

STATE OF NORTH CAROLINA
COUNTY OF GASTON
TOWN OF CRAMERTON

January 7, 2021

The Board of Commissioners for the Town of Cramerton met on Thursday, January 7, 2021, at 6:00 p.m., as a virtual meeting via Zoom.

Call to Order and Determination of Quorum. Mayor Cauthen, Commissioner Abernathy, Commissioner Atkinson, and Commissioner Neeley confirmed their attendance for the record. Mayor Cauthen determined there was a quorum. Mayor Pro Tempore Koutsoupas joined the meeting at 6:06 p.m.

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

Invocation and Pledge of Allegiance. Commissioner Neeley provided the invocation and the pledge of allegiance was given by all.

Adoption of Agenda for this meeting. A motion was made by Commissioner Neeley to adopt the proposed agenda. The motion was seconded by Commissioner Atkinson. Commissioner Abernathy voted yes. The vote was 3 to 0 to adopt the proposed agenda.

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

- a. **Cramerton BOC Meeting Minutes.** A motion was made by Commissioner Abernathy to approve the consent agenda. The motion was seconded by Commissioner Atkinson. Commissioner Neeley voted yes. The vote was 3 to 0 in favor to approve the consent agenda.

Old Business:

a. **Agenda Items Requiring a Public Hearing**

Note 1: This public hearing was tabled from the December 10, 2020 Cramerton BOC meeting. This public hearing will also be held entirely through Zoom.

i. **Public Hearing – A public hearing to consider the request from NewStyle Communities, Inc. to rezone approximately 13.42 acres off of South New Hope Road for a single-family age restricted development. This rezoning request would allow for thirty (30) single-family detached homes and two (2) 6,000 square foot commercial buildings.**

1. **Open Public Hearing:** A motion was made by Mayor Pro Tempore Koutsoupas to open the public hearing. He also confirmed his attendance for tonight's meeting at 6:06 p.m. The motion was seconded by Commissioner Neeley. Commissioner Abernathy voted yes; and Commissioner Atkinson voted yes. The motion was 4 to 0 in favor.

2. **Staff Comments/Developer Comments/BOC Questions and Answers:** NewStyle Communities has submitted a revised request to rezone approximately 13.42 acres off of South New Hope Road for a mixed-use development. The revised request for rezoning has reduced residential component with thirty (30) single-family age restricted residential units, but now includes two (2) 6,000 square foot commercial buildings along the property fronting South New Hope Road. The current property zoning is B-1. The applicant intends to focus their efforts on medical and office space for tenants and still be able to maintain the right-of-way reservation for the future widening of New Hope Road. Staff recommends approval of the request with the following conditions:

1. Applicant agrees to annex the parcel into the Town of Cramerton prior to the approval of the preliminary plat.
2. Applicant agrees that all single-family homes shall use brick, stone, or cementitious siding on all facades.
3. Applicant agrees that a monolithic slab-on-grade may be used for all homes; all front entrances may be at-grade.

4. Applicant agrees that the development will be age-restricted and limited to residents aged 55 and up per the requirements of the Fair Housing Act (HOPA).
5. Setbacks: Front 20 foot; Side 0 foot/10 foot; Side corner lot 10 foot; Rear 15 foot.
6. Zero side setback placement to be determined at preliminary plat approval; each lot shall have one (1) side setback at zero (0) feet and one side setback at ten (10) feet, and the zero (0) setback will always be adjacent to the ten (10) foot setback of the adjacent lot.
7. Applicant agrees that the commercial portions of the site will be governed by the B-1 standards of the Land Development Code for development standards as well as allowed uses; applicant further agrees that the architectural standards of Section 5.18 of the Land Development Code will apply as well.
8. Applicant agrees to install a landscaped buffer between the commercial and residential uses shown; such buffer shall be installed at a minimum to the standards shown in the buffer planting detail shown on the approved site plan.

Brock Fankhauser, developer, thanked the Board and stated he likes the proposed changes to the site plan. He stated there is a demand for the proposed uses for this parcel.

3. Public Comments: The Town Manager stated no public comments had been received at this time. Public Comments will be received until the next Board meeting on January 21, 2021.

4. Close public hearing: A motion was made by Commissioner Neeley to close the public hearing. The motion was seconded by Mayor Pro Tempore Koutsoupas. Commissioner Abernathy voted yes; Commissioner Atkinson voted yes. The vote was 4 to 0 to close the public hearing.

Note 2: Due to COVID-19, the State of NC is requiring that any municipal government wait at least 24 hours after closing the public hearing to make a decision regarding a public hearing matter. Therefore, in compliance with the State of NC Law, the Cramerton BOC currently plans to make their decision on this public hearing at the January 21, 2021 BOC meeting.

