



City of Claremont Special Called Meeting Minutes Monday, September 26, 2016

The regular City Council meeting of the City of Claremont was held in the Council Chambers located at Claremont City Hall at 6:00 p.m. on Monday, September 26, 2016.

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

The following personnel of the City of Claremont were present: City Manager Catherine Renbarger, City Clerk Wendy Helms, Police Chief Gary Bost, Police Captain Allen long, Public Services Director Tom Winkler, Public Services Supervisor Bo Prince, Recreation Specialist Michael Orders, City Planner Leslie Meadows and City Attorney Bob Grant.

Others in attendance were: Robert Smith, Robert Winrow, Julie Pruett, Scott Millar, D.B. Setzer and Gene Monday.

CALL TO ORDER

Mayor Shawn R. Brown called the meeting to order at 6:00 p.m. A quorum was present.

APPROVAL OF AGENDA

The agenda was approved as presented.

INVOCATION & PLEDGE OF ALLEGIANCE

Councilmember Timothy Lowrance gave the invocation and led the pledge of allegiance.

MAYOR'S REPORT

Mayor Brown spoke briefly about the upcoming Claremont Daze events.

CONSENT AGENDA

A. August 1, 2016, Regular Meeting Minutes – Councilmember Timothy Lowrance made a motion to accept August 1, 2016 regular meeting minutes as presented. Councilmember Dayne Miller seconded the motion. The motion passed unanimously.

B. August 1, 2016 Regular Session Session Minutes – Councilmember Timothy Lowrance made a motion to accept the closed session minutes from August 1, 2016, as presented. Councilmember Dayne Miller seconded the motion. Motion passed unanimously.

C. Request from Claremont Elementary – Councilmember Timothy Lowrance made a motion to fulfill a request made by Claremont Elementary for \$200. Councilmember Dayne Miller seconded the motion. Motion passed unanimously.

CITIZEN CONCERNS & COMMENTS- None

OLD BUSINESS- None

PRESENTATION-

D. B. Setzer gave a presentation to Council about the work being performed at The Bunker Hill Covered Bridge. Water lines have been installed along with a fire hydrant. A new access road was paved into the park.

PUBLIC HEARINGS

Motion was made by Councilmember David Morrow to recess the regular meeting and go into a Public Hearing at 6:08 p.m. Second was made by Timothy Lowrance. Motion passed unanimously.

City Planner, Leslie Meadows spoke about the proposed changes to the Zoning Ordinance, Article P, Section 9-3-267. The suggested amendment would allow the Board of Adjustment to deny or modify, Condition Use Permit applications for more reasons than are allowed under the current code. The new proposed language adheres to the same standards that many other NC cities use, and ensures that new uses will not conflict with the City's long-term goals.

With no comments from the audience, Councilmember Dayne Miller made the motion to close the public hearing at 6:11 p.m. Second was made by Councilmember Lee Miller. Motion passed unanimously.

Motion was made by Councilmember Timothy Lowrance to go into another public hearing at 6:12 p.m. Second was made by Councilmember David Morrow. Motion passed unanimously.

Scott Millar addressed Council regarding the sale of the Spec Building. Julie Pruett gave a presentation to Council highlighting the economic development agreement proposed for Dynamic Air Engineering. Scott Millar also asked the City to consider the creation and recurring funding of a Spec Building Account, using the money already budgeted and reimbursements from the sale of the Spec Building.

Motion was made by Councilmember Lee Miller to close the public hearing at 6:23 and reopen the regular session. Second was made by councilmember David Morrow. Motion passed unanimously.

NEW BUSINESS

A. Resolution 02-16 Settlement of Agreement, Spec Building- On December 2, 2013, Catawba County, the City of Claremont, BG&A Properties, LLC, and the Catawba County Economic Development Corporation signed an agreement related to the construction and related development of the Claremont

Spec Building. Before the City Council considers an Economic Development with DAE Systems, staff recommends approving the settlement of the December 2, 2013 Spec Building Agreement. An offer to purchase the Spec Building was made by a development company in July with an expected closing date on or before October 1, 2016, facilitating a 15-year lease to a company that will meet all of the conditional requirements for job creation and wages. Upon the sale of the building and payment to the landowner and developer; any remaining proceeds were to be distributed to the City, County, and EDC to reimburse carrying costs pro rata to their participation. The City of Claremont will receive \$27,966.95 in reimbursement for spec building cost.

Motion was made by Councilmember David Morrow to accept Resolution 02-16. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

B. Resolution 03-16 Consideration of Agreement with DAE Systems- Dynamic-Air Engineering, Inc. is a designer and manufacturer of military and FAA qualified scalable air moving systems for the aerospace industry. DAE Systems plans to relocate from Orange County, CA and further up-fit and equip the 52,000 sf. Spec Building in Claremont and commits to invest no less than \$7,255,000. As a result of this improvement, a minimum of 53 new jobs will be created with a minimum average salