

STATE OF NORTH CAROLINA  
COUNTY OF GASTON  
TOWN OF CRAMERTON

February 4, 2021

The Board of Commissioners for the Town of Cramerton met on Thursday, February 4, 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 6:01 p.m. and confirmed his attendance.

**Staff Present:** David Pugh, Town Manager; Attorney Kevin Bringewatt; Josh Watkins, Planning Director; Police Chief Adams; Joel Lineberger, Finance Director; 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 Abernathy. Commissioner Atkinson voted yes; Mayor Pro Tempore Koutsoupas voted yes. The vote was 4 to 0 to adopt the proposed agenda.

**Proclamations**

**A Proclamation recognizing February as Black History Month in the Town of Cramerton.** A copy of the signed proclamation will be placed in the minutes book.

**Consent Agenda**

- a. **Minutes**
  - i. **January 7, 2021 meeting minutes.**
  - ii. **January 21, 2021 meeting minutes.**
- b. **Audit Contract**
  - i. **2021 engagement letter and audit contract with Martin Starnes.**  
**(Action Item): Consider approval of the consent agenda.** A motion was made to accept the consent agenda by Commissioner Neeley. The motion was seconded by Commissioner Atkinson. Commissioner Abernathy voted yes; Mayor Pro Tempore Koutsoupas voted yes. The vote was 4 to 0 in favor to approve the consent agenda.

**Agenda Items Requiring a Public Hearing**

- a. **Public Hearing #1: A Public Hearing to consider a rezoning request by the Villages at Cramerton Mills, Phase 1D, which is being marketed as “The Terraces” and is specifically identified as Parcel ID# 195932 located off of Hamrick Road in Cramerton.** (*Note: There is no current physical address for this parcel.*)
  - i. **Open Public Hearing:** A motion was made by Mayor Pro Tempore Koutsoupas to open the public hearing. The motion was seconded by Commissioner Neeley. Commissioner Abernathy voted yes; Commissioner Atkinson voted yes. The vote was 4 to 0 in favor.
  - ii. **Staff Comments / Developer Comments/ BOC Q&A:** VCM Bowman submitted a request to amend the Conditional Zoning (CZ) associated with their previously approved development, The Villages at Cramerton Mills. The rezoning request would only be applied to Phase 1D of the previously approved development, which is being marketed as the Terraces. The purpose for the rezoning is to amend the side setbacks for the individual lots; the existing zoning has the setbacks for the homes listed as ten (10) feet on the existing site plan, whereas the other phases of the development have a

five (5) foot setback. While redesigning the entrance road for this phase of development, the designing engineer was able to make some adjustments to the lot layout and increase the total lot count by two (2) additional lots. This will bring the lot count from 38 to 40 lots. The Planning Board reviewed this request at their regular meeting in January and unanimously recommended approval of this request to the Board of Commissioners.

- i. **Public Comments:** No public comments were received electronically on this topic.
- iii. **Close Public Hearing:** Mayor Pro Tempore Koutsoupas made a motion to close the public hearing. Commissioner Atkinson seconded the motion. Commissioner Abernathy voted yes; Commissioner Neeley voted yes. The vote was 4 to 0 in favor.

**Note:** 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 February 18, 2021 BOC meeting.

**b. Public Hearing #2: A Public Hearing to receive public comment regarding proposed installment financing of up to \$2,500,000 for street repairs and paving projects in 2021.**

*Note:* This public hearing is required as part of the NC Local Government Commission (LGC) process for the municipal loan financing approval process.

