upon 24-48 hour advanced request

- Will provide free aids and services, such as qualified sign language interpreters and written information in other formats (large print, audio, accessible electronic formats, etc.), to communicate effectively with persons with disabilities.
- Will provide free language services, such as qualified foreign language interpreters and information written in other languages, to ensure meaningful access to programs and activities for persons with Limited English proficiency.

If you need these services, please contact 24-48 hours prior:

Town of Mount Pleasant  
ATTN: Town Manager  
8590 Park Drive  
PO Box 787  
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8590 Park Drive : PO Box 787 : Mount Pleasant, North Carolina 28124 : tel. 704-436-9800

**Website:** [www.mtpleasantnc.org](http://www.mtpleasantnc.org)    **Email:** [townhall@mtpleasantnc.us](mailto:townhall@mtpleasantnc.us)

If a person feels the Town has not provided reasonable accommodations to meet the needs of an individual with disabilities, please complete the Non-Discrimination / Anti-Harassment Formal Complaint Form and return to the Town Manager (information above). The complaint process will follow the guidelines listed in the Non-Discrimination & Harassment Complaint Policy & Procedure.

# *Mount Pleasant*

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## **Non-Discrimination & Harassment Complaint Policy & Procedure**

The Town of Mount Pleasant is committed to preventing discrimination and harassment from occurring and to providing an avenue to address complaints of discrimination and harassment of any type promptly and effectively.

### **Employee Responsibilities**

All employees who receive a complaint or information about suspected discrimination of any type are required to report such suspected discrimination to the Town Manager.

### **Formal Complaint Procedure**

The Town of Mount Pleasant encourages reporting of all perceived incidents of harassment, discrimination, or retaliation regardless of the offender's identity or position. Employees who believe that they have been the victim of such conduct should report their concerns with their immediate supervisor and/or the Town Manager, not necessarily in that order. Even if you are unsure whether a certain behavior constitutes discrimination, harassment and/or retaliation prohibited by this policy, you are encouraged to report the situation so that it may be investigated, evaluated and, if necessary, addressed. The Town of Mount Pleasant expects that individuals who make reports pursuant to this policy do so truthfully and in good faith. However, an employee should never delay or decide not to report any case of discrimination and/or harassment that they believe falls within this policy. The Town of Mount Pleasant would rather be overprotective of its employees (e.g., participating in investigations that may prove behavior was not to the level of discrimination and/or harassment), than have issues go unreported for any reason. With that said, though, these provisions are not intended to protect persons making intentionally false charges of harassment.

### **Investigation Claims of Harassment, Discrimination or Retaliation**

It is the policy of the Town of Mount Pleasant to promptly and thoroughly investigate any reported allegations of harassment, discrimination or retaliation – All complaints or information about suspected sexual or other harassment, discrimination or retaliation will be investigated, whether that information was reported verbally or by written form. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Any employee may be required to cooperate as needed in an investigation of suspected harassment, discrimination, or retaliation. Employees who participate in any investigation will not be retaliated against. An investigation of any complaint, information or knowledge of suspected harassment, discrimination or retaliation will be prompt and thorough and should be completed within thirty (30) days. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses and alleged perpetrators, will be accorded due process to protect their rights to a fair and impartial investigation.

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**Website:** [www.mtpleasantnc.org](http://www.mtpleasantnc.org)    **Email:** [townhall@mtpleasantnc.us](mailto:townhall@mtpleasantnc.us)

Investigations will be done by the Town Manager in accordance with the following steps:

- Upon receipt of a complaint, conduct an immediate review of the allegations, and take any interim actions, as appropriate. If the complaint is oral, the complainant will be encouraged to complete the "Complaint Form" in writing.
- If documents, emails or phone records are relevant to the allegations, take steps to obtain and preserve them for the record.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses.
- Create a written documentation of the investigation (e.g., a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported, if any; and
  - The final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in the employment records of those involved, as well as in the Town of Mount Pleasant records.
- Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective action(s) identified in the written document.
- Inform the individual who complained of their right to file a complaint or charge externally as outlined further below.

Misconduct constituting harassment, discrimination, or retaliation, as defined by this policy, will be dealt with appropriately and may involve actions up to, and including, termination. The severity of the action may not allow rehabilitation and an employee may be terminated after the first offense.

False and malicious complaints of harassment or discrimination may be the subject of appropriate disciplinary action, up to and including termination.

Any employees with questions or concerns about this policy or procedure should seek further information from their immediate supervisor and/or Town Manager.

Please note that while this policy sets forth the Town of Mount Pleasant's goal of promoting a workplace that is free of harassment and discrimination, the policy is not designed or intended to limit the Town of Mount Pleasant's authority to discipline or take remedial action for workplace conduct which it deems unprofessional, inconsistent with Town of Mount Pleasant standards, or otherwise inadvisable behavior, regardless of whether that conduct satisfies the legal definition of unlawful discrimination or harassment.

#### **Legal Protections and External Remedies**

Discrimination and/or harassment is not only prohibited by the Town of Mount Pleasant, but is also prohibited by state, federal, and local law. Aside from the internal process at the Town of Mount Pleasant that are noted in this policy, employees may also choose to pursue legal remedies with the following governmental entities at any time:

### United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 Federal Civil Rights Act. An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right-to-Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), or visiting their website at [www.eeoc.gov](http://www.eeoc.gov) via email at [info@eeoc.gov](mailto:info@eeoc.gov).

### Contact the Local Police Department

If the harassment involves physical touching, coerced physical confinement, or coerced sex acts, the conduct may constitute a crime. Employees should contact law enforcement immediately if this is the case. Adoption of this policy does not constitute a conclusive defense to charges of unlawful sexual harassment. Each claim of sexual harassment will be determined in accordance with existing legal standards, with due consideration of the particular facts and circumstances of the claim, including but not limited to the existence of an effective anti-harassment policy and procedure.

## Non-Discrimination / Anti-Harassment Formal Complaint Form

Name of complainant (please print) \_\_\_\_\_

Date of complaint \_\_\_\_\_

Name of alleged violator of policy, if known \_\_\_\_\_

Date and place of incident \_\_\_\_\_

Description of misconduct \_\_\_\_\_

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Name of witnesses (if any) \_\_\_\_\_

E-mail: \_\_\_\_\_

Phone Number: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

DATE: \_\_\_\_\_



## Non-Discrimination / Anti-Harassment Complaint Appeal Form

Name of complainant (please print) \_\_\_\_\_

Date of appeal \_\_\_\_\_

Date of original complaint \_\_\_\_\_

Description of decision being appealed \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Why is the decision being appealed? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

SIGNATURE: \_\_\_\_\_

## Amy Schueneman

**From:** William Meadows  
**Sent:** Wednesday, February 01, 2023 8:23 AM  
**To:** Amy Schueneman  
**Subject:** Re: Request For Grant Submission Approval

I am ok with them applying for the grant.

---

**From:** Amy Schueneman <amy@mtpleasantnc.us>  
**Sent:** Wednesday, February 1, 2023 8:20:59 AM  
**To:** Chris Carter <carterc@mtpleasantnc.us>; Crystal Smith <SmithC@mtpleasantnc.us>; Del Eudy <EudyD@mtpleasantnc.us>; Erin Burris <burrise@mtpleasantnc.us>; Jim Sells <sellsj@mtpleasantnc.us>; John Scarbrough (jfs@sandslegal.net) <jfs@sandslegal.net>; Justin Simpson <jsimpson@multiply.church>; Justin Simpson <simpsonj@mtpleasantnc.us>; Lori Furr <furrl@mtpleasantnc.us>; Randy Holloway <HollowayR@mtpleasantnc.us>; William Meadows <wmeadows@mtpleasantnc.us>  
**Cc:** Dustin Sneed <dsneed@mtpleasantnc.us>; Jeff Watts <jwatts@mtpleasantnc.us>  
**Subject:** Request For Grant Submission Approval

Good Morning,

The Fire Department would like to submit a regional grant application for radios. If awarded, it would be a 5% match that can be taken from the Capital Reserve set up for the replacement radios and their budget. (See the email below).

**Please reply to me only due to Open Meeting requirements,** and let me know if you are okay with the FD submitting the grant.

Thanks,

*Amy Schueneman, CMC, NCCMC*

Town Clerk & Finance Officer

Town of Mount Pleasant

704-436-9803

*Where every day is a Pleasant day!*



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Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by anyone at any time.

## Amy Schueneman

---

**From:** Chris Carter  
**Sent:** Wednesday, February 01, 2023 8:17 PM  
**To:** Amy Schueneman  
**Subject:** RE: Request For Grant Submission Approval

Sounds good to me. Yes!

## Amy Schueneman

---

**From:** Jim Sells  
**Sent:** Wednesday, February 01, 2023 8:41 AM  
**To:** Amy Schueneman  
**Subject:** Re: Request For Grant Submission Approval

Yes

## Amy Schueneman

---

**From:** Lori Furr  
**Sent:** Wednesday, February 01, 2023 8:55 AM  
**To:** Amy Schueneman  
**Subject:** Re: Request For Grant Submission Approval

I am okay with the Fire Department submitting their grant.

Lori

## Amy Schueneman

---

**From:** Justin Simpson <[jsimpson@multiply.church](mailto:jsimpson@multiply.church)>  
**Sent:** Wednesday, February 01, 2023 11:49 AM  
**To:** Amy Schueneman  
**Subject:** Re: Request For Grant Submission Approval

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I am a yes. Thanks!



