

**STATE OF NORTH CAROLINA
COUNTY OF GASTON
TOWN OF CRAMERTON**

October 3, 2019

The Board of Commissioners for the Town of Cramerton met on Thursday, October 3, 2019 at 6:00 p.m., in the G.M. Michael Commission Chamber at the Cramerton Town Hall.

Board Members present: Mayor Will Cauthen; Mayor Pro Tem Koutsoupas; Commissioners Donald Rice, Dixie Abernathy, and Susan Neeley were present. Commissioner Houston Helms arrived at 6:17 p.m.

Staff Present: David Pugh, Town Manager; Attorney Karen Wolter; Brad Adams, Police Chief; Josh Watkins, Planning Director; and Wilene Cunningham, Town Clerk.

Call to Order and Determination of Quorum: Mayor Cauthen called the meeting to order and determined there was a quorum.

Adoption of Agenda for this meeting: Mayor Pro Tem Koutsoupas asked that the “Minutes” listed under the consent agenda be removed as there are no minutes to be approved under the consent agenda. A motion was made by Mayor Pro Tem Koutsoupas to approve the amended agenda. The motion was seconded by Commissioner Neeley and approved by all.

Invocation and Pledge of Allegiance: The invocation was offered by Commissioner Neeley and the pledge of allegiance was given by all. Mayor Cauthen thanked Commissioner Neeley for the invocation she offered tonight. He thanked everyone for the great turnout for the fundraiser yesterday for State Trooper Chris Wooten.

Public Comment: Olivia Smallwood, 86 Fifth Street, stated her thanks to the Board for all of their hard work and to voice her excitement about the Goat Island Greenway and renovations to the Community Center.

Proclamations

- a. **A proclamation recognizing October as Domestic Violence Prevention Month in the Town of Cramerton.** A signed copy of the proclamation will be placed in the minutes book.
- b. **A proclamation recognizing October as Breast Cancer Awareness Month in the Town of Cramerton.** A signed copy of the proclamation will be placed in the minutes book.

Work Session Topic Items

Closed Session – A motion was made by Commissioner Rice to enter into closed session. The motion was seconded by Commissioner Neeley and approved by all.

- i. [N.C.G.S. 143-318.11(a)(2)] To prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award
- ii. [N.C.G.S. 143-318.11(a)(3)] Consult with the attorney to protect the attorney-client privilege.

A motion was made by Commissioners Helms to return open session. The motion was seconded by Mayor Pro Tem Koutsoupas and approved by all. No action was taken by the Board in closed session.

Consent Agenda (Action Item): Consider approval of the consent agenda.

Cramerton Parks and Recreation Comprehensive Masterplan Update – Final Contract with WithersRavenel. A motion was made by Commissioner Neeley to approve the contract from WithersRavenel for the Cramerton Parks and Recreation Comprehensive Masterplan update. The motion was seconded by Mayor Pro Tem Koutsoupas and approved by all.

Agenda Items Requiring a Public Hearing

A public hearing for the purposes of considering text amendments to revise multiple sections of the Land Development Code to remove references to Conditional Use Permits and Conditional Use Zoning.

- i. **Open Public Hearing** – A motion was made by Mayor Pro Tem Koutsoupas to open the public hearing. The motion was seconded by Commissioner Neeley and approved by all.
- ii. **Staff Comments/ BOC Q & A** – The Planning Director stated he has been working with MT Land regarding their application for rezoning of property located off of South New Hope Road. There were some areas of the ordinance that had contradictory statements that referred to the Conditional Use Permits and Conditional Use Zonings. Mayor Pro Tem Koutsoupas asked when would this action take effect. Mr. Watkins stated at the time it is passed by this Board. He advised the Board that no current zoning applications would be affected by this text amendment. Mayor Pro Tem Koutsoupas asked about the difference of a recycling station accessory and a recycling deposit station. Mr. Watkins stated the transfer center off of Lake Wylie Road is a deposit station and a recycling station accessory would be like a container for collection of recyclable cans at a fire station or school.
- iii. **Public Comments** – No one signed up to speak on this matter.
- iv. **Close Public Hearing** – A motion was made by Commissioner Rice to close the public hearing. The motion was seconded by Commissioner Neeley and approved by all.
- v. **Action Item: Consider approval of the text amendments to revise multiple sections of the Land Development Code to remove references to Conditional Use Permits and Conditional Use Zoning.** A motion was made by Commissioner Rice to approve the text amendments to revise multiple sections of the Land Development Code to remove reference to Conditional Use Permits and Conditional Use Zoning. The motion was seconded by Commissioner Neeley and approved by all.

A public hearing for the purposes of considering a request Dependable Development, Inc. to amend the approved conditional zoning district for approximately 4 acres within the Villages at South Fork project, which would allow for up to 43 town home units in the place of 23 previously approved single family detached.

- i. **Open Public Hearing** – A motion was made by Mayor Pro Tem Koutsoupas to open the public hearing. The motion was seconded by Commissioner Rice and approved by all.
- ii. **Staff Comments/ BOC Q & A** – Dependable Development has submitted a request to amend the approved conditional zoning district for approximately four (4) acres within the Villages at South Fork project. This request is within Phase 3 of the development which was originally zoned under a TND/Conditional Use District (March 4, 2008) and was approved for single-family detached residential units as well as 75 townhome units. Under this request, the property would be rezoned to a Conditional Zoning district to allow up to 43 townhome units in the place of the previously approved 23 single-family detached residential units within Phase 3. The 43 townhomes would be consistent with this use within this subdivision.
- iii. **Developer Comments** – Shawn Gasparini, Dependable Development, Inc. spoke regarding the proposed addition of 43 townhomes. The townhomes would have two-car driveways and there is on-street parking. All materials for the townhomes will be of the same quality as those used throughout the development for the single-family residential units. The corner detail for the townhomes will be a quality molding and detail for visible interest. Mayor Pro Tem Koutsoupas asked how many units per grouping. Mr. Gasparini said currently there are seven, six, six and four. The Board asked that Mr. Gasparini agree that there will not be more than seven units per grouping. He agreed to that condition. Mayor Pro Tem Koutsoupas commented that the greenway area is the town's responsibility to build and is the future connection to the downtown area of the Town of McAdenville and this piece of property being donated is a key component for the greenway connection. Mr. Gasparini said yes. The condition changes were: #10) – Applicant agrees to use the same high quality exterior materials for all of the townhomes as were used for the single-family residential portions of the development; #11) townhome units will have two-car side-by-side driveways for all townhomes; #12) townhomes will be restricted to no more than seven (7) connected townhome units per grouping; and #13) the corner detail on the townhomes will be standard treatment corner detail treatment on all corner townhome units. Attorney Wolter asked Mr. Gasparini if he agreed to the proposed changes as listed. He stated yes, they were acceptable.

- iv. **Public Comment** – Steven Russ, 5150 Thomasville Drive, stated he currently lives in Huntersville at Birkdale Village and he is preparing to move to Cramerton. He commented that street parking can be a problem and the greenway will add more cars. He stated he does worry about rental problems with the townhomes. He stated he liked the plans for the neighborhood and thanked Mr. Gasparini for speaking to him about this project.
- v. **Close Public Hearing** – A motion was made by Commissioner Rice to close the public hearing. The motion was seconded by Commissioner Neeley and approved by all.
- vi. **Action Item: Consider the request from Dependable Development, Inc. to amend the approved conditional zoning district for approximately four (4) acres within the Villages at South Fork project, which would allow for up to 43 townhome units in the place of 23 previously approved single-family detached homes.** A motion was made by Commissioner Helms to approve the request from Dependable Development, Inc. to amend the approved conditional zoning district for approximately four (4) acres within the Villages at South Fork project which would allow for up to 43 townhome units in the place of 23 previously single-family detached homes. The motion was seconded by Commissioner Neeley. The motion passed 4 to 1 with Commissioner Abernathy voting nay.

Agenda Items NOT Requiring a Public Hearing

Minutes for BOC

Action Item: Consider approval of September 5, 2019 BOC meeting minutes (item tabled from September 19, 2019 BOC meeting). Commissioner Abernathy thanked the clerk for typing up the requested verbatim information from the September 5, 2019 BOC minutes regarding the historical society. A motion was made by Commissioner Helms to approve the amended September 5, 2019 minutes. The motion was seconded by Commissioner Abernathy and approved by all.

Parks and Recreation

Community Center Renovations

1. **Action Item: Review requests from the Cramerton Historical Society (CHS) regarding the specific museum upfits of the lower floor of the Cramerton Community Center (at Julian Street).** The Town Manager stated a meeting was held on September 26th with the Town Attorney, Mayor Pro Tem Koutsoupas, County Commissioner Jack Brown, Jeff Ramsey, Ted Reece, and Richard Atkinson to discuss their vision. Information was provided regarding additional requests being made by the historical society. Mr. Pugh stated the current capital project ordinance is for \$145,000 and there is currently \$26,000 left over as the maximum bid amount was used as the placeholder for the proposed project at the May 5th Board meeting. If the Board was to proceed with approving the items listed on Mr. Atkinson's bullet point list, staff would just recommend bringing these changes to the contractor. The glass partition would be about \$10,000. Electrical outlets were requested for lighting of the displays and hardwiring for track lighting. LED lighting would lessen the electrical load. A bullet list of items that the historical society asked that the Board authorize the town to fund the following additions and improvements included: 1) Provide and install a glass wall with a pair of double glass doors. The frame will be 1-3/4"x4-1/2" dark bronze aluminum by Tubelit or equal with tempered glass with deadlock bolt. Quote from Gregory Glazing Company, Inc.; 2) Remove existing wood paneling, and install 5/8" fire rated gypsum board, taped, finished and painted. The walls include the side and rear walls, as shown on floor plan; 3) install 3670 solid core wood with passage set and deadbolt hardware. Location as shown on floor plan; 4) Add three duplex wall receptacles as shown on floor plan; 5) Add six over-size junction boxes with duplex as shown on floor plan; and 6) Add six over-size junction boxes with duplex receptacles in the ceiling cavity for future track lighting or exhibit lighting, location as shown on plan. Information was provided regarding fundraising opportunities including seeking grants with state and local organizations; meeting in October with the Community Foundation to participate in Foundation Grant program; 5K Walk and Run; banquet dinners and silent auction; craft sales; sale of merchandise; bake sales; pancake breakfast; holiday event; and yard sale. Mr. Atkinson was thanked for his input. Mayor Cauthen stated this document was exactly what the Board was looking for. Commissioner Abernathy asked Mr. Atkinson if

this list was exactly what they had in their original vision. He stated this includes more than what was in the first meeting. Electrical outlets are the main change and the contractor suggested junction boxes with duplex outlets to accommodate the increased need for lighting. All lighting in the Community Center is being changed to LED lights. Commissioner Abernathy asked Mr. Pugh if the monies allocated would include the list of items being requested. Mr. Pugh stated the five bulleted items listed will be taken back to the contractor and will be budgeted out if there is anything more. The fundraising goals were also listed and what the historical society plans to do.

Mayor Pro Tem Koutsoupas said this document helped a lot and helps with seeing the vision and the responsibility of the town getting the shell of the space ready for the tenant. He stated the Town Manager said the bullet points are listed as the request if there is money left over for it. He would like the costs of what those items would be prior to approving. He asked what were the town's responsibilities including utilities, wi-fi, HVAC, security system, etc. as Mr. Atkinson's letter states that the town is responsible for all of the utilities. Mayor Cauthen stated some of these items such as the glass partition for \$10,000 are already included as part of the upfit with some of the other upfits being around \$2,000. The Town Manager said the \$10,000 for the glass partition can be subtracted from the original amount leaving \$16,000 for items such as oversized junction boxes with duplex receptacles, and other electrical items. The installation cost is already included. Mayor Pro Tem Koutsoupas asked if the \$26,000 will cover all the items being requested as we do not know the actual costs. Mayor Cauthen stated the contingency has been spent for the change order for the floor repair. Discussion was held regarding other options for the glass and why double doors instead of a single glass door. The Town Manager stated Mr. Smallwood has quoted out more of the base model. Mr. Atkinson said the double doors are needed for the movement of rolling display cases as they hope to borrow cases from other municipalities. Mayor Pro Tem Koutsoupas stated he liked their fundraising ideas but did question how the surplus works or if it is even an option. Attorney Wolter advised that it depends on the situation and we would need to look at the specifics as to what charities the town can contribute to and the parameters. The Town Manager said the concept regarding the utilities will be defined under the lease. Mayor Pro Tem Koutsoupas asked about fire suppression that may be needed. Attorney Wolter said that the museum will be inspected prior to being occupied and fire safety will be part of the final inspection process, but the historical society may request some extra protection due to the value of the artifacts. Commissioner Neeley asked about the security system. Mr. Smallwood said there is already an alarm system in place. He said there is a fire alarm system and fire extinguishers in place. Mayor Cauthen said many of these items were already included as part of the upfit.

Commissioner Neeley asked about who would have keys to the museum and what days and hours of operation there would be. Attorney Wolter stated discussion regarding keys will be listed in the lease agreement. Commissioner Helms stated he wanted to see a forecast from the contractor for clarity and determine how the proposed changes would affect the budget. Mr. Smallwood stated amounts would be placed by the bullet list and this would assist in determining how much money is left in the budget for this project. Discussion was held regarding possible options for the partitions and the cost of installing French doors. Mr. Smallwood stated this would be a standard stud wall with a sheetrock partition and the two-sided French doors which would allow more visibility. Mr. Atkinson stated the glass partition would allow greater visibility even when the museum is not open allowing the displays to be visible. Mayor Pro Tem Koutsoupas asked if a window or some form of glass opening would work as another option. The Board asked that staff follow up continue with the contractor regarding the glass wall, French doors, partition, and various options with pricing. Mayor Cauthen asked that additional details be gathered and that quotes for each of the five bullet points be provided. Staff will gather

information while the project continues. Mr. Atkinson suggested a change order request be made for each item. The Town Manager stated he would meet Mr. Atkinson along with the contractor on site for a walk through to discuss these items. Mayor Pro Tem Koutsoupas asked how soon staff plans on moving forward with the agreement. Attorney Wolter stated the lease will start when they move in. Additional discussion can occur at the October 17th meeting about the bullet points. Attorney Wolter stated she will provide a draft of the lease at that meeting.

Board of Commissioners

Cramerton Alcohol Beverage Control (ABC) Board

- **Recommendation of Cramerton ABC Board appointment from the BOC Nominating Committee.** Mayor Cauthen thanked Commissioners Abernathy and Rice for serving on the interview committee. Commissioner Abernathy stated this is a new selection process and should serve us well. Two applicants were interviewed.
- **Action Item: Consider approval of the recommendation from the BOC Nominating Committee for the ABC Board member appointment.** A motion was made by Commissioner Abernathy to appoint Charles Hill to serve a three-year term on the ABC Board from October 6, 2019 to October 6, 2022. The motion was seconded by Commissioner Helms and approved by all.

2019 Elections

Action Item: Consider Cancelling the Thursday, November 7th meeting due to it being the week of Election Day (November 5, 2019). A motion was made by Commissioner Neeley to cancel the November 3rd Board meeting. The motion was seconded by Commissioner Rice and approved by all.

BIG BOARD – The Town Manager stated waterproofing began today at Town Hall. Concrete had to be poured at the front prior to waterproofing. Commissioner Rice asked if anyone had asked about the sign begin taken down in front of Town Hall. Staff stated no. Mayor Cauthen asked about the Lakewood Small Area Plan. Mr. Pugh stated he spoke with Donnie Hicks about three months ago and he will be glad to follow up with him. A meeting has been scheduled by the county on October 11th at 11:30 a.m. to discuss overall economic development strategy.

Manager's Report – The grand opening event for the TRU water plant is October 11th at 10:00 a.m. The economic development meeting is at 11:30 a.m. on the same day. He thanked Chief Adams for inviting him to volunteer at the barbeque fundraising event for State Trooper Wooten.

General Staff Reports

Update from Two Rivers Utilities – Mike Bynum distributed his report. Work for Phase 4 for the Cramer Mountain Sewer Easement Clearing has been completed. Water and sewer improvements have been accepted for the Village at South Fork Single-Family Phase 2. Contractor is installing water taps at the Village at Cramerton Mills Phase 1E. Water and sewer construction are complete at The Grove at Peach Orchard. Water is complete at The Haven and sewer is about 95 percent complete. Review of the plat has been completed for the Riverside Drive Development and comments have been made on the performance bond estimate. All right-of-way has been acquired for Phase 1 of the Southeast Sewer Project. The water treatment plant renovation project is nearing completion. The project dedication is scheduled for October 11, 2019.

Attorney Wolter advised that the certificate of reasonableness and consistency and the ordinance to amend the zoning map for the request from Dependable Development had been overlooked earlier in the meeting. A motion was made by Mayor Pro Tem Koutsoupas to approve the statement pertaining to the reasonableness and consistency of a proposed zoning map amendment for this parcel and amend the zoning map. The motion was seconded by Commissioner Rice and approved by all.

Police Department: Chief Adams stated the barbeque fundraising for State Trooper Wooten was quite successful. There were several large monetary donations and multiple companies and groups voiced an interested in helping modify the Wooten's home to assist

in his return. Chief Adams voiced his thanks to Ray Nathan's as they donated 100 percent of the food. He thanked the Board, Town Manager, and staff for their support.

Parks and Recreation Department: Mr. Smallwood had no further updates.

Planning and Zoning Department: Mr. Watkins stated he continues to work with MT Land and their paperwork should be submitted at the end of October. The traffic study should also be completed for this project at that time. Staff will review the information and then present it to the Planning and Zoning Board.

Town Clerk: The Board was reminded about the new Gaston County manager's reception on Monday at TechWorks in Belmont. Mayor Pro Tem Koutsoupas and Commissioner Neeley stated they would try to attend.

Attorney: Nothing to report.

Topics of Discussion for Each Commissioner

Commissioner Neeley attended the Fishing Derby on Saturday and stated it was a lot of fun. She picked up lunch for the school from the Wooten fundraiser and the food was excellent. She attended the Fairy and Gnome Festival. Buddy Barnhill spoke at the recent Old Course HOA meeting and asked if some type of instructional sign could be placed at the Eighth Avenue railroad pass explaining how the underpass traffic should flow. Commissioner Neeley asked if any type of event was being planned for Veterans Day. Wendy Cauthen stated that a local KIA's remains are being returned. Commissioner Neeley asked about the status of the boot camp. The Town Manager stated there have been a few lapses in payment for the permits and they have been notified.

Commissioner Rice voiced how wonderful a place Cramerton is and how great it was that a local restaurant was so generous for their support for the fundraiser for Trooper Wooten. He thanked Parks and Recreation for the great job they are doing. Commissioner Rice stated that Charles Hill spoke highly of Goat Island Park and the town during his interview for the ABC Board position. Mr. Hill mentioned at the start of his interview of being able to take his child to Goat Island Park. Commissioner Rice spoke about the return on investment when people recognize the town's assets and because of this they choose to bring their time and talents to the town. Commissioner Rice said the number of people who visit Goat Island from other areas such as Charlotte is due to the investment that the town has made and the amenities that are offered. He stated he was really proud this week to be a Cramerton resident and an elected official and is proud to represent the town.

Commissioner Abernathy asked Chief Adams about the number of people asking to use the town for 5K races, etc. as this had been discussed about six months ago. Chief Adams stated there seemed to a slow down of requests. He stated there was a meeting on Monday about the Santa Hustle and some other events being held in the Town of McAdenville. Commissioner Abernathy commented on the awesome news about the success of Trooper Wooten's fundraiser. She stated that since we are in the process of naming trails maybe there is an opportunity to name a trail in order to honor Trooper Wooten. Commissioner Abernathy stated she respects everyone that is on this Board, the Mayor, Board members, and staff. She stated she wished to speak about an e-mail she wrote earlier in the week asking some questions of the Town Manager. Borrowing a word from Commissioner Helms earlier, clarity is a good thing. In that email she touched on questions that she had about the museum and about the many questions that had come up in open sessions in front of the Board in two prior sessions with this Board and questions about the new trail near Lakewood. She said she articulated the questions in a way that she thought were forthright and honest. She stated that it is her responsibility as an elected member of this Board that when citizens bring questions to her, or she has her own personal questions, or when she feels there is a lack of transparency or a lack of appropriate procedure, or anything she wants to be more deeply informed about it is her responsibility, and her right to communicate those questions and those concerns. She stated like everyone else on the Board she has first amendment rights to free speech and any attempt to restrict or limit her free speech rights just because they make someone uncomfortable or hurt someone's feelings, any attempt to do so is inappropriate, for any citizen of this town as well as any elected official. She stated if she has any additional questions about the museum or any other topic of interest to her, she will exercise those rights as she carries out the important endeavor of serving as a Board member for this town.

Mayor Pro Tem Koutsoupas had no updates.

Commissioner Helms had no updates.

Mayor Cauthen addressed Commissioner Abernathy's email regarding the questions asked about motorized vehicle access on the greenway trail. In multiple open sessions, it has been discussed that the funding mechanism is not local funds but is through CMAQ (Congestion Mitigation Area Quality) which is federal funding administered to the state. It is a bike/ped trail only. In the last two meetings before the e-mail it was discussed that bollards would need to be placed there before the final inspection. This has been on the record, has been in public hearings, and it has been known for the last year to a year and a half since this project started. If a question that needs to be addressed to the Town Manager had been done in a respectful and open way, we wouldn't be having this discussion.

Mayor Cauthen stated he spoke to former Trooper Ferguson who organized the Wooten fundraiser and was informed that Chief Adams was one of the first people to step up. Mayor Cauthen thanked Ray Nathan's for their generous donation and complimented them on being such an asset to the town. He stated the Fairy and Gnome Festival was a fun event and the children had a great time. There were a lot of volunteers and Eunice McSwain and Rachel Andrea were both in attendance volunteering their time and talents. He stated there were a lot of compliments regarding the new playground turf.

Adjournment: A motion was made by Mayor Pro Tem Koutsoupas to adjourn the meeting at 8:52 p.m. The motion was seconded by Commissioner Rice and approved by all.

Mayor William Cauthen

ATTEST:

Wilene Cunningham, Town Clerk