- ii. **Open Public Hearing:** A motion was made by Commissioner Atkinson to open the public hearing. The motion was seconded by Commissioner Neeley. Commissioner Abernathy voted yes; Mayor Pro Tempore Koutsoupas voted yes. The was 4 to 0 in favor.
- iii. **Staff Comments/ BOC Q & A:** The Town Manager stated the proposed paving projects as part of the bid package would include the Timberlake neighborhood, High Street, Central Park area, and part of the greenway asphalt trail in Riverside Park. Commissioner Abernathy asked about the previous loan the Town took out for previous paving projects and if it would be paid off before we incur this new loan. The Town Manager stated there is approximately \$300,000 remaining due from the previous 2017 loan. The Town Manager stated that the current loan could be paid off from the Fund Balance savings or we the Town can obtain a new loan for \$2.5 million and pay the \$300,000 past loan balance out of the new loan. The Finance Director stated he is waiting for responses from the banks. Information can be presented to the Board once the request for proposals are received from the banks and it will be at the discretion of the Board whether to pay off the existing loan from the Fund Balance savings or pay off with part of the new loan. A resolution regarding financing will be presented at the next Board meeting as part of the Local Government Commission process.
- iv. **Public Comments:** No public comments were received electronically on this topic.
- v. **Close Public Hearing** Commissioner Abernathy made the motion to close the public hearing. Commissioner Neeley seconded the motion. Commissioner Atkinson voted yes; Mayor Pro Tempore Koutsoupas voted yes. The vote was 4 to 0. Mayor Cauthen stated that no action was required as this is a procedural step required by the Local Government Commission.

## Agenda Items NOT Requiring a Public Hearing

### a. Planning & Zoning

#### i. Land Use Plan (LUP) Update

- a. **Action Item:** Consider approval of final contract with LandDesign for LUP Update. Staff has been working with an ad hoc selection committee consisting of the Mayor and Board members to evaluate consultants who responded to the Town's RFQ for Land Use Planning Update services. Eight (8) different responses were received and four (4) were chosen to interview. A coalition of Nealon Planning and LandDesign were chosen by the ad hoc selection committee. The contract for Land Use Plan update services would be at a not-to-exceed amount of \$50,000 with optional items listed as part of the fee schedule. Commissioner Abernathy asked if the Land Use Plan update is being requested as part of the request from the state. The Planning Director stated the update is part of Chapter 160D as the state is requesting municipalities to have an up-to-date Land Use Plan. The Town's last update to the Land Use Plan was 2011. Commissioner Abernathy asked for additional input regarding this process and is this a complete update or just building on the current existing plan. The Planning Director stated this is an update to the existing plan and builds off the 2011 plan. The Planning Director stated that the current Land Use Plan references the former Garden Parkway and no references are included for the Catawba Crossings or the Silver Line. Information needs to be collected from the public whether in person or on line and this data will then need to be incorporated into the Land Use Plan which can be quite time consuming. Due to COVID restrictions, information is being collected mainly via formats such as Zoom rather than in person meetings. Mayor Cauthen stated the Town's population has increased twenty (20) percent in the last ten (10) years; approved projects include about 700 units as part of the Haven, the Groves, and the South Fork Village apartments; 198 single-family homes at Village of South Fork; hundreds of single-family homes at the Villages at Cramerton Mills; and the addition of 1,070 single-family homes along with residential and industrial mixed-use development as part of the MT Land Project. Meg Nealon with Nealon Planning and Beth Poovey with LandDesign introduced themselves. They are reviewing past planning along with assets in the community and will review market opportunities and these will be highlighted in the plan as a lot has changed in the community since 2011. A motion was made by Mayor Pro Tempore Koutsoupas to consider approval of the final contract with LandDesign for the Land Use Plan update. The motion was seconded by Commissioner Neeley. Commissioner Atkinson voted yes; Commissioner Abernathy voted nay. The vote was 3 to 1 in favor.

### b. Public Works

#### i. Road Maintenance Capital Projects 2021

##### 1. Project Engineer RFQ

- a. **Action Item:** Consider approval of recommended project engineer and direct staff to begin contract negotiations and finalization with the identified top firm. LaBella Engineering scored the highest score per the request for quotes. Commissioner Atkinson asked if Labella Engineering was involved in the last paving project. The Town Manager stated Labella was involved with the 2017 paving project and did an excellent job. The paving contractor for the 2017 project did not meet the paving schedule and Labella was able to help the Town save \$150,000. A motion was made by Commissioner Atkinson to empower staff to begin negotiations with Labella Engineering. The motion was seconded by Commissioner Abernathy. Commissioner Neeley voted yes; Mayor Pro Tempore Koutsoupas voted yes. The vote was 4 to 0 in favor.