## **Purge List for Jan. 2023**

2013-2014 Powell Bill Reports  
AP invoices (odd and ends) 2015  
2019 Work Orders  
Meter Installations 2017-2019  
Time Sheets/Payroll Records 2018  
Water & Sewer Payments FY18/19  
    Water/Sewer Payment Stubs FY 2017-18  
Bank Statements Reports FY18/19  
Accounting Receipts FY18/19  
Audit Info/Bank Statements FY18/19  
Accounts Payable Reports FY18/19  
Accounting Receipts FY18/19

**The items listed above were given to Records Reduction, Inc to destroy in accordance with the NC State Retention Schedule.**

---

**From:** Amy Schueneman <amy@mtpleasantnc.us>

**Sent:** Friday, January 20, 2023 3:33:38 PM

**To:** Chris Carter <carterc@mtpleasantnc.us>; Crystal Smith <SmithC@mtpleasantnc.us>; Del Eudy <EudyD@mtpleasantnc.us>; Erin Burris <burrise@mtpleasantnc.us>; Jim Sells <sellsj@mtpleasantnc.us>; John Scarbrough (jfs@sandslegal.net) <jfs@sandslegal.net>; Justin Simpson <jsimpson@multiply.church>; Lori Furr <furrl@mtpleasantnc.us>; Randy Holloway <HollowayR@mtpleasantnc.us>; William Meadows <wmeadows@mtpleasantnc.us>

**Subject:** Need your vote

Dear Commissioners,

Our Town attorney was contacted by an attorney who will be filing a foreclosure against property owned by Glenn ("Wic") Neal. As you may recall, several years ago we filed a lawsuit against Mr. Neal because of zoning violations at one of his properties. The lawsuit resulted in a \$36,500.00 judgment against Mr. Neal, which represented civil penalties assessed by the Town for the zoning violations. These civil penalties, if paid, would not be revenue to the Town; instead, state law mandates that the money would have to be paid to Cabarrus County schools.

Our \$36,500.00 judgment against Mr. Neal resulted in a lien against all real property owned by Mr. Neal. Some of that property is now being foreclosed on. Because of our lien, the Town would have to be named as a defendant in any foreclosure action in order to establish lien priority with the foreclosing bank. It is the opinion of the Town attorney and Town manager that we "release" our lien against the property under foreclosure in order to avoid getting involved in more litigation with Mr. Neal. In the zoning lawsuit, he made multiple frivolous filings that cost the Town time and legal expense to resolve. Because the \$36,000.00 judgment, if paid, would not be revenue to the Town, there is no benefit to being dragged into the foreclosure litigation.

Please let me know if you agree with releasing our lien on the specific property in foreclosure so we can avoid another lawsuit with Mr. Neal. If so, the Town manager will execute the necessary legal documents. *To comply with the Opens Meeting Law, please reply only to me.*

Reply back with a "YES" if you want to be included in the foreclosure and a "NO" if you do not want to be part of the foreclosure.

**John Scarbrough**  
Scarbrough, Scarbrough & Trilling, PLLC  
137 Union Street South  
Concord, NC 28025  
T (704) 782-3112  
F (704) 782-3116

## Amy Schueneman

---

**From:** Jim Sells  
**Sent:** Friday, January 20, 2023 5:35 PM  
**To:** Amy Schueneman  
**Subject:** Re: Need your vote

No

## Amy Schueneman

---

**From:** Justin Simpson <[jsimpson@multiply.church](mailto:jsimpson@multiply.church)>  
**Sent:** Saturday, January 21, 2023 9:40 AM  
**To:** Amy Schueneman  
**Subject:** Re: Need your vote

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I'm a No. let's release it and move on. Thank you.

## Amy Schueneman

---

**From:** Chris Carter  
**Sent:** Sunday, January 22, 2023 1:10 PM  
**To:** Amy Schueneman  
**Subject:** RE: Need your vote

I Vote to release the lien against Mr. Neal.

## Amy Schueneman

---

**From:** Lori Furr  
**Sent:** Friday, January 20, 2023 3:36 PM  
**To:** Amy Schueneman  
**Subject:** Re: Need your vote

I do not want to be part of the foreclosure proceedings.

Get [Outlook for iOS](#)

## MEMORANDUM

To: Mayor and Town Board  
From: Randy Holloway, Town Manager  
Date: February 13, 2023  
RE: Manager's report for January 2023

Please find listed below an update / overview for the month of January 2023

- Participated in construction meetings with Town Staff and contractors doing the work for the renovations to the Town Hall Park complex and the Fire Station.
- Had a meeting with Staff and Jeff Corley the Water Resources Director for the City of Concord. The meeting was to discuss the water intake site on Dutch Buffalo Creek and the 30" water line that passes through Town coming from Tucker Town Reservoir. We discussed the condition of the dam at the intake site, Black Run Reservoir and how the Town's raw water process works. Mr. Corley was impressed with the raw water that's available for the Town to use and was open to discussing the future of our raw water options.
- Continued working with Staff and LKC Engineering to finalize all permits, easements, etc. to hopefully go to bid on the USDA sewer projects in late February.
- Continued working with the Town Engineer and Amy to complete all the required paperwork for FEMA. We closed out this project under budget. We have still not received the State's share of the project in the amount of \$49,000. We plan to follow up with the State to see when those funds will be released.
- Continued to participate in the Covid-19 Task Force meetings with local managers and Elected Officials.
- Continued assisting Erin as needed with the BRIC grant project for the Main Street and Franklin Street intersection project. Erin is doing a tremendous job managing this process.
- Participated in a meeting with Alan Dobson and Erin to discuss various projects in and around Town Square.
- Began meetings with Staff to prepare for the FY-23/24 budget.
- Erin and I had a meeting with Cabarrus County Schools to discuss the sewer line project that will be starting soon for Green Acres Subdivision. The sewer line runs behind Mount Pleasant Middle and High School, and we are trying to make sure that everything goes smoothly for this project. Erin also suggested the possibility of a cross country running track being part of the project. The School System is going to follow up on that suggestion and get back with the Town.



*Founded in 1848*

## ASSISTANT TOWN MANAGER'S REPORT

*February 2023*

To: Mayor & Commissioners

From: Crystal Smith, Assistant Town Administrator

Subject: Monthly Activities for December 2022

- Attended monthly Town Board meeting
- Monthly BCBS webinar on changing insurance carriers in 2024 (going to Aetna instead of BCBS)
- Continued work on compiling Payroll information for Supplanting reports
- Attended weekly Park Project construction meetings.
- 2023 Events Planning meeting with Melissa Lemmond, Amy Schueneman, & Jodi Stracham
- Working on ABC Permit for Independence Celebration
- Attended Cabarrus Summit
- Department Budget Meeting with Darrell Layton/Kenny Black (Water Treatment)
- Department Budget Meeting with Darrell Layton/Daniel Crowell (Public Works)
- Staff working on 2023/2024 Budget Projections
- Scheduled Ribbon Cutting for Ovadia Pet Salon, Saturday March 4 @ 11 am

Respectfully submitted,



Crystal Whitley Smith  
Assistant Town Manager

**FINANCIAL REPORT**  
as of January 31, 2023

	Cash Balances				
	General Fund	Powell Bill Bank Account	GF-Capital Reserve	Water/Sewer Fund	Capital Project Fire Station Add
First Bank-Checking	261,463.18	80,205.16		186,451.17	2,476,478.18
First Bank-Payroll Checking	75,483.16				
First Bank-General Fund Money Market	1,366,823.43				
First Bank- Retiree Insurance Money Market	20,413.06				
First Bank-W/S Money Market				1,152,968.39	
First Bank- USDA Capital Project Checking	40,514.39			132,757.56	
First Bank- ARP Special Reserve Fund	18,552.64				
First Bank-Façade Grant	6,304.68				
First Bank-Savings (Sidwalk Escrow)			56,650.76		
First Bank- Capital Reserve- Police Vehicles	10,758.72		61,932.41		
First Bank- Capital Reserve- FD Vehicles					
First Bank-FD Radio Capital Reserve					
First Bank-USDA Payment Reserve (formerly Manhole Repairs)				195,213.30	
First Bank- 42% Reserve	913,336.99				
First Bank- Infrastructure & Streets Cap Reserve	20,004.23				
First Bank- SCIF Funds from State	89,723.94				
First Bank-State Funded Sewer Cap Projects				1,000.15	
First Bank- State Funded Water Cap Projects	127,525.77			23,352.44	
First Bank- CIMAQ Capital Project	891,647.42				
First Bank-Mun Comp & Park Improvement Cap Project	833.03				
Uwharrie Bank Savings (Park Dev)				30,985.04	
Uwharrie Bank-Dredging (Savings)				1,332.47	
NC Capital Mgmt Trust-Debt Setoff Acct					
<b>Total Cash Balances</b>	<b>3,833,184.64</b>	<b>80,205.16</b>	<b>118,583.17</b>	<b>1,724,060.52</b>	<b>2,476,478.18</b>

	General Fund				
	APPROVED 2022-2023	MONTH TO DATE (Encumbered)	YEAR TO DATE	REMAINING	PERCENT
Revenues	2,946,887.00	190,860.61	2,074,749.99	\$872,137.01	70%
Expenditures	2,946,887.00	190,860.61	1,566,621.78	\$1,189,404.61	60%
<b>Revenues</b>	<b>2,002,314.00</b>	<b>246,576.24</b>	<b>1,353,454.54</b>	<b>\$648,859.46</b>	<b>68%</b>
<b>Expenditures</b>	<b>2,002,314.00</b>	<b>246,576.24</b>	<b>1,131,974.46</b>	<b>\$623,763.30</b>	<b>69%</b>

**TOWN OF MOUNT PLEASANT  
COMPARISON BUDGET VS ACTUAL -January 2023**

	<u>CURRENT BUDGET</u>	<u>YTD ACTUAL</u>	<u>DIFFERENCE</u>
<b>GENERAL GOVERNMENT</b>			
Town Hall	81,500.00	59,446.97	22,053.03
Governing Body	40,399.00	15,424.04	24,974.96
Admin	630,974.00	446,445.87	184,528.13
Planning & Zoning	188,240.00	56,187.76	132,052.24
	941,113.00	577,504.64	363,608.36
<b>PUBLIC SAFETY</b>			
Law Enforcement	164,693.00	78,252.49	86,440.51
Fire Department	920,777.00	329,973.79	590,803.21
	1,085,470.00	408,226.28	677,243.72
<b>PUBLIC WORKS</b>			
Operations Center	46,300.00	24,116.92	22,183.08
Streets	315,093.00	171,289.40	143,803.60
Sanitation	148,500.00	64,814.34	83,685.66
Buildings & Grounds	80,550.00	38,234.86	42,315.14
	590,443.00	298,455.52	291,987.48
<b>CULTURE/REC</b>	72,615.00	26,951.31	45,663.69
<b>DEBT SERVICE</b>			
Debt Service Principal	129,691.00	115,229.63	14,461.37
Debt Service Interest	17,555.00	12,145.89	5,409.11
	147,246.00	127,375.52	19,870.48
<b>TOTAL</b>	<b>2,836,887.00</b>	<b>1,438,513.27</b>	<b>1,398,373.73</b>
<b>WATER/SEWER</b>			
Admin	394,073.00	156,331.74	237,741.26
Operations Center	30,350.00	13,138.92	17,211.08
Water	192,115.00	91,141.17	100,973.83
Sewer	679,702.00	205,837.03	473,864.97
Water Treatment Plant	478,121.00	377,012.90	101,108.10
	1,774,361.00	843,461.76	930,899.24
<b>DEBT SERVICE</b>			
Debt Service Principal	160,392.00	-	160,392.00
Debt Service Interest	17,561.00	3,512.70	14,048.30
	177,953.00	3,512.70	174,440.30
<b>TOTAL</b>	<b>1,952,314.00</b>	<b>850,487.16</b>	<b>1,101,826.84</b>
<b>COMBINED</b>	<b>4,789,201.00</b>	<b>2,289,000.43</b>	<b>2,500,200.57</b>

