



City of Claremont Regular Meeting Minutes Monday, June 6, 2016

The regular City Council meeting of the City of Claremont was held in the Training Room located at the Claremont Fire Department at 7:00 p.m. on Monday, June 6, 2016.

The following members of the Claremont City Council were present: Mayor Shawn Brown, Councilmember Timothy Lowrance, Councilmember Dale Sherrill, Councilmember Lee Miller, Councilmember Dayne Miller and Councilmember David Morrow.

The following personnel of the City of Claremont were present: City Manager Catherine Renbarger, City Clerk Wendy Helms, Police Chief Gary Bost, Fire Chief Bart Travis, Public Services Director Tom Winkler, Public Services Supervisor Bo Prince, Captain Allen Long, Recreation Coordinator Michael Orders, City Planner Elinor Hiltz and City Attorney Bob Grant.

Others in attendance were: Ricky Ruvio, Charles Helms, Sherry Ham, Tara Rockette, Kirsten Goodwin, Les Morrow, Ray Ball, Robert Smith, Bruce Hartsoe, Steve Self, John Cathey Chi Patel, Gene Monday, Tyler Terry and Mike Hathaway.

1. CALL TO ORDER

Mayor Shawn R. Brown called the Claremont City Council meeting to order at 7:00 p.m.

2. APPROVAL OF AGENDA

The agenda was then approved as presented.

3. INVOCATION & PLEDGE OF ALLEGIANCE

The invocation was given by Councilmember Timothy Lowrance. Councilmember Lee Miller led the Pledge of Allegiance.

5. MAYOR'S REPORT & PROCLAMATIONS

Mayor Brown spoke briefly about thank you letters that were sent to the City for contributions. He also read a Proclamation in honor of retiring County Manager Tom Lundy.

6. CONSENT AGENDA

A. May 2, 2016, Regular Meeting Minutes – Councilmember Timothy Lowrance made a motion to accept May 2, 2016 regular meeting minutes as presented. Councilmember Dayne Miller seconded the motion. The motion passed unanimously.

B. May 2, 2016 Closed Session Minutes – Councilmember Timothy Lowrance made a motion to accept the closed session minutes as presented. Councilmember Dayne Miller seconded the motion. Motion passed unanimously.

C. Resolution 32-15 Road Closure- Annual Christmas Parade- NCDOT asked that all Counties and Municipalities follow guidelines for special events. NCDOT is only reviewing for conflicts and concerns, and is neither approving nor denying these events. Municipalities must pass a Resolution approving the event, place signs and give notice of special event. The Municipality accepts full responsibility for and all liability related to the special event. Motion was made by Councilmember Timothy Lowrance to accept Resolution 32-15. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

D. Resolution 33-15 Road Closure- Claremont Daze 2016- Motion was made by Councilmember Timothy Lowrance to accept Resolution 33-15. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

E. Resolution 34-15 Road Closure- PJ Stanley Memorial 5K- Motion was made by Councilmember Timothy Lowrance to accept Resolution 34-15. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

F. Contract with Catawba County Fire Marshall- The City currently contracts with Catawba County Emergency Services to provide periodic fire inspections of all buildings within the City's jurisdiction. The proposed contract would continue these services for FY2016-2017. The cost for providing these services has increased from an annual sum of \$4,582 to \$4,681 to account for additional buildings in FY 2016 that will require inspections. Motion was made by Councilmember Timothy Lowrance to accept the contract with Catawba County for fire marshall services. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

G. Contract with Catawba County Animal Control- The City of Claremont currently contracts with Catawba County Emergency Services to provide animal control and emergency animal call services within the City. The proposed agreement would continue this arrangement for FY16-17 with the same contract terms as the previous year. Under the terms of the contract, the City will pay \$1,200 annually for animal control and emergency after hour calls. Motion was made by Councilmember Timothy Lowrance to accept the contract with Catawba County for animal control services. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

7. CITIZEN'S CONCERNS & COMMENTS- none

8. OLD BUSINESS-

A. Budget Transfer- Transfer of funds was made to align line items to expenditures. Informational only.

9. PUBLIC HEARING-

A. Proposed City Budget for FY 2016-2017- The proposed budget for the fiscal year beginning July 1, 2016 and ending June 30, 2017 was submitted to the Claremont City Council on May 2, 2016 in accordance with North Carolina General Statutes. North Carolina law requires that a public hearing be held on the proposed budget prior to adoption. All interested persons are invited to make written or oral comments on the proposed budget. The proposed budget has been available for public review on the City of Claremont website and at City Hall.

Motion was made by Councilmember Timothy Lowrance to go into a public hearing at 7:08 p.m. Second was made by Councilmember David Morrow. Motion passed unanimously.

City Manager Renbarger gave a brief overview of the proposed budget. There were no questions on the budget.

Motion was made by Councilmember Lee Miller to go out of a public hearing at 7:26 p.m. Second was made by Councilmember David Morrow. Motion passed unanimously.

B. Voluntary Annexation 2879 Montclair Drive- City Council will call for a Public hearing on Monday June 6, 2016 to get citizen input on the voluntary annexation of 2879 Montclair Drive.

Motion was made by Councilmember Timothy Lowrance to go into a public hearing at 7:27 p.m. Second was made by Councilmember Lee Miller. Motion passed unanimously.

With no comments from the audience, motion was made by Councilmember Dale Sherrill to go out of a public hearing at 7:27 p.m. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

C. Voluntary Annexation 2681 Heart Drive- City Council will call for a Public hearing on Monday June 6, 2016 to get citizen input on the voluntary annexation of 2681 Heart Drive.

Motion was made by Councilmember David Morrow to go into a public hearing at 7:28 p.m. Second was made by Councilmember Lee Miller. Motion passed unanimously.

With no comments from the audience, motion was made by Councilmember Timothy Lowrance to go out of a public hearing at 7:28 p.m. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

D. Zoning Ordinance Text Amendment- Landscaping- Before changes to the zoning ordinance can be adopted, North Carolina law requires a public hearing be held. The proposed changes to the landscaping sections of the zoning ordinance would increase visibility of business signs and frontage as initiated by the Planning Board.

Motion was made by Councilmember Lee Miller to go into a public hearing at 7:29 p.m. Second was made by Councilmember David Morrow. Motion passed unanimously.

Planner Elinor Hiltz gave a brief explanation of the proposed changes to the zoning ordinance. Chi Patel, with Claremont Inn and suites asked if the ordinance would be enforced on the lot beside his business. Elinor ensured him she would follow up on that situation.

With no others comments from the audience, motion was made by Councilmember Timothy Lowrance

to go out of a public hearing at 7:33 p.m. Second was made by Councilmember Dale Sherrill. Motion passed unanimously.

E. Zoning Ordinance Text Amendment- Protest Amendment- Before changes to the zoning ordinance can be adopted; North Carolina law requires a public hearing be held. This change would remove the protest petition section in the City's ordinance to reflect changes in State law.

Motion was made by Councilmember Dayne Miller to go into a public hearing at 7:34 p.m. Second was made by Councilmember David Morrow. Motion passed unanimously.

Elinor again spoke about new legislation from the State of North Carolina, about protest petitions.

With no comments from the audience, motion was made by Councilmember Dale Sherrill to go out of a public hearing at 7:33 p.m. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

10. NEW BUSINESS-

A. Ordinance 18-15 Extend the Corporate City Limits 2879 Montclair Drive- A voluntary annexation petition was received April 14, 2016. Investigation of sufficiency was completed and found to be sufficient. Advertisement was published in the Observer News Enterprise on May 25, 2016, to call for a public hearing. Said public hearing was held on Monday, June 6, 2016. Staff recommends approving Ordinance 18- 15 to extend the corporate city limits to include 2879 Montclair Drive.