#### ii. Downtown Parking Lot

1. **Continue discussion regarding the Lease document proposal to the Lodge.** No information has been received from the Masonic Lodge at this time advising who they have procured for legal counsel.

Information has been provided to the Masonic Lodge that the Board of Commissioners set a date of February 11, 2021 as the ending date for the lease. Mayor Cauthen stated the Town has been in communication with various members of the Lodge over the last two (2) years and several meetings have been held with several representatives. Commissioner Abernathy asked who is officially communicating from the Town's point of view and is this communication accessible and public. The Town Manager stated all correspondence is copied to members that have been physically in the meetings through emails. The last email was sent to the Lodge members on January 25, 2021. Commissioner Abernathy asked if the Board could receive a copy of that email. The Town Manager replied yes.

**c. Board of Commissioners**

**i. Cramerton Board of Commissioners Vacancy**

Mayor Cauthen thanked the six (6) applicants for their applications. He encouraged all applicants continue to look for ways to serve the Town. Interview times are to be scheduled for Saturday, February 13, 2021. Mayor Pro Tempore Koutsoupas asked that the Board consider interviewing three (3) of the six (6) applicants. Commissioner Abernathy recommended that all six (6) applicants be interviewed to offer them this opportunity. Commissioner Neeley recommended three (3) applicants be interviewed. Commissioner Atkinson asked how will the three (3) applicants be chosen. Mayor Cauthen said the Board would be given the opportunity to offer a motion as to who they would like to interview. The applicants will be presented alphabetically. A motion was made by Mayor Pro Tempore Koutsoupas to interview three (3) of the six (6) applicants. The motion was seconded by Commissioner Neeley. Commissioner Abernathy stated she will be voting no on this motion as this is not a fair opportunity to every applicant to articulate their strengths and why they want to serve. Commissioner Atkinson said he only knows four (4) of the six (6) applicants and thinks it would be worthwhile to interview them all. Commissioner Atkinson voted no; Commissioner Abernathy voted no. The motion fails. Commissioner Abernathy recommended thirty (30) minute interviews to be given to all six (6) applicants. A motion was made by Commissioner Abernathy to offer a time frame of twenty (20) to thirty (30) minutes to be offered to all six (6) applicants. Commissioner Atkinson seconded the motion. Mayor Pro Tempore Koutsoupas asked if the previous motion failed as it was a 2 to 2 vote. Mayor Cauthen asked Attorney Bringewatt about the procedure should be. Attorney Bringewatt said the Board should vote on the active motion by Commissioner Abernathy. Mayor Pro Tempore Koutsoupas voted no; Commissioner Neeley voted no. The vote was 2 to 2. Mayor Cauthen voted no. The motion fails. The prior motion to offer interviews to three (3) of the six (6) applicants by Mayor Pro Tempore Koutsoupas was a 2 to 2 vote. Mayor Cauthen voted in favor and the motion passed 3 to 2.

The first candidate was James Giesey. No motion to interview was offered.

The second candidate was Houston Helms. A motion was made by Commissioner Neeley to offer an invitation to interview. The motion was seconded by Mayor Pro Tempore Koutsoupas. Commissioner Abernathy voted no; Commissioner Atkinson voted yes. The vote was 3 to 1 in favor.

The third candidate was Scott Kincaid. A motion was made by Commissioner Neeley to offer an invitation to interview. The motion was seconded by Mayor Pro Tempore Koutsoupas. Commissioner Abernathy voted no; Commissioner Atkinson voted no. The vote was 2 to 2. Mayor Cauthen voted yes and the motion passes 3 to 2 in favor.

The fourth candidate was William Bradley Milton. A motion was made by Commissioner Abernathy. Commissioner Atkinson seconded the motion. Mayor Pro Tempore Koutsoupas voted no; Commissioner Neeley voted no.

The vote was 2 to 2. Mayor Cauthen voted nay. The vote was 2 to 3 in the negative and the motion failed.

The fifth candidate was Wil Neumann. A motion was made by Commissioner Neeley to offer an invitation to interview. Commissioner Abernathy seconded the motion. Commissioner Atkinson voted no; Mayor Pro Tempore Koutsoupas voted yes. The vote was 3 to 1 vote in favor.

The sixth candidate was Richard Nelson Wills, Jr. A motion was made by Commissioner Atkinson to offer an invitation to interview. The motion was seconded by Commissioner Abernathy. Mayor Pro Tempore Koutsoupas said three (3) applicants have already received a motion to interview and if the active motion passes then this will create a fourth interview. Mayor Pro Tempore Koutsoupas voted yes; Commissioner Neeley voted yes. The vote was 4 to 0 in favor.

Commissioner Abernathy stated that she was not sure that the process that the Board just went through was appropriate as she was looking at three (3) applications per the approved motion and if there is now going to be four (4) applicants then this makes the entire process invalid. Mayor Cauthen said this process was based on the technology restrictions and all votes were individual for each candidate and this was to offer some form to the process.

A motion was made by Commissioner Atkinson to offer interviews to four (4) applicants. Mayor Pro Tempore Koutsoupas seconded. Commissioner Abernathy voted yes; Commissioner Neeley voted yes. The vote was 4 to 0 in favor.

The Town Manager asked which Board members would be available at the morning and evening interviews. Mayor Pro Tempore Koutsoupas and Commissioner Neeley asked for the morning interview slots. Commissioner Abernathy and Commissioner Atkinson were willing to take the afternoon interview slots. The morning interview slots will be 8:30 a.m. through 11:00 a.m. The evening slots will be 1:00 p.m. to 3:30 p.m. The interviews will be thirty (30) minutes.

The Town Manager asked if the Board would be okay for a candidate to use Zoom for the interview process. Mayor Cauthen stated yes; Commissioner Neeley stated yes; Commissioner Atkinson stated yes.

## ii. Wayfinding Signs

### 1. Neighborhood Signs

- i. **Action Item: Review, discuss, and provide feedback to the DRAFT Neighborhood Sign “Design Competition” RFP.** The Town is sponsoring a professional design competition for a Neighborhood Sign Program. Cramerton is looking to procure design submittals from sign production companies capable of creating both “in house” designs and performing the sign fabrication. Discussion was held regarding possible rewards for the firm that provides the winning neighborhood sign design. The ad hoc wayfinding selection committee will meet again to discuss verbiage and other details to be presented for consideration by prospective designers. Commissioner Abernathy, Commissioner Atkinson, Commissioner Neeley, and Mayor Pro Tempore Koutsoupas consented.

## iii. Community Committee

1. **Action Item: Consider approval of promotion of Sherry Larkins to full-voting member for CCC.** A motion was made by Commissioner Neeley to promote Sherry Larkins to a full voting member for the Cramerton Community Committee. 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.
2. **Action Item: Consider approval of Tony Maiolo as alternate for CCC.** A motion was made by Commissioner Neeley to approve Tony Maiolo as an

alternate member for the Community Committee. Commissioner Abernathy seconded the motion. Commissioner Atkinson votes yes; Mayor Pro Tempore Koutsoupas voted yes. The vote was 4 to 0 in favor.

3. **Action Item: Consider approval of changes to CCC Bylaws.** A motion was made by Commissioner Neeley to approve the changes to the Cramerton Community Committee bylaws. The motion was seconded by Commissioner Atkinson. Commissioner Abernathy asked about the revised dollar amounts and if the proposed amounts were part of their operating budget. Mayor Cauthen stated that was correct. Commissioner Abernathy voted yes; Mayor Pro Tempore Koutsoupas voted yes. The vote was 4 to 0 in favor.

**BIG BOARD:** The Town Manager stated an article was in the Belmont Banner about an upcoming volunteer cleanup day by the Community Committee on April 17<sup>th</sup> at the Baltimore Historic School. Drone footage has been completed for presentation to be held via a future Zoom meeting with state representatives to discuss the brownfields grant. Commissioner Neeley asked if the Central Park design layout has been completed. The Town Manager stated the trail contractor is currently on site. Mayor Cauthen asked when will mulch be reapplied on Goat Island. The Town Manager stated he would speak to the Parks and Recreation Director tomorrow for a timeline and provide this information to the Board. Commissioner Neeley stated she loves the lighting on the bridge.

### **Manager's Report**

**COVID-19 (Coronavirus) Update:** Gaston county continues with distribution of the vaccines. This information has been placed on the Town's Facebook page.

### **General Staff Reports (as needed)**

- **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 stated notification has been received from the State Fire Marshal's office that the Town will be rated on May 17<sup>th</sup> for the ISO rating. The Town is currently a Class 3 and was last rated in 2014. The results of the ISO rating should be available sometime in June.
- **Planning Department:** The Planning Director stated that NCDOT notified us they have released twenty-six (26) projects to move forward that were on hold. One of the projects is the design for widening of 29/74 and bridge replacement. A public input meeting is scheduled for February 16, 2021 at 5:30 p.m. to discuss the Charlotte Area Transportation System (CATS) to discuss the Silver Line coming into Gaston County. The Planning Director stated the link is currently on the Town's social media and he will provide the link via email to all Board members.
- **Attorney:** Nothing to report.
- **Town Clerk:** Nothing to report.

### **Topics of Discussion for Each Commissioner:**

Commissioner Abernathy acknowledged and commended the Fire and Police Departments for their accomplishments and the great job they are doing. She thanked them for their efforts in improving services to our Town. She thanked Chief Adams and Chief Foulk for their leadership and all the men and women who are serving in their departments. She thanked the six (6) applicants who submitted their applications for the Board of Commissioners vacancy and would have enjoyed interviewing all six (6) of them. She asked that they all stay involved with the Town.

Commissioner Atkinson stated the kickoff meeting for the South Fork River Committee was held last Monday. He stated he had a follow up meeting with John Searby and Brandon Jones of the Catawba Riverkeepers. Discussion was held regarding the dismantling of the dam and John Searby informed him that the dam is owned by NCDOT. American Rivers is a group that may be able to assist in funding engineering studies for the dismantling of the dam. Commissioner Atkinson asked that a resolution of support be provided by the Town to the Catawba Riverkeepers showing support of the engineering study and dismantling of the dam. Dismantling the dam would assist with the Town's flooding and provide access to Lake Wylie for waterway activities. He encouraged the City of Belmont to take a similar action. Mayor Cauthen stated he spoke to John

Searby and he advised the Riverkeepers received a \$25,000 grant to assist in getting their own lab up for testing. A memo of understanding has been requested along with a small financial request from local municipalities to assist with testing. This memo would allow us to speak with a unified voice. The Board will be kept updated.

Mayor Pro Tempore Koutsoupas had nothing to report.

Commissioner Neeley reminded everyone to continue to wear your mask and even double mask for added protection; maintain six (6) feet of distance; and wash your hands and if no soap and water are available then use a sixty (60) percent hand sanitizer.

Mayor Cauthen provided pictures of Waste Management carts that continue to remain curbside and on the sidewalks. Discussion was held regarding education for our residents and an accelerated timeline in order to implement the ordinance. The Town Manager stated a new policy was implemented last year.

**Closed Session: [N.C.G.S. 143-318.11(a)(3)] Consult with the attorney to protect the attorney-client privilege.** A motion was made by Commissioner Neeley to enter into closed session. The motion was seconded by Commissioner Atkinson. Commissioner Abernathy voted yes; Mayor Pro Tempore Koutsoupas voted yes. The vote was 4 to 0 in favor.

A motion was made by Commissioner Atkinson to return to open session. The motion was seconded by Commissioner Abernathy. Commissioner Neeley voted yes; Mayor Pro Tempore Koutsoupas voted yes. The vote was 4 to 0 in favor.

**Adjournment:** Upon return to open session and no action taken during closed session, Commissioner Neeley made a motion to adjourn at 9:28 p.m. Commissioner Atkinson seconded the motion. Commissioner Abernathy voted yes; Mayor Pro Tempore Koutsoupas voted yes. The vote was 4 to 0 in favor.

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Mayor William Cauthen

**ATTEST:**

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Wilene Cunningham, Town Clerk