Agenda Items NOT Requiring a Public Hearing

a. Board of Commissioners

i. Cramerton Board of Commissioners Vacancy

1. Action Item: Based on legal staff review and recommendation, continue discussion and direction of vacancy application procedure and timeline regarding the Cramerton Board of Commissioners vacancy. Attorney Wolter stated she prepared an outline of the documents for consideration by the Board. Discussion was held regarding the procedure to amend Rule 38 to the Rules of Procedure. The proposed change would read “The Board shall adopt a Town of Cramerton Appointment Policy to Fill Vacancies on the Board of Commissioners”. This appointment policy shall include notice to the public of the vacancy, an application to be submitted by those interested in filling the vacancy, and an opportunity for Board members to interview applicants. No more than thirty (30) days after applicant interviews are complete, at a special or regular meeting of the Board...”. Mayor Pro Tempore Koutsoupas asked about whether or not the Mayor would be voting. Attorney Wolter stated the Mayor would vote if there was a tie. Commissioner Abernathy stated that the proposed timeline for interviews for the week of February 8th could be a conflict for her as she will be out of town. Attorney Wolter stated that interviews could be scheduled through February 18th. A motion was made by Mayor Pro Tempore Koutsoupas to amend Section 38 of the Rules of Procedure with the proposed amendments. The motion was seconded by Commissioner Atkinson. Mayor Cauthen stated the vacant seat will remain open through several of the upcoming Board meetings and there is a former commissioner willing to serve. The Town Manager stated tonight’s action item will be to ratify the action taken by the Board at the December 10th meeting.

Commissioner Abernathy voted yes; Commissioner Neeley voted yes. The vote was 4 to 0 in favor to ratify the amendment to Rule 38.

Attorney Wolter stated the next document was policy and specific procedures for filling this vacancy. The term to be served by any person appointed to fill a vacancy on the Board of Commissioners shall serve for the period of time designated by State Law NCGS 160A-63: a) If the term of the vacant seat expires immediately following the next regular city election, or if the next regular city election will be held within ninety (90) days after the vacancy occurs, the person appointed to fill the vacancy shall serve the remainder of the unexpired term. b) Otherwise, a successor shall be elected at the next regularly scheduled city election that is held more than ninety (90) days after the vacancy occurs, and the person appointed to fill the vacancy shall serve only until the elected successor takes office. The elected successor shall then serve the remainder of the unexpired term. The upcoming Cramerton election cycle will occur in November of this year with the seats of the Mayor and two commissioners being on the ballot. The ballot will have a section for the shorter term of two (2) years for the vacant commissioner's seat. Discussion regarding if the person serving in the current vacant seat would be able to place their name on the November ballot. Attorney Wolter stated that person can choose to run for the shorter term of two (2) years or for one of the four (4) year seats. Mayor Pro Tempore Koutsoupas asked that staff follow up with the Board of Elections to determine what the process would be and how this would be placed on the ballot. Past Board vacancies have occurred at the end of terms. Commissioner Rice's vacancy has left three (3) years to be served on the Board as he was elected in 2019 for a four (4) year term. A motion was made by Commissioner Atkinson to adopt this appointment policy. The motion was seconded by Commissioner Abernathy. Mayor Pro Tempore Koutsoupas voted yes; Commissioner Neeley voted yes. The vote was 4 to 0 in favor of adopting the appointment policy.

Discussion was held regarding the Application for Appointment to the Board of Commissioners. Commissioner Atkinson asked about the question "What do you think the role of a Cramerton Board Member is?" He said he had to take a class to find this out and does not think a layperson would know this information. Commissioner Neeley advised that she researched the position of a board member and also spoke to Commissioner Helms. Commissioner Abernathy consented to removal of this question; Mayor Pro Tempore Koutsoupas consented to removal of this question; Commissioner Neeley asked that the question remain. The consensus was 3 to 1. The proposed questions were part of the packet given to applicants during the last interview process. Mayor Cauthen stated that the questions could possibly be open-ended and recommended that staff along with several Board member review and recraft this document. The Town Manager asked if the Board would be agreeable to have these questions asked at the interview as there is an aggressive timeline being proposed. Commissioner Abernathy consented to this recommendation; Mayor Pro Tempore Koutsoupas consented; Commissioner Atkinson agreed; and Commissioner Neeley agreed. The consensus was 4 to 0.

The Board had no questions regarding the Affirmation of Eligibility.

The Board agreed that the Mayor would contact the candidates.