## Municipal Complex & Park Improvement Project

<u>Date</u>	<u>To/From</u>	<u>check #</u>	<u>Amount</u>	<u>Reason</u>	<u>Balance</u>
8/26/2022	Loan from General Fund		\$100.00	To open Project Checking Acct	\$100.00
9/9/2022	Loan Proceeds from First Bank		\$1,200,000.00		\$1,200,100.00
9/9/2022	McGill Associates	1001	-\$5,800.00	Electrical services	\$1,194,300.00
9/9/2022	Bank Fee		-\$18.00	ACH fee for loan proceeds	\$1,194,282.00
9/19/2022	American Legion	1002	-\$3,500.00	Paid for HVAC unit they installed	\$1,190,782.00
9/19/2022	Homer Clay Electric	1003	-\$2,585.00	Electrical for Sr Center pump station	\$1,188,197.00
10/18/2022	McGill Associates	1004	-\$1,827.92	Construction Phase-Engineering cost	\$1,186,369.08
11/4/2022	Shiel Sexton Company	1005	-\$91,309.25	1st draw	\$1,095,059.83
11/4/2022	Repay General Fund for opening acct		-\$100.00	Repay General Fund loan	\$1,094,959.83
11/22/2022	McGill Associates	1006	-1822.08	Inv. 21.01701-16566	\$1,093,137.75
11/23/2022	To Pay back General Fund for Engin-		-\$71,650.00	Per Rick Driscoll	\$1,021,487.75
12/12/2022	Shiel Sexton Company	1007	-\$117,459.87	Inv. 22095-02	\$904,027.88
12/19/2022	McGill Associates	1008	-\$1,752.00	Inv #21.0170	\$902,275.88
1/17/2023	Duke Energy	1010	-\$7,635.46	Inv N4775893301-light post for walkway area	\$894,640.42
1/24/2023	McGill Associates	1011	-\$2,993.00	Inv. 21.01701-17043	\$891,647.42
1/31/2023	Shiel Sexton Company	1012	-\$88,151.50	Inv. 22095-03	\$803,495.92

### Obligated

	Shiel Sexton Contract		\$658,216.38	Original Contract less payments	
	Shiel Sexton Contract	PCCO#001	-\$3,000.00	c/o 1 Credit for Change to HP Storm Pipe	
	Shiel Sexton Contract	PCCO#002	\$1,475.13	c/o 2 Add smooth Block course on Both buildings	
	Shiel Sexton Contract	PCCO#003	\$9,765.07	c/o 3 Plumbing Changes from Bid	
	Shiel Sexton Contract	PCCO#004	\$1,269.84	c/o 4 Conduit for future Concessions Panel	
	Shiel Sexton Contract	PCCO#005	\$1,192.59	c/o 5 New Equipment Shed Door	
	CPSL		\$14,514.89	key fob locks for 5 doors	
On Hold	Shiel Sexton Contract	PCCO#006	\$3,172.52	c/o 6 Underground Conduit for Access Controls	
	Shiel Sexton Contract	PCCO#007	\$842.59	c/o 7 Third party testing of concrete footings	
	Shiel Sexton Contract	PCCO#008	\$0.00	deleted already in plans	
	Shiel Sexton Contract	PCCO#009	\$1,577.30	c/o 9 concrete testing	
			\$689,026.31	Amount Remaining	\$114,469.61

## SCIF Projects \$300,000 State Funds

<u>Date</u>	<u>To/From</u>	<u>check #</u>	<u>Amount</u>	<u>Reason</u>	<u>Balance</u>
6/20/2022	SCIF Funds from State	ACH	\$300,000.00	Grant	\$300,000.00
6/20/2022	Wisconsin Lighting	1001	-\$8,853.19	1 set of ballfield lights	\$291,146.81
6/30/2022	Interest		\$10.59		\$291,157.40
7/22/2022	Duke Energy	1002	-\$19,665.71	pole relocation	\$271,491.69
7/31/2022	Interest		\$7.32		\$271,499.01
8/3/2022	Homer Lee Clay Electric	1003	-\$585.00	install 1 set ballfield lights	\$270,914.01
8/4/2022	Danny Hatley	1004	-\$4,700.00	install 1 set ballfield lights and lift	\$266,214.01
8/4/2022	Windstream	1005	-\$2,531.10	move lines for project	\$263,682.91
8/4/2022	Wisconsin Lighting	1006	-\$39,839.31	5 sets of ballfield lights	\$223,843.60
8/12/2022	TL Services	1007	-\$2,000.00	deposit for dugout materials/demolition	\$221,843.60
8/15/2022	Paul Goodman	1008	-\$2,500.00	tree& stump removal for new concession stand	\$219,343.60
8/31/2022	Interest		\$5.98		\$219,349.58
9/20/2022	TL Services	1009	-\$4,750.00	porcelain tile for restrooms	\$214,599.58
10/5/2022	Richard Suggs Const. Inc	1010	-\$52,526.60	sewer line & pump	\$162,072.98
9/30/2022	Interest		\$5.37		\$162,078.35
10/14/2022	Hatley Service, Inc	1011	-\$6,000.00	installation of 5 sets of ballfield lights	\$156,078.35
10/19/2022	Homer Lee Clay Electric	1012	-\$2,844.00	electrical line and repair circuits for ballfield lights	\$153,234.35
10/26/2022	Trident Mechanical Services, Inc	1013	-\$17,592.58	2 Rheem HVAC units	\$135,641.77
10/27/2022	Sales Tax Refund		\$579.19	Sales Tax Refund	\$136,220.96
10/31/2022	Interest		\$4.12		\$136,225.08
10/31/2022	TL Services	1014	-\$15,000.00	Labor & Materials for restroom remodel	\$121,225.08
11/30/2022	Interest		\$2.99		\$121,228.07
12/21/2022	TL Services	1015	-\$5,000.00	Labor & Materials for restroom remodel	\$116,228.07
12/31/2022	Interest		\$3.09		\$116,231.16
1/23/2023	TL Services	1016	-\$26,110.00	FINAL bill labor & Materials for restroom remodel	\$90,121.16
1/27/2023	Paul Goodman	1017	-\$400.00	cut limb at job site-storage building	\$89,721.16
<b>Obligated</b>					
	TL Services			dugouts	\$ 16,860.00
	DW Castleberry			repave entire parking lot, drive, Food Ministry	\$ 94,165.00
	?			Battling cages	\$ 5,000.00
					\$ 116,025.00
				<b>Amount Remaining</b>	<b>-\$26,303.84 short</b>

## Fire Dept. Capital Project

<u>Date</u>	<u>To/From</u>	<u>check #</u>	<u>Amount</u>	<u>Reason</u>	<u>Balance</u>
10/31/2022	Start with Funds in acct		\$175,099.73	start of project balance	\$175,099.73
10/31/2022	Loan Proceeds	Loan	\$2,500,000.00		\$2,675,099.73
10/31/2022	Interest		\$10.92		\$2,675,110.65
11/30/2022	Interest		\$109.94		\$2,675,220.59
12/19/2022	GW Liles Const. Co, Inc.	1022	-\$198,947.53	first draw	\$2,476,273.06
12/31/2022	Interest		\$110.88		\$2,476,383.94

### Obligated

Liles Construction	Contract for Renovation	\$2,435,595.47
	<b>Amount Remaining</b>	<b>\$40,788.47</b>

# Mount Pleasant

North Carolina

*Founded in 1848*

Planning and Economic Development  
February 13, 2023

## Planning & Zoning Cases

### **SITE 2023-01 Propel Church**

**Description:** Site plan for religious institution

**Location:** 7801 NC Highway 73 E

**Cabarrus County Parcel Number(s):** 5651-70-6355

**Zoning:** RM CZ Conditional Residential Medium Density

**Area:** approx. 6.8 acres

**Current Status:** Sketch plan and proposed building elevations under review.

### **ANX & REZ 2023-01 Common Grounds Property**

**Description:** Annexation and rezoning request for up to two single-family residential homes

**Location:** 619 N. Skyland Drive

**Cabarrus County Parcel Number(s):** 5651-70-6355

**Zoning:** RM CZ Conditional Residential Medium Density

**Area:** approx. 0.6 acres

**Current Status:** Town Board public hearing to be scheduled for March 13. Rezoning to receive recommendation from Planning Board at February 27 meeting.

### **SUB 2017-01 Green Acres Construction Plans**

**Description:** 37-lot single-family subdivision. Preliminary Plat was approved in 2017 and renewed in January of 2022. The Town Board approved a revised development agreement for this project in June of 22 regarding sewer line installation. Plans for development of this property were originally initiated in 2008.

**Location:** NC Highway 73 at Sloop Arthur Drive and Green Acres Circle

**Cabarrus County Parcel Number(s):** 5651-70-6355

**Zoning:** RM CZ Conditional Residential Medium Density

**Area:** approx. 14.92 acres

**Density:** 2.28 dwelling units per acre

**Current Status:** Awaiting submittal of Construction Drawing Revisions

### **SUB 2020-03 Brighton Park**

**Description:** 178-lot single-family subdivision with community clubhouse and pool. Plans for development of this property were originally initiated in 2008.

**Applicant:** Niblock Homes

**Location:** Southwest corner of NC Highway 73 and NC Highway 49

**Cabarrus County Parcel Number:** 5660-56-4096, 6785, 8647, & 9681

**Zoning:** RM Residential Medium Density

**Area:** approx. 86.77 acres

**Density:** 2.05 dwelling units per acre

**Current Status:** Grading underway

## **Code of Ordinances**

### **Part 7: Motor Vehicles & Traffic**

Town Board voted to approve amendments to Part 7 at its September meeting. Final formatting is being completed to be added to the Town website. Notice of changes sent out in December water bill. The same notice will be posted to Town's website and linked on Facebook page. Signs have been ordered and will be installed in sections over the course of 2023.

### **Part 8: Offenses (Nuisances)**

Staff will present proposed changes at February 13 meeting.

## **Utilities**

- WSACC rolled back some of the wastewater allocation for the member jurisdictions. The Town of Mount Pleasant now has a total 65,667 gpd to allocate until 2024 when the Phase 1 Rocky River Regional Waste Water Treatment is completed. In accordance with the Town's adopted Wastewater Allocation Policy, 37,440 gpd has been allocated or reserved, and an additional 10,000 gpd has been held in reserve for economic development, leaving 18,227 gpd to be allocated.
- The application for the FEMA Building Resilient Infrastructure and Communities (BRIC) grant was submitted. The NC Department of Public Safety submitted the subapplication to FEMA on January 23. The application includes Downtown utility duct bank installation and conversion and stormwater mitigation as recommended in the downtown stormwater study currently underway. Initial state scoring put Mount Pleasant's project in second place in the state (out of 42 projects). The grant request is for approximately \$4.5 million. The grant match is 12%.

## **Comprehensive Plan Implementation**

- Town received a Grassroots Project Assistance Grant through the Cabarrus Arts Council and NC Arts Council to complete a second Downtown Mural, "Greetings from Mont Amoena". The grant will cover up to \$7,000 or 50% of the project cost, whichever is less. Staff is currently working with the property owner and the artist to produce draft artwork. A draft wall lease is being presented to the Town Board at the February 13 meeting.
- Cabarrus County is working on plans for a new Mount Pleasant Library/Senior Center and Park. The site was rezoned in February to OI to facilitate the project. The site is currently under design with an anticipated opening in 2024.
- The contract for the \$94,250 federal grant for the National Register Historic District Survey Update, Study Form Update, and Downtown Stormwater Study have been executed. HMW Preservation has begun field work LKC has completed draft recommendations for the Downtown Stormwater Study.
- Fire Department and Town Park construction projects are underway. Visit the [www.mpnfuture.com](http://www.mpnfuture.com) website for project updates.

## **Transportation**

- Staff will be working on procurement for engineering during February for the N. Washington Street CMAQ project.
- Public works staff and engineering staff are working on scoring the streets to prioritize paving. This list should be completed by the end of February.

## **Permits**

January report attached.



## January 2023 Zoning Permits

Permit #	Date	Cab. Co. #	Add. #	Street Name	Type	Permit Description	Applicant	Notes
Z-2023-01	1/3/2003	5670-05-2188	7995	W. Franklin St.	Change, Sign	Ovadia Pet Salon	Amber Shields	CoC✓
Z-2023-02	1/4/2023	5670-42-0239	1530	Pinto Place	Change, Sign	Tuscarora Tap House	Frank Christmas	CoC
Z-2023-03	1/26/2023	5670-23-0107	1470	S. Main St.	Upfit	Buddy's Place (front wall)	LCJ Construction	CoC
Z-2023-04	1/26/2023	5670-23-0330	8350	W. Franklin St.	Upfit	MP Barber Shop Building (repairs)	LCJ Construction	CoC
Z-2023-05	2/1/2023	5670-22-0979	1480	S. Main St.	Upfit	Paula Theater Building	LCJ Construction	CoC

5 Zoning Permits

## MEMORANDUM

To: Mayor and Town Board

From: Daniel Crowell, Public Works

Date: February 13, 2023

RE: Please find listed below an update / overview for the month of January 2023

### **New:**

- Completed monthly meter reads
- Water Cut-Offs
- Responded to 4 pump station alarm calls
- Responded to 2 after hour customer calls
- Picked up 8 dump truck loads of brush which equals 96 cubic yards of brush
- Picked up 8 trailer loads of leaves which equals 80 cubic yards of leaves
- Completed 30 work orders for various issues
- Repaired water service leak at 905 Circle Dr.
- Repaired water service leak at 1011 South Skyland Dr.
- Cleaned out ditches on Wade St. and Jackson St.
- Trimmed limbs back on Jackson St. for school traffic

### **Ongoing:**

- Public works mows and maintains approximately 18 acres each week to biweekly depending on conditions as well as ground maintenance at all 8 of our sewer pump stations
- 8 pump stations are checked once a week which included a visit to each station checking dialer status and recording run times. Alarm floats are pulled and checked and stations cleaned monthly in accordance to NC DWQ standards
- Weekly Chlorine monitoring is done on Mondays or Fridays depending on schedule of work and consists of pulling samples from 5 different sites which change every other week
- Due to the volume of brush/yard debris collection typically takes 1 to 1.5 days of the week especially during leaf season

# Cabarrus County Sheriff's Office

## Law Calls for Service

253 / Mt Pleasant

11/01/2022 - 01/31/2023

**OFFICER-INITIATED**

	Nov-22	Dec-22	Jan-23
<b>Total</b>	<b>1,702</b>	<b>1,674</b>	<b>1,814</b>
50 B OR C	0	4	2
ALL ANIMAL CONTROL CALLS	0	1	0
ANIMAL CONTROL FOLLOW UP	0	1	0
CIVIL PROCESS	7	4	8
COMMUNITY CONTACT	7	0	0
FOLLOW UP	0	2	3
IMPROPERLY PARKED VEH	1	1	2
INVESTIGATION	1	0	2
PROPERTY DAMAGE	1	0	0
ROAD HAZARD	0	2	0
SCHOOL INVEST	0	0	1
SECURITY CHECK	1,400	1,449	1,471
SERVICE CALL LAW	1	1	1
SEX OFFENDER CHECK	0	1	0
SRO ASSIST ADMIN	46	21	70
SRO FIGHT/ASSAULT	0	0	3
SRO INVESTIGATION	1	0	2
SRO MENTOR/COUNSEL	36	19	83
SRO PARENT MEETING	3	1	4
SRO SAFETY CHECK	105	62	98
SRO THREAT	1	2	0
STRANDED MOTORIST	4	3	2
SUSPICIOUS SUBJECT	0	2	0
SUSPICIOUS VEHICLE	1	4	2
TRAFFIC ACC PROPERTY DAMAGE	0	1	0
TRAFFIC STOP	86	92	59
WARRANT	1	1	1

DISPATCHED	Nov-22	Dec-22	Jan-23
<b>Total</b>	<b>43</b>	<b>43</b>	<b>45</b>
911 HANGUP	0	0	1
911 WELFARE CHECK	1	0	0
ALL ANIMAL CONTROL CALLS	5	0	1
ASSIST COUNTY FIRE DEPARTMENT	1	0	0
ASSIST EMS	1	3	2
ASSIST SHP	2	0	0
BANK ALARM	0	1	1
BREAKING AND ENTERING OF RESD	0	1	1
BURGLAR ALARM	9	4	3
CAC WELFARE CHECK	0	1	1
CARELESS RECKLESS DRIVING	0	0	1
CELL PHONE 911 HANGUP	0	1	0
COMMITMENT PAPERS	0	1	0
COMMUNICATING THREATS	0	1	0
DIRECT TRAFFIC	0	0	1
DISPUTE (ANYONE)	1	2	3
DOMESTIC DISTURBANCE	0	2	3
DOT NOTIFICATION	1	0	1
ESCORT	1	1	2
FIGHT	1	0	0
FRAUD / FORGERY	1	1	2
IMPROPERLY PARKED VEH	0	0	1
INFORMATION	2	1	0
LARCENY	0	2	1
LIVESTOCK	0	2	0
MISSING PERSON OR RUNAWAY	1	0	0
OVERDOSE / POISONING	0	1	1
PROPERTY DAMAGE	2	0	0
PROWLER	0	1	0

	Nov-22	Dec-22	Jan-23
RECOVERED PROPERTY	0	1	0
SERVICE CALL LAW	1	0	3
SEX CRIME	1	0	0
STRANDED MOTORIST	0	1	2
STRUCTURE FIRE	0	1	0
SUICIDE / PSYCHIATRIC / ABNOR	0	1	1
SUSPICIOUS SUBJECT	2	1	3
SUSPICIOUS VEHICLE	2	2	3
THREATENING SUICIDE	2	0	0
TRAFFIC ACC PROPERTY DAMAGE	1	5	4
TRAFFIC ACCIDENT PI	2	1	1
TRESPASSING	0	1	0
WARRANT	0	0	1
WELFARE CHECK (PERSON)	3	3	1

## Details for Dispatched Calls for Service

01/01/2023 - 01/31/2023

Total Disp. CFS: 45

Event #	Date / Time	Street	Case #	Call Source
<b>911 HANGUP</b>				
23-013081	01/17 13:39	PARK DR		PHONE
<b>ALL ANIMAL CONTROL CALLS</b>				
23-001477	01/03 09:35	EAGLE ST		PHONE
<b>ASSIST EMS</b>				
23-013254	01/17 15:59	OLDENBURG DR		PHONE
23-020599	01/26 16:19	W FRANKLIN ST		PHONE
<b>BANK ALARM</b>				
23-004795	01/06 17:39	NC HWY 49 N		PHONE
<b>BREAKING AND ENTERING OF RESI</b>				
23-001078	01/02 21:09	W FRANKLIN ST	23-0102-0010	PHONE
<b>BURGLAR ALARM</b>				
23-004122	01/06 04:05	NC HWY 49 N		PHONE
23-021941	01/28 09:11	COOK ST		PHONE
23-023513	01/30 15:55	NC HWY 49 N		PHONE
<b>CAC WELFARE CHECK</b>				
23-003276	01/05 08:39	COOK ST		PHONE
<b>CARELESS RECKLESS DRIVING</b>				
23-016647	01/21 19:24	DUTCH RD/NC HWY 73 E		PHONE
<b>DIRECT TRAFFIC</b>				
23-023460	01/30 14:53	W FRANKLIN ST		PHONE
<b>DISPUTE (ANYONE)</b>				
23-006062	01/08 19:40	WESTERHOLT CT	23-0108-0012	PHONE
23-006167	01/09 02:51	NC HWY 49 N		PHONE
23-008143	01/10 23:09	NORTH DR		PHONE
<b>DOMESTIC DISTURBANCE</b>				
23-001732	01/03 14:40	E FRANKLIN ST		PHONE
23-003551	01/05 11:55	NC HWY 73 E/DUTCH RD		PHONE
23-012128	01/16 10:08	WADE ST	23-0116-0003	PHONE
<b>DOT NOTIFICATION</b>				
23-008616	01/11 12:25	DUTCH RD/NC HWY 73 E		PHONE
<b>ESCORT</b>				
23-005910	01/08 12:31	COOK ST		PHONE
23-022562	01/29 10:50	COOK ST		PHONE
<b>FRAUD / FORGERY</b>				
23-017985	01/23 18:19	WADE ST		PHONE
23-018861	01/24 16:18	S MAIN ST	23-0124-0010	PHONE
<b>IMPROPERLY PARKED VEH</b>				
23-024491	01/31 16:42	EAGLE ST		PHONE
<b>LARCENY</b>				
23-024586	01/31 21:59	NC HWY 49 N	23-0131-0020	PHONE

<b>OVERDOSE / POISONING</b>				<b>1</b>	
23-012810	01/17 09:17	WALKER RD			PHONE
<b>SERVICE CALL LAW</b>				<b>3</b>	
23-010496	01/13 12:48	NC HWY 49 N			PHONE
23-016526	01/21 15:05	ROSS CIR			PHONE
23-022697	01/29 17:57	SUMMER ST			PHONE
<b>STRANDED MOTORIST</b>				<b>2</b>	
23-000043	01/01 01:24	E FRANKLIN ST			PHONE
23-012167	01/16 12:18	N MAIN ST/NC HWY 49 N			PHONE
<b>SUICIDE / PSYCHIATRIC / ABNOR</b>				<b>1</b>	
23-019836	01/25 22:35	ROSS CIR			PHONE
<b>SUSPICIOUS SUBJECT</b>				<b>3</b>	
23-018930	01/24 18:00	S MAIN ST			PHONE
23-021613	01/27 17:34	NC HWY 49 N			PHONE
23-023741	01/30 23:17	N MAIN ST			PHONE
<b>SUSPICIOUS VEHICLE</b>				<b>3</b>	
23-012585	01/17 01:56	W FRANKLIN ST			PHONE
23-016609	01/21 18:17	N MAIN ST			PHONE
23-021610	01/27 17:33	S MAIN ST			PHONE
<b>TRAFFIC ACC PROPERTY DAMAGE</b>				<b>4</b>	
23-006217	01/09 05:11	W FRANKLIN ST			PHONE
23-006984	01/09 19:15	PAGE ST			PHONE
23-015959	01/20 17:10	SUMMER ST	23-0120-0011		PHONE
23-021489	01/27 15:16	NORTH DR			PHONE
<b>TRAFFIC ACCIDENT PI</b>				<b>1</b>	
23-017977	01/23 17:57	W FRANKLIN ST/N SKYLAND DR	23-0123-0016		PHONE
<b>WARRANT</b>				<b>1</b>	
23-012239	01/16 14:12	SUMMER ST			PHONE
<b>WELFARE CHECK (PERSON)</b>				<b>1</b>	
23-012791	01/17 09:06	E FRANKLIN ST			PHONE

Mayor and Council,

-We responded to approximately 71 calls in January 2023.

-The station remodel is coming along, the front and rear foundations have been laid. Hvac, plumbing and electrical are in progress inside of the existing building.

-The mounts for the plymovent system (received grant for this item) are also being installed. They will complete the rest after the bay ceiling has been painted.

-Tower 19 repair should be completed within the next few weeks. No other apparatus issues to report.

-We are asking for the Boards approval to start a Junior Firefighter Program. This will allow anyone living inside of our district to become a member between the ages of 16-18. Attached is our policy we have put in place pending approval.

-The Fire Department is applying for a regional (MP, Coldwater, & Rimer) AFG grant for radios. Estimated cost is \$800,000 for all three departments. The match is 5% which will be less than \$40,000 split between the 3 departments.

Thank You,

*Dustin Sneed*  
Fire Chief



## MEMORANDUM

To: Mayor and Town Board

From: Jeff Watts, Code Enforcement

Date: February 2023

RE: Please find listed below an update / overview for the month of January

**New:**

- 450 Mt. Pleasant Rd. N. – Notice of Violation sent - MPDO

**Update:**

- 8840 Oldenburg Dr – Zoning violation, MPDO violation – Fines began November, fines continuing – no change on properties

**No Change:**

- 365 Mt. Pleasant Rd N – Spoke with Cabarrus Co. Tax office. The property has been turned over to the attorney's office for auction. They are going through the process. No time line on how long it may take.
- 1765 Garmin McGuire - Notice sent regarding Zoning violations. Visited the site, cleanup is ongoing. Will continue to monitor progress.
- 9115 E Franklin St – Notice of Minimum Housing violation sent – working with Public Works to monitor the issue.
- 1470 S Main St – Cabarrus Building Inspectors were contacted and have looked at the building. Building permit to repair the building has been issued by the county.
- 7570 Hwy 73 – Spoke with owner, he understands he can do no further work on the property until he has proper access and permits.

# Mount Pleasant

North Carolina

*Founded in 1848*

**Agenda Item:**

Town Staff received an update from Granite Sky on Branding/Logo Project and would like to give an update to the Board on presentation and next step.

**Narrative:**

Granite Sky presented options for the Town's Logo, and staff provided feedback. Granite Sky also shared during the focus groups several attendees requested to stay involved in the branding/logo process. As the next step in this process, Granite Sky recommended presenting the options to attendees who live in the town limits for feedback and public input. This meeting has been scheduled for Tuesday, February 28, 6 pm in the Board meeting room. After the meeting, further enhancements will be made, and a formal presentation will be made to the Board in March.

**Recommendations:**

Open

# Mount Pleasant

North Carolina

*Founded in 1848*

**Agenda Item:**

Consider approving the Junior Firefighter program for the Mount Pleasant Fire Department to allow 16-18 year olds to volunteer.

**Narrative:**

The Fire Department is asking for the Boards approval to start a Junior Firefighter Program. This will allow anyone living inside of our district to become a member between the ages of 16-18. Attached is the policy that will be put in place pending approval.

**Recommendations:**

Motion to approve the Junior Firefighter program for the Mount Pleasant Fire Department to allow 16-18-year-olds to volunteer.

\*Attached is the policy for the Junior Firefighter program.

# **STANDARD OPERATING GUIDELINE----400.0**

## **Junior Program Guideline**

**Mount Pleasant Fire Department**

Approved By:

### **I. PUPOSE**

The Mt. Pleasant Fire Department supports and encourages personal and professional growth of the Fire Department members. This guideline will establish a policy concerning Junior member.

### **II. SCOPE**

This guideline shall apply to all Junior Firefighters.

### **III. POLICY**

#### **A. Junior members MAY:**

1. Ride as a passenger in the cab of a fire truck or in a rescue vehicle. The Junior shall be seated with his/her seat belt securely fastened.
2. Attend and take part in supervised training.
3. Participate in department functions within the rehabilitation area of an emergency scene. This could include setting up the engine or light truck, assisting in water supply efforts, handling of wood and other technical rescue materials, and other support functions, which do not expose the Junior member to hazardous areas or atmospheres.
4. Pick up hoses or other materials and clean up at the emergency scene after it has been declared safe by the Incident Commander.
5. Enter a structure only when accompanied by an adult responder once the structure has been determined safe by the Incident Commander and not considered immediately dangerous to life or health (IDLH).
6. Perform search and rescue activities, other than structural firefighting, high level, other areas considered dangerous or IDLH. (Land Search, etc.)
7. Operate a fire pump or equipment located outside the danger zone at the direction of the Incident Commander.
8. Use pressurized hose lines, if properly trained, under the direction of an Incident Commander and out of the danger area.
9. Respond, in a non-emergency mode, to calls during school hours. This is limited to Structure Fires (Pending approval of school administration.).

## **STANDARD OPERATING GUIDELINE----400.0**

### **Junior Program Guideline**

**Mount Pleasant Fire Department**

Approved By:

#### **B. Junior members MAY NOT:**

1. Perform fire suppression involving structures or vehicles.
2. Perform high level, confined space, collapse rescue, or any rescue operation that places them in danger or areas of IDLH.
3. Drive fire department or rescue vehicles.
4. Perform firefighting "overhaul" activities (except when the structure has been declared safe by the Incident Commander and then only with an adult firefighter).
5. Respond to a Hazardous Materials events (except for support functions within the cold zone).
6. Participate or assist in any extrication activities at the scene of an accident or emergency (except in the capacity of a support function).
7. Participate in any activities at the scene of an accident or emergency where fire or hazardous materials are involved, unless they are performing support functions from outside the danger area.
8. Participate in actual "ice rescue" activities, but may provide assistance within any designated rehabilitation area or as a support member on dry land only.
9. Direct traffic at the scene of a fire or other emergency.
10. Train on departmental equipment or remove equipment from an apparatus unless under the supervision of an instructor.
11. Youth under 18 years of age who are enrolled in school in Grade 12 or below may not respond to calls or be at the fire department between 10 p.m. and 7 a.m. when there is school for the youth the next day.
12. May not be at the fire department between the hours of 11 p.m. and 7 a.m., unless involved with a call.
13. Perform any activity, except training, which involves the use of SCBA.

**STANDARD OPERATING GUIDELINE----400.0**  
**Junior Program Guideline**

**Mount Pleasant Fire Department**

Approved By:

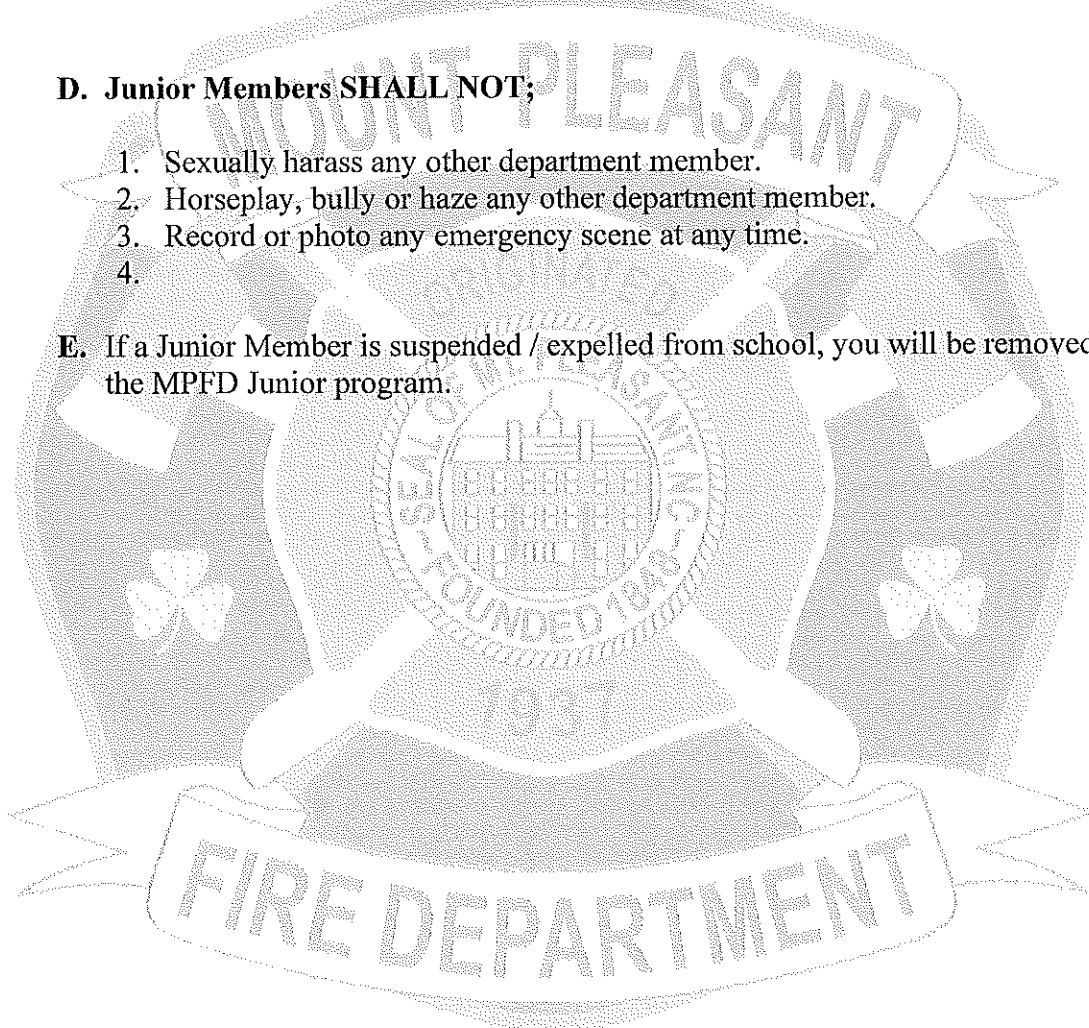
**C. Junior Members SHALL;**

1. Provide a copy of their report card quarterly, maintaining a \_\_ GPA.
2. Show respect to all other department members.
3. Wear appropriate attire at all times.
4. Report any and all driving violations to the Fire Chief immediately.

**D. Junior Members SHALL NOT;**

1. Sexually harass any other department member.
2. Horseplay, bully or haze any other department member.
3. Record or photo any emergency scene at any time.
- 4.

**E. If a Junior Member is suspended / expelled from school, you will be removed from the MPFD Junior program.**



# Mount Pleasant

North Carolina

*Founded in 1848*

## Agenda Item:

Consider selecting 4 unfunded Town projects in order of importance to submit to Representative Kevin Crutchfield's office for possible State funding.

## Narrative:

Representative Crutchfield is putting together his list of appropriation requests for the 83rd district. He sent Mayor Eudy an email requesting the Town to send him a list of unfunded projects, the amount needed for the project, and the justification of the project by February 17th.

Staff composed a list of projects that are needed, and currently unfunded below. We are asking the Board to give their top 4 projects to send to Representative Crutchfield's office. They cannot guarantee we will get any funding, and wanted to make sure we were given an opportunity to ask before the State appropriations were made.

<u>Rank #</u>	<u>Amount</u>	<u>Project</u>
	\$10 million	replace 50+ year old raw water intake dam (engineer said should be replaced with 5-10 years)
	\$600,000	reline the liner in lagoon for use by the Water Treatment Plant
	\$650,000	grade and pave municipal parking lot to improve economic development in downtown
	\$1 million	replace failing 2" waterline with a 6" on South Skyland Dr. to improve water pressure
	\$900,000	Phase 3 of Park Project: splash pad, walking trails, lighting, property acquisition
	\$200,000	6" waterline on S Washington
	\$900,000	12" waterline from Blueberry St. to Dutch Rd.
	\$1 million	Street scape amenities with sidewalk repair and lighting in downtown
	\$200,000	Community Center (Lions Hut) Improvements
	\$200,000	6" waterline on Park Drive to serve Town Hall properties

### 3 Items related to Pedestrian Plans Implementation

\$1.6 million	Sidewalk connection W. Franklin-S Halifax to Duchess Dr.
\$1.6 million	Sidewalk connection E. Franklin-Main St to Blueberry
\$2.7 million	Main St. 2 phases to widen sidewalks for ADA compliance

## Recommendations:

Motion to submit the following four projects to Representative Crutchfield's office for potential State funding:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

8590 Park Drive : PO Box 787 : Mount Pleasant, North Carolina 28124 : tel. 704-436-9800

Website: [www.mtpleasantnc.org](http://www.mtpleasantnc.org) Email: [townhall@mtpleasantnc.us](mailto:townhall@mtpleasantnc.us)

# Mount Pleasant

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North Carolina

*Founded in 1848*

**Agenda Item:**

Consider using the ABC FY21/22 distribution for Infrastructure & Streets.

**Narrative:**

The ABC Board gave a check for \$24,023 to the Town for the FY21/22 profit distribution. The State is requiring each ABC stores to show how the profits from the sale of alcohol benefits the communities where they operate. Amy Underwood, General Manager of the Mt. Pleasant ABC Store, asked the Town to provide the minutes showing how the Town Board intends to use the funds.

Staff members agreed one area of significant need is infrastructure and streets. This line item is usually underfunded considering the needs of the town.

**Recommendations:**

Motion to use the ABC FY21/22 distribution for Infrastructure & Streets and to approve Budget Amendment #11.





# Mount Pleasant

## North Carolina

*Founded in 1848*

### Town Board of Commissioners Meeting

Town Hall - 8590 Park Drive Mount Pleasant, NC

Monday, February 13, 2023

6:00 PM

**To:** Mayor Eudy and Board of Commissioners  
**Date:** February 13, 2023  
**Subject:** Mural Wall Lease

#### A. BACKGROUND

In November, the Town Board agreed to accept the \$7,000 Grassroots Project Assistance Grant through the Cabarrus Arts Council and North Carolina Arts Council to complete a mural located on the side of the building at 1476 S. Main Street. The Town is responsible for \$8,630 of the cost to be paid out of the façade and mural fund.

The mural will be entitled "Greetings from Mont Amoena" and will feature artwork created by Caswell Turner Munjas of Cicada Studios in Mount Pleasant to commemorate the Mont Amoena Female Seminary that was located on a property approximately 600 feet from the mural location 1859-1927. Ms. Munjas was provided with several historic photos from which to draw inspiration. Staff continues to work with Ms. Munjas and the property owner to fine tune the proposed artwork. A draft concept is attached to this report. TPM Colorlab will be installing the mural using the same method as the previous "At Your Service" mural.

A wall lease with the property is needed to ensure that the mural remains in place for a specified time period and that there is complete understanding between the Town and the property owner of the responsibilities of each. A similar lease was also approved for the previous mural.

#### B. ACTION REQUESTED

Staff requests the following actions from the Town Board of Commissioners.

1. Vote to authorize the Town Manager to enter into a wall lease agreement with the property owner of 1476 S. Main Street following review by the Town Attorney.

#### C. ATTACHMENTS

1. Draft lease agreement
2. Photo of side wall of 1476 S. Main Street
3. Conceptual draft artwork for mural

STATE OF NORTH CAROLINA

COUNTY OF CABARRUS

**LEASE AGREEMENT**

This Lease Agreement (the "Agreement") is entered into this \_\_\_\_ day of \_\_\_\_\_, 2021 by and between **Darin Burns and Michele Burns**, whose address is 1476 S. Main Street ("Lessor") and the **Town of Mount Pleasant**, whose address is 8590 Park Dr., Mount Pleasant, NC 28124 ("Lessee") (collectively, the "Parties").

**RECITALS**

WHEREAS, Lessee has created a program for the placement of public art murals on public and private buildings throughout the Town of Mt. Pleasant; and

WHEREAS, Lessor owns the real property and building located at 1476 S. Main Street, Mount Pleasant, NC 28124, identified as Cabarrus County Parcel Number 5670-23-1121, and further described in the deed recorded at Book 15169, Page 0170, Cabarrus County Registry (the "Real Property"); and

WHEREAS, Lessor has agreed to allow Lessee to enter the Real Property for the purpose of installing and maintaining a public art mural on the north facing exterior side wall of the building (the "Side Wall"). The final design of the public art mural must be approved by the Town of Mount Pleasant Board of Commissioners, but shall be of the same nature and character as the mural shown in the rendering attached as Exhibit A to this Agreement (subject to colorization and design changes as necessary); and

**WHEREAS, Lessee has agreed to provide space on the Side Wall for the Lessor to install a wall sign not to exceed 24 square feet, subject to the sign requirements of Article 12 of the Mount Pleasant Development Ordinance; and**

WHEREAS, in consideration of the duties of Lessee described herein, Lessor is willing to lease the entire Side Wall, for the initial term of the Lease and any automatic renewal period, to Lessee at no additional consideration, and in accordance with the terms hereinbelow.

NOW, THEREFORE, in consideration of the mutual covenants herein and the foregoing recitals, the Parties, intending to be legally bound hereby, covenant and agree as follows:

1. Lessor leases to Lessee the exterior of the entire Side Wall of the building in the Town of Mount Pleasant, North Carolina, for a term of five (5) years from the effective date of this Agreement (the "Initial Term"). Following the expiration of the Initial Term, this Agreement shall automatically renew upon the same terms and conditions for an additional one (1) year (the "Renewal Term") unless terminated by either Lessor or Lessee by written notice not less than 90 days prior to the expiration of the Initial Term. Following the expiration of the Renewal Term, this Agreement may be extended by the Parties for any mutually agreed-upon period of time. The initial installation of the mural shall be no later than July 1, 2023.

2. Lessee, on its own, or through its agents or contractors, may place and install upon the exterior of the Side Wall a public art mural of the same nature and character as the mural depicted in the rendering attached hereto as Exhibit A by painting the Side Wall, by applying a vinyl wall wrap to the Side Wall, or by otherwise affixing the mural to the Side Wall, as long as such application (or removal) of the mural does not damage the building or grounds. After installation, the Lessee may illuminate the public art mural and shall maintain such mural. Lessee is responsible for all costs associated with installing and maintaining the lighting and any related expenses such as power. The lighting plan must be approved by Lessor prior to installation. Lessee is responsible for repairing any damages related to the installation, maintenance or removal of the mural or lighting. Repairs must be of equal or better quality than it was prior to the damage occurring.

3. The public art mural may be removed for any reason by the Lessee at any time prior to the expiration of the Initial Term or Renewal Term, or within a reasonable time after the expiration or termination of this Agreement. The Lessee is responsible for restoring and returning the Side Wall and landscaping to a condition at least as good as it was prior to installation of the public art mural. During the installation and maintenance of the public art mural, the Lessee, its agents, and contractors shall not cause or permit any object to penetrate the wall, shall not place holes in the wall, and shall not otherwise damage the brick or mortar of the wall. Any scaffolding used to install the mural shall be freestanding. Lessee is responsible for maintenance and repair in the event of substantial cracking, peeling, damage, deterioration, and/or defacement of the public art mural (including graffiti or vandalism by third parties) during the term of the Lease. Lessee will maintain the mural and promptly address any needed repairs to keep the mural aesthetically pleasing throughout the Lease Term.

4. Lessee will place new aesthetically pleasing landscaping along the Side Wall that compliments the mural and will maintain it throughout the Lease Term. Lessor will approve the landscaping plan prior to installation. Lessee is responsible for any costs including water fees, trimming, mulching, or plant replacement that might be required to maintain the landscaping.



5. With the exception of the tenant space sign, Lessor agrees not to permit any other part of the Side Wall to be used for advertising purposes or to permit any other person, firm, or corporation to maintain advertising signs or other advertising matter on any other part of the Side Wall, without the Lessee's prior written consent. Lessor is not responsible for damage resulting from Acts of God, fires, casualties, or the criminal acts of third parties. In the event that (a) the public art mural on the Side Wall shall be or become entirely or partially obscured, destroyed, or otherwise damaged, or (b) the Side Wall shall be or become unsafe for use, this Agreement may be terminated at the option of Lessee or Lessor upon written notice to the other party. Any tenant of the building that intentionally damages, defaces, or obstructs the mural shall be individually responsible to the Lessee for such act.

6. Lessor represents and warrants that it is the owner of the Real Property and building described above and has authority to enter into this Agreement, and further guarantees to the Lessee free access to and use of the Side Wall for the installation, maintenance, and illumination of the public art mural, including the placement of scaffolding and other necessary equipment. Lessee will coordinate times with Lessor for installation and will attempt to minimize interference with property tenants. Lessee will act with diligence during installation and will have the mural complete within approximately 30 days of starting the installation.

7. This Agreement and the terms contained herein shall constitute covenants running with the land and shall bind the Real Property described herein and inure to the benefit of and be binding upon each Party, its heirs, successors, and assigns until such time as this Agreement terminates. The Lessee may not assign this Lease or sublease any part of the Side Wall without the consent of Lessor, in its sole discretion.

8. Lessee shall maintain a policy of general liability insurance in such limits as the Lessee may, from time to time, determine, covering and insuring Lessee and Lessor, as an additional named insured, with respect to liability arising out of the installation, maintenance, and repair of the public art mural on the Side Wall; provided, however, that in no event shall the limits of such policy ever be less than \$1,000,000.00 per occurrence. Lessee shall indemnify Lessor and hold Lessor harmless for any claims, damages, or costs arising out of or relating to the installation, maintenance, and/or repair of the public art mural, to the extent any such claims, damages, and/or costs are not fully indemnified by such insurance.

9. The invalidity of any covenant, restriction, condition, limitation or any other provision of this Agreement, or any part of the same, shall not impair or affect in any manner the validity or enforceability of the remainder of this Agreement.

10. No covenants, restrictions, conditions, obligations, or provisions contained in this Agreement shall be deemed to have been abrogated or waived because of any

failure to enforce the same, irrespective of the number of violations or breaches which may occur.

11. In the event of any dispute arising under this Agreement, or related to the matters contained in this Agreement, the Parties agree to submit the dispute to binding arbitration. Any award of the arbitrator shall be final and binding on the Parties.

12. A memorandum of this Agreement prepared by Lessee and executed by the Parties shall be recorded at the Office of the Register of Deeds of Cabarrus County, North Carolina.

13. No right, privilege, or immunity of the Parties hereto shall inure to the benefit of any third-party, nor shall any third-party be deemed to be a beneficiary of any of the provisions contained herein.

14. This Agreement constitutes the entire agreement of the Parties hereto concerning the subject matter hereof. This Agreement may not be supplemented or changed orally. There are no other agreements, written or oral, express or implied, between the Parties to this Agreement concerning its subject matter.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date set forth at the outset hereof.

**(SIGNATURES ON FOLLOWING PAGE)**

**LESSOR:**

**Darin Burns  
Michele Burns**

By: \_\_\_\_\_ Date: \_\_\_\_\_

Name and Title: \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_

**LESSEE:**

**Town of Mount Pleasant**

By: \_\_\_\_\_ (SEAL) Date: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Phone: \_\_\_\_\_



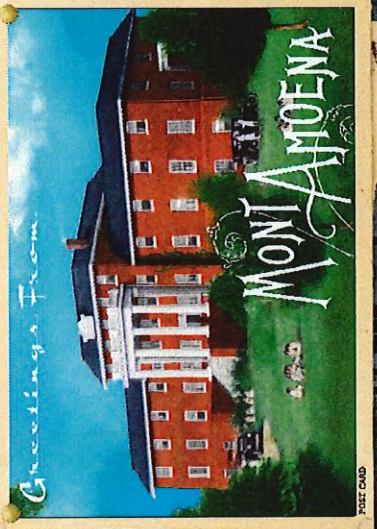




michele burns  
ESTHETICS

Has there not been a time when you  
felt almost discouraged and that no  
one was much interested in you;  
when a pleasant "Good Morning!"  
from a passer-by inspired you with  
renewed ambition and hope?

The Mont Amoerian.



## Town Board of Commissioners Meeting

Town Hall - 8590 Park Drive Mount Pleasant, NC

**To:** Mayor Eudy and Board of Commissioners  
**From:** Erin S. Burris, AICP  
**Date:** February 13, 2023  
**Subject:** ANX 2023-01 N. Skyland Drive – Common Grounds Management Property  
Voluntary Contiguous Annexation

### A. BACKGROUND

**Applicant(s):** Chris Swofford  
Common Grounds Management Inc.  
PO Box 967  
Mount Pleasant, NC 28124

**Location:** 619 N. Skyland Drive

**PIN(s):** 5670-06-4884

**Property Size:** 0.6 acres

**Current Zoning:** RL Residential Low Density

### B. PROPOSED ANNEXATION EVALUATION

The property owner has submitted a petition for voluntary contiguous annexation for the subject property. The property is located across N. Skyland Drive from the current town limits. Water service is located directly in front of the property. Sewer service is located within approximately 350 feet of the site near the intersection of N. Skyland Drive and Wood Street. The property owner is currently working with an engineer to extend the sewer line to the property. This extension would be at the expense of the applicant. The property is currently located in the Town's extraterritorial jurisdiction (ETJ) and is zoned Residential Low Density (RL). The property owner has also filed a rezoning application to rezone to the property to RM Residential Medium Density, the same zoning district as other properties within the Town Limits along N. Skyland Drive.

The annexation assessment criteria are listed below and the applicable degree of favorability is **highlighted in red** for each of the criteria.



#### A. Contiguity

- **Contiguous to primary corporate limits – Most Favorable**
- Noncontiguous within ETJ but contiguous with other satellite area – More Favorable
- Noncontiguous but within ETJ – Favorable (within 265 feet)
- Noncontiguous outside of ETJ – Least Favorable

#### B. Size of Proposed Area

- Very large area (greater than 100 acres) – Most Favorable
- Large area (50 – 100 acres) – More Favorable
- Medium area (25 – 50 acres) – Favorable
- Smaller area (10 – 25 acres) – Less Favorable
- **Small area (less than 10 acres) – Least Favorable**

#### C. Utility Service

- Current water and sewer customer – Most Favorable
- **Access to existing water and sewer service (within 1,000 feet) – More Favorable**
- Access to existing sewer service only (within 1,000 feet) – Favorable
- Access to existing water service only (within 1,000 feet) – Favorable
- Access to planned water and sewer service (current project) – Favorable
- In serviceable sewer basin but no planned project – Less Favorable
- Outside serviceable sewer basin or outside of utility service agreement area – Least Favorable

#### D. Fire District

- **Inside of Mt. Pleasant Fire District – Most Favorable**
- Outside of Mt. Pleasant Fire District – Least Favorable

#### E. Development Status

- Developed property in conformance with Town ordinances (in ETJ) – Most Favorable
- Vacant property with planned development and proper zoning (in ETJ) – Most Favorable
- **Vacant property with planned development and requires rezoning (in ETJ)– More Favorable**
- Vacant property with planned development and requires rezoning (outside of ETJ, inside Planning Area)– Favorable
- Vacant property with no planned development (inside ETJ) – Favorable
- Developed property not in conformance with Town ordinances (in ETJ) – Less Favorable
- Vacant property with planned development (outside ETJ, outside of Planning Area) – Less Favorable
- Developed property not in conformance with Town ordinances (outside ETJ, inside Planning Area) – Less Favorable
- Vacant property with no planned development (outside ETJ, inside Planning Area) – Less Favorable
- Developed property not in conformance with Town ordinances (outside ETJ, outside Planning Area) – Least Favorable

- Vacant property with no planned development (outside ETJ, outside Planning Area) – Least Favorable

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

#### C. ACTION REQUESTED

Accept the Certificate of Sufficiency and adopt the Resolution to hold a public hearing on March 13 and vote to approve or deny the petition for voluntary contiguous annexation. This annexation request is associated with rezoning request REZ 2023-01.