Motion was made by Councilmember Timothy Lowrance to approve Ordinance 18-15 to extend the corporate city limits to 2879 Montclair Drive. Second was made by Councilmember Lee Miller. Motion passed unanimously.

B. Ordinance 19-15 Extend the Corporate City Limits 2681 Heart Drive Tract 2- A voluntary annexation petition was received April 20, 2016. Investigation of sufficiency was completed and found to be sufficient. Advertisement was published in the Observer News Enterprise on May 25, 2016, to call for a public hearing. Said public hearing was held on Monday, June 6, 2016. Staff recommends approving Ordinance 19-15 to extend the corporate city limits to include 2681 Heart Drive Tract 2.

Motion was made by Councilmember David Morrow to approve Ordinance 19-15 to extend the corporate city limits to 2681 Heart Drive Tract 2. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

C. Ordinance 20-15 Fiscal Year 2017 Budget- This budget ordinance will approve the fiscal year 2016-2017 budget for all City funds with a General Fund budget of \$2,902,942.

Motion was made by Councilmember Dale Sherrill to adopt Ordinance 20-15, fiscal year 2017 budget. Second was made by Councilmember Timothy Lowrance. Motion passed unanimously.

D. Fiscal Year 2017 WPCOG Planning Contract- Under the terms of this agreement, the Western Piedmont Council of Governments will provide technical planning assistance for FY 2016-2017 for an amount not to exceed \$38,700. This is an increase from FY 2015-2016 as a planner from the WPCOG will now be with the City 16 hours a week, instead of 12 hours a week.

Motion was made by Councilmember David Morrow. Second was made by councilmember Dayne Miller. Motion passed unanimously.

E. - Fiscal Year 2017 Fire Department Officer Confirmation- Chief Travis presented Council with names of officers for the FY 2017.

Councilmember Timothy Lowrance abstained from voting. Motion was made by councilmember Dale Sherrill to accept the officers as presented. Second was made by Councilmember Lee Miller. Motion passed unanimously.

F. Ordinance 21-15 Budget Amendment for FY 2016- This budget amendment will move the pay per call money into part-time salaries for quarterly disbursement to firefighters. This budget amendment is done annually.

Motion was made by Councilmember Dale Sherrill. Second was made by Councilmember Timothy Lowrance. Motion carried unanimously.

G. Ordinance 22-15 Amending the Zoning Code of Ordinances- Landscape- The Planning Board was concerned that the City's landscaping code does not give enough room for trees to grow under power lines, that large trees and bushes may block views of entrances and signs, and that the Planner should have more discretion about buffers. In May and April they recommended amendments to sections of the zoning ordinance pertaining to landscaping:

- Bush heights were lowered to give signs more visibility.
- A requirement about fences, hedges, and garden walls was dropped because it was duplicative with the street yard planting.
- Power lines were given more clearance
- The Planner was given more discretion about buffer yard placement.

This zoning amendment is in the public interest because the intent does not decrease the total number of required plantings in Claremont and trees are good for property values and the environment.

Councilmember Dale Sherrill made a motion to approve because this amendment is not inconsistent with the Land Development Plan. Second was made by Councilmember David Morrow. The motion passed unanimously.

H. Ordinance 23-15 Amending the Zoning Code of Ordinances- Protest Petitions- In July 2015 the North Carolina legislature removed the right for a citizen to lodge a protest petition that triggers a $\frac{3}{4}$ vote from Council to pass a rezoning. Claremont has a "protest petition" section in the zoning ordinance that should be deleted to be consistent with state law. Although Council is not compelled by law to accept a protest petition or achieve a $\frac{3}{4}$ majority to pass a rezoning, City Administration will always enter citizen petitions or letters for rezoning cases into the public record.

