

Mount Pleasant

North Carolina

Founded in 1848

**Town of Mt. Pleasant
Board of Commissioners
Town Board Meeting Minutes
Monday, February 13, 2023 at 6:00 P.M.**

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

Also Present: Erin Burris, Crystal Smith, Deputy CA Camille, Ally Schueneman, Dustin Sneed, Duncan O'Sullivan, Jeff Watts, Bret Baronak & Rebecca Cohler from Catawba Lands Conservancy/Carolina Thread Trail, and Pastor Duane Jarman

CALL TO ORDER

Mayor Eudy called the meeting to order.

INVOCATION

Pastor Duane Jarman from Friendship United Methodist 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

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

4. Consent Agenda

A. Minutes January 9, 2023

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

Website: www.mtpleasantnc.org **Email:** townhall@mtpleasantnc.us

- B. Minutes February 1, 2023 Special Called Meeting
- C. Policy & Notice of Non-Discrimination
- D. Non-Discrimination Policy & Procedures for Persons with Disabilities Including Limited English Proficiency (LEP)
- E. Non-Discrimination & Harassment Complaint Policy & Procedure
- F. Emailed Approval for Fire Dept. to apply for Regional Grant for Radios
- G. Budget Amendment #4 Correction: USDA Expenses related to sewer easements
- H. Annual list of Purged documents
- I. Emailed Approval to not continue in the foreclosure suit of Mr. Neal

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

5. Staff Reports

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

6. Update by Carolina Thread Trail

Bret Baronak & Rebecca Cohler from Catawba Lands Conservancy/Carolina Thread Trail came to thank the Board and Town for all the work on the parking lot at the Carolina Thread Trail. They presented Erin Burris a sunflower canvas and the Board a framed photo from the Thread Trail. Photos of the presentation were taken.

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.

Crystal Smith informed the Board Granite Sky met with Town Staff to present several options for the Town logo. They compiled all the information from the Focus Groups to inspire the six possible designs. The next step is to bring some of the Focus Groups back that are Town residents to go through the same presentation process that Staff went through. Then, Granite Sky and members of the Focus Group would bring one or two designs to the Town Board to choose/approve. The Board liked the idea of keeping the residents involved in the process.

8. Public Hearings

A. Amendments to Town of Mount Pleasant Code of Ordinances Part 8: Nuisances and Offenses (Chapters 1-3)

Erin Burris stated she had been looking at the 1927 rules then comparing it to current State law which replaces almost all of Part 8. Chapter 1 is Administration & Enforcement which sets up who is responsible for enforcing this section of the Ordinance. It has always been the Cabarrus County Sheriff's Department. They are to enforce Chapters 2-7 and the Code Enforcement Officer enforces the rest.

Chapter 2 Disorderly Conduct which is also covered by N.C.G.S. 14-288.4. The section from 1927 was removed concerning foul language. The part about drinking

alcoholic beverages in public has not been touched is 1980 and Ms. Burris will be asking the Town Attorney for guidance about this section before the Board votes.

Chapter 3 deals with animals and Ms. Burris suggested following what is approved by Harrisburg and Concord which adopted the Animal Control Regulations by Cabarrus County: "pursuant to N.C.G.S. 153A-122, the animal control regulations in Chapter 10 of the Cabarrus County Code of Ordinances, adopted by Cabarrus County on August 17, 1992", as amended, shall be applicable within the Town of Mount Pleasant municipal limits and enforced within the Town of Mount Pleasant by proper officers and employees of Cabarrus County according to the terms of the county's ordinance and pursuant to N.C.G.S. 153A-123.

Tethering is added to Part 8 which was copied from the City of Concord. It helps cover areas of animal cruelty pursuant to N.C.G.S. Chapter 14 Article 47. Ms. Burris wanted the Board to look over it and decide if it should be added to the Code of Ordinances.

Livestock and Fowl clarification was made to agree with zoning.

Animal Sanitation has not changed except the change from "dog" to "animal." Clarification from "blind" to "disabled" citizens was made.

Exceptions for hunting wildlife and Vermin Removal was added in Section 8:2.6.

Mayor Eudy opened the Public Hearing and no one spoke. Staff asked for it to be held open until the March meeting.

A motion to continue the Public Hearing until the March 13th meeting was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

Copy of Code of Ordinance Part 8-Chapters 1-3 are included in the Minute Book.

9. New Business

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

Chief Sneed would like to start a Junior Firefighter program. He introduced Captain Duncan O'Sullivan as the officer overseeing the program. He is the Explorer Advisor for Kannapolis Fire Dept. Chief Sneed feels they are missing a big window between the ages of 16-18. Even though they go to the High School, the students interested are going to other departments that allow 16-18-year-olds to participate. A grade point average of 2.0 would be required for remaining active. There will be a limit to 10 Junior Firefighters at one time. Area departments are getting local youth involved with their departments and when they can join at 18, the Junior Firefighters feel they are at home there and do not want to come to Mt. Pleasant.

A motion to approve the Junior Firefighter program for the Mount Pleasant Fire Department to allow 16-18-year-olds to volunteer was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

The policy for the Junior Firefighter program is included in the Minute Book.

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

Town Manager Randy Holloway reported 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. He asked the Board to give their top 4 projects to send to Representative Crutchfield's office. His office cannot guarantee the Town will get any funding, but wanted to make sure the Town was given an opportunity to ask before the State appropriations were made.

<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

Mr. Holloway informed the Board that there may be more funding available for water/sewer projects coming down the line through the State, so he encouraged the board to look at projects involving streets, parking, and sidewalks.

A motion to submit 1. grade and pave municipal parking lot to improve economic development in downtown \$650,000 2. replace failing 2" waterline with a 6" on South Skyland Dr. to improve water pressure \$1 million 3. Sidewalk connection W. Franklin-S Halifax to Duchess Dr. \$1.6 million 4. Main St. 2 phases to widen sidewalks for ADA compliance \$2.7 million, to Mr. Crutchfield's office was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

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

Amy Schueneman reported 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.

A motion to use the ABC FY21/22 distribution for Infrastructure & Streets and to approve Budget Amendment #11 was made by Commissioner Sells with a second by Commissioner Furr. All Board Members were in favor. (5-0)

D. Mural Wall Lease

Ms. Burris reported 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 finetune 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.

A motion 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 was made by Commissioner Simpson with a second by Commissioner Meadows. All Board Members were in favor. (5-0)

A copy of the Mural Wall Lease packet is included in the Minute Book.

E. ANX 2023-01 N Skyland Dr.-Common Grounds Management Property Voluntary Contiguous Annexation

Ms. Burris stated 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.

A motion to 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 including the associated rezoning request REZ 2023-01 was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (5-0)

A copy of the Annexation packet is included in the Minute Book.

A motion to go into Closed Session was made by Commissioner Meadows with a second by Commissioner Furr. All Board Members were in favor. (5-0)

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.

A motion to go back into Open Session was made by Commissioner Furr with a second by Commissioner Simpson. All Board Members were in favor. (5-0)

Upon returning to Open Session:

A motion to authorize the Town attorney to file a lawsuit against David & Heidi Greeson for the collection of civil penalties and for injunctive relief in relation to violations of the Mt. Pleasant Development Ordinance occurring at 8848 and 8840 Oldenburg Drive, Mt. Pleasant, and to take all actions which he deems necessary to enforce the Ordinance was made by Commissioner Carter with a second by Commissioner Sells. All Board Members were in favor. (5-0)

A motion to direct the Town Manager to create a position of Grant Writer/Planner effective March 1, 2023 was made by Commissioner Simpson with a second by Commissioner Furr. All Board Members were in favor. (4-0, Commissioner Sells recused himself from this vote.)


Commissioner Sells said he has written grants for a long time and liked doing it. He may resign at the March 13th meeting. Then, the Board will need to direct Town Clerk how they would like to fill the vacancy.

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. (5-0)

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


Town Clerk Amy Schueneman


Mayor W. Del Eudy