#### D. ATTACHMENTS

1. Annexation Petition with Survey and Legal Description
2. Annexation Map
3. Certificate of Sufficiency
4. Resolution to Set Hearing







16273 0083

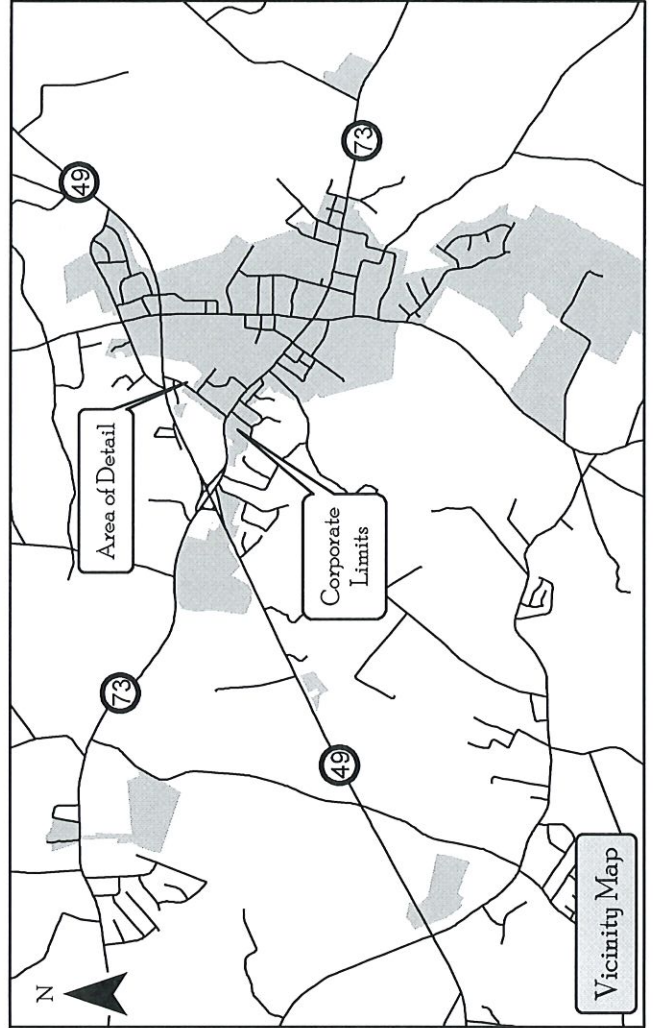
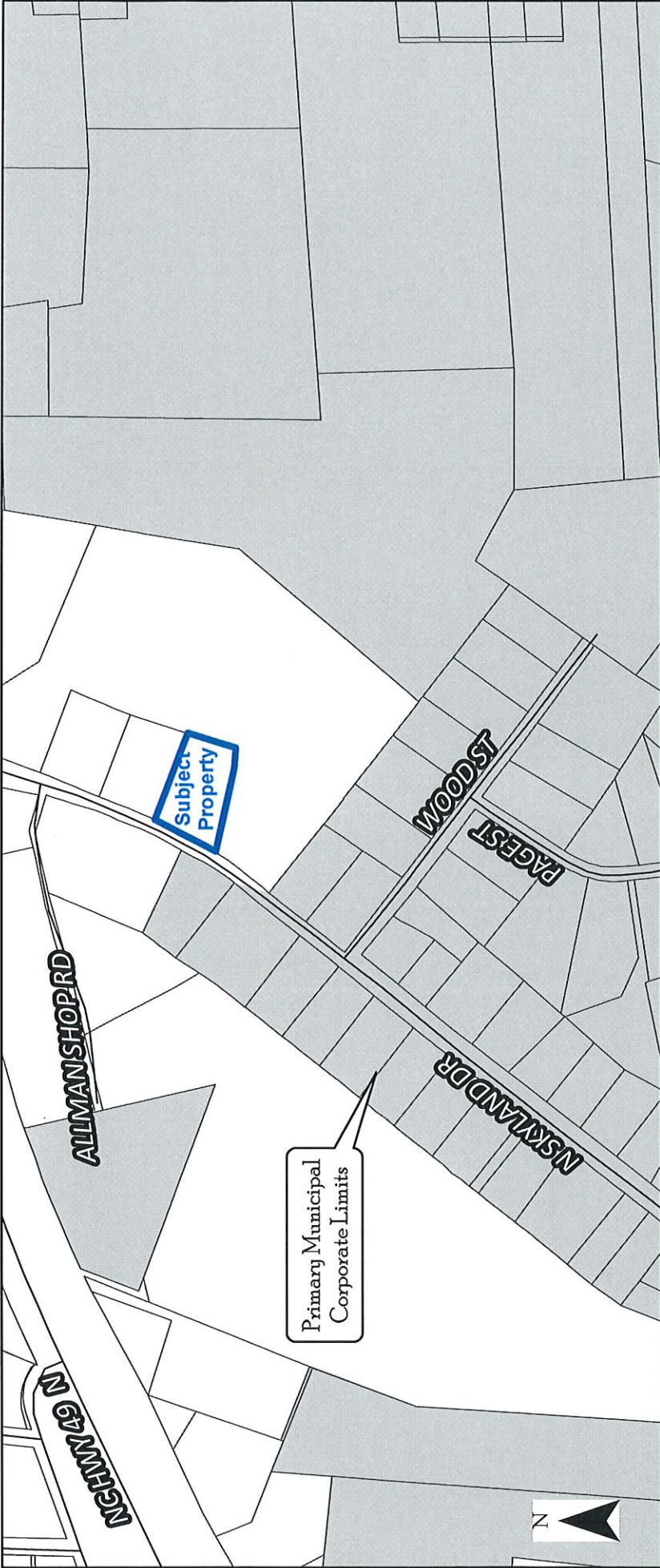
**EXHIBIT "A"**

(legal description for 619 Skyland Ave. N., Mt. Pleasant, NC)  
File 22-2257dg

Lying and being in Number EIGHT (8) Township of Cabarrus County, North Carolina on the Southeast side of North Skyland Drive and Being all of Lot Numbers ONE (1), TWO (2), THREE (3), FOUR (4), and FIVE (5), and a part of Lot Numbers SIX (6) and SEVENTEEN (17) in Block "D" of EAGLE HEIGHTS, as surveyed and platted, a copy of which plat is filed in the Office of the Register of Deeds for Cabarrus County in Map Book 8, Page 14, and being more fully described as follows:

BEGINNING at a railroad spike set on the Southeast side of N. Skyland Drive, the Southwestern corner of Lot Number 1, and runs thence with the Southeast side of N. Skyland Drive a curve to the left in a Northeastern direction having a radius of 670.70 feet a chord bearing and distance of North 30-24-05 East 87.84 feet and an arc length of 87.90 feet to a computed point, a corner of Lot Numbers 3 and 4; thence continuing with the Southeast side of said Drive North 26-38-48 East 62.10 feet to an existing iron with plastic cap in the front line of Lot Number 6; thence a line through Lots Numbers 6 and 17 South 63-30-00 East 203.25 feet to an existing iron in the line of Allman Enterprises of Mt. Pleasant, LLC (now or formerly, Book 9697 Page 53); thence with the line of Allman Enterprises of Mt. Pleasant, LLC South 21-01-58 West 93.45 feet to an existing iron; thence South 89-00-00 West 30.00 feet to a nailset in base of cedar tree, a corner of Lot Numbers 1, 2, and 17; thence with the line of Lot Number 1 North 76-06-13 West 196.42 feet to the BEGINNING, as surveyed and platted by Billy B. Long, Jr. PLS, dated June 5, 2017.

Being the same property conveyed by deed recorded in Deed Book 12522, Page 219, Cabarrus County Registry.



0 0.03 0.06 0.12 0.18 0.24 Miles

**Town of Mount Pleasant  
Annexation Map  
Ordinance 2023-01**

**Effective Date:** \_\_\_\_\_

**Parcels: 5670-06-4884**  
**Acres: 0.6 acres +/-**



# Mount Pleasant

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North Carolina

*Founded in 1848*

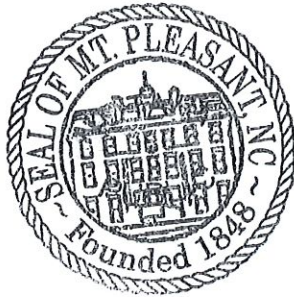
## CERTIFICATE OF SUFFICIENCY

To the Board of Commissioners of the Town of Mount Pleasant, North Carolina:

I, Amy Schueneman, Town Clerk, do hereby certify that I have investigated the petition (ANX 2023-01) attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with standards for contiguous annexation set forth in North Carolina G. S. 160A-31.

In witness whereof, I have hereto set my hand and affixed the seal of the Town of Mount Pleasant, this 13<sup>th</sup> day of February, 2023.

(Seal)



*Amy Schueneman*  
Amy Schueneman, Town Clerk

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF  
CONTIGUOUS ANNEXATION PURSUANT TO G. S. 160A-31**

**WHEREAS**, a petition (ANX 2023-01) requesting annexation of the area described as attached has been received; and

**WHEREAS**, certification by the Town Clerk as to the sufficiency of the petition has been made;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Town of Mount Pleasant, North Carolina that;

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Mount Pleasant Town Hall at 6:00 pm on Monday, March 13, 2023.

Section 2. The area proposed for annexation is shown on the attached map and described as Cabarrus County Parcel Number 5670-06-4884.

Section 3. Notice of the public hearing shall be published in the Independent Tribune newspaper having general circulation in the Town of Mount Pleasant, at least ten (10) day prior to the date of the public hearing.

\_\_\_\_\_  
**W. Del Eudy, Mayor**

**Attest:**

\_\_\_\_\_  
**Amy Schueneman, Town Clerk**