Motion was made by Councilmember Timothy Lowrance to approve, because the Land Development Plan does not pertain to this amendment. The zoning amendment is in the public interest because it makes Claremont's code consistent with state law. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

I. Fiscal Year 2017 Audit Contract- This spring, the City conducted a Request for Proposals (RFP) for auditing services. Three responses were received. After review, staff has negotiated terms with Debra Wentz. Ms. Wentz has offices in Newton and currently provides auditing services for the City of Conover and Town of Maiden. Costs for providing these services include \$13,500 for the preparation of the audit and \$2,500 for the preparation of annual financial statements.

Motion was made by Councilmember Lee Miller to accept the contract with Debra Wentz for the FY 2016-2017 auditing services. Second was made by Councilmember David Morrow. Motion passed unanimously.

J. Resolution 35-15 – Authorizing Application for STPDA Funds for Centennial Boulevard Sidewalk-
In 2013, the City was awarded Congestion Mitigation and Air Quality Funds (CMAQ) to construct 8,030 linear feet of sidewalk along Centennial Boulevard, Calvin Street, School Street, Bethlehem and Yount Street, as well as South Depot. As the project moved forward, costs estimates significantly increased resulting in the City requesting to remove the Centennial Boulevard section from the project. Resolution 35-15 would allow the City to apply to the Greater Hickory Metropolitan Planning Organization for Surface Transportation Program-Direct Attributable (STPDA) funds to complete the Centennial Boulevard section. Total costs of the project are estimated to be \$575,000 with a 20% local match of \$115,000. Staff is still finalizing details of the project as the application is not due until June 29. The total project cost may decrease; however staff tried to include all potential costs in early estimates. If awarded, funds would be available as early as October of 2016. The City is still waiting to receive final word from the Federal Highway regarding our request to change the CMAQ project scope of work. If the request is approved, this resolution will allow us to apply for STPDA Funds by the June 29th deadline.

Motion was made by Councilmember Dale Sherrill to allow the City Manager, with Council approval, to apply for STPDA Funding. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

12. DEPARTMENT & COMMITTEE REPORTS

A. Monthly Department Dashboard Report- The dashboard report was accepted as presented.

Recreation- Michael Orders informed everyone of a blood drive being held at City Hall on June 29th. The new playground equipment has arrived and should be installed soon. July 2nd from 12 p.m.- 4.m the Recreation Committee will hold an ice cream social in the City Park.

Planning- Elinor Hiltz stated that the contractor has applied for zoning permits to construct another set of townhomes at The Villa in the Oaks. The Oxford Crossing Apartments have a temporary certificate of occupancy. Small group meetings will be held in late June or July to answer any questions Council may have about the Comprehensive Plan.

13. CITY MANAGER REPORT –

City Manager Catherine Renbarger began her report with an update on the Carolina Thread Trail. The thread Trail would connect the Bunker Hill Covered Bridge to the City Park. Letters of support are needed from the land owners along the proposed route of the trail.

Catherine also reported that the Bunker Hill Covered Bridge will be closed until repairs have been made to the driveway at the entrance. A sink hole has developed, however the contractors is aware and is making plans to repair it.

Ricky Ruvio was introduced to Council. Ricky will be serving as an intern with the City this summer. He is currently enrolled at UNC Chapel Hill in the MPA Program.

Autumn Edwards will also interning this summer. Autumn is enrolled at Meredith College.

14. CLOSED SESSION- Motion was made by Councilmember Timothy Lowrance to go into closed session at 8:05 p.m. Second was made by Councilmember Lee Miller. Motion passed unanimously. The closed session was recessed at 8:20 p.m.

15. ADJOURN

With no further business of the board motion was made by Councilmember Lee Miller to adjourn the meeting at 8:20 p.m. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

Respectfully submitted,
Wendy L. Helms, City Clerk

Shawn R. Brown, Mayor

Attested:

Wendy L. Helms, City Clerk