Attorney Wolter stated the interviews would include the Mayor and two Board members. The entire process is a public meeting. The Board asked that consideration be taken into account when scheduling the interviews as some candidates may need to meet later in the day due to their job schedules. This item will be discussed at the February 4th Board meeting. The Town Manager stated notification of this vacancy will be posted tomorrow on the Town's website and Facebook page.

Manager's Report:

COVID-19 (Coronavirus): The Town Manager stated vaccinations are being provided to front line workers and emergency personnel and for anyone over the age of 75. Vaccinations will be offered at the Gastonia Farmers Market from 7:30 a.m. to 4:30 p.m.

Inclement weather is being predicted for tomorrow. The Public Works Director has spoken to the City of Gastonia and the City of Belmont for assistance if needed. NCDOT has been contacted regarding Cramer Mountain Road for possible de-icing due to inclement weather.

A link from the MPO has been added to the Town's Facebook page for input regarding the Catawba Crossings Bridge. Public input will be accepted from January 6th until February 4th. Right-of-way was set aside at the MT Land development for this project.

BIG BOARD: The Masonic Lodge parking lot lease is being reviewed by their attorney at the NC Grand Lodge. Additional feedback should be received soon and can be discussed at the next Board meeting. The Town Manager stated that the trail contractor is working at Central Park. He advised that he and Commissioner Atkinson had met to discuss corrections and edits to the first draft of the Bizzell's Design technical bid specs and they have been sent back for revision. A draft "design competition" request for proposal for the neighborhood signs will be presented at the January 21, 2021 Board meeting. Follow up will be needed regarding the Brownfields Grant as part of the process to bring in the Town's House of Representatives and Senators to advocate for this grant. Due to COVID-19, drone footage can be provided for this step via Zoom.

General Staff Reports

- **Update from Two Rivers Utilities, Mr. Mike Bynum:** A copy of report will be placed in the minutes book.
- **Police Department:** Chief Adams had nothing to report.
- **Fire Department:** Chief Foulk had no updates.
- **Finance:** The Finance Director was absent.
- **Parks and Recreation:** No updates. Commissioner Neeley asked about the lights on the Goat Island Bridge and if they could be left up year-round. Mr. Smallwood said the lights have been taken down but he is looking at possible lighting similar to what is in the downtown area once the flood cleanup has been completed on the island.
- **Planning and Zoning:** The Planning Director stated it is important that public comment is received on the Catawba Crossings Bridge. Commissioner Atkinson thanked the Town Manager and the Planning Director for this information as he has received several questions about the proposed path. The Planning Director stated there is a 1,000 foot right-of-way that has been drawn as the exact placement of the road has not yet been determined.
- **Town clerk:** No updates.
- **Attorney:** No updates.

Topics of Discussion for Each Commissioner:

Commissioner Abernathy wished a Happy New Year to the Mayor, staff, and fellow Board members. She commended the vision and the process for the work behind the Veterans Memorial for the back wall garden area. She thinks it looks fantastic.

Commissioner Atkinson stated he noticed the top precast has not been grouted at the Veterans Memorial. He said the project looks great and is excited to see what it will look like once the landscaping plants have matured. He would like to see some stronger lighting and will ask this to be discussed once the landscaping plants have filled out. The Parks and Recreation Director stated that the area underneath the caps or on the bricks is not grouted because if additional lighting is added then these areas will be used to hide wiring.

Mayor Pro Tempore Koutsoupas wished everyone a Happy New Year. He asked about a two-hour parking sign on Market Street near Eight Avenue that is faded. The Town Manager said he would speak to Public Works regarding having it removed.

Commissioner Neeley said former Commissioner Rice was recognized this afternoon at Town Hall for his services to the Town. She said the Community Committee was recognized at the Board of Education for masks and Christmas cards. The Veterans Memorial project looks great. A lot of

positive feedback continues about the wayfinding signs. She reminded everyone to continue washing your hands, wearing a mask, and maintaining social distancing.

Mayor Cauthen stated that the COVID-19 numbers continue to rise. He asked that during the upcoming Goals and Objectives meeting that the Board discuss possible reforestation of the area around the VCM Development to help assure the continued health of the stream. The Town is a Tree City USA and many cyclists travel the Cramer Mountain Road area.

Adjournment: A motion was made by Commissioner Neeley to adjourn at 7:33 p.m. The motion was seconded by Commissioner Abernathy. Commissioner Atkinson voted yes; Mayor Pro Tempore Koutsoupas voted yes. The vote was 4 to 0 in favor.

Mayor William Cauthen

ATTEST:

Wilene Cunningham, Town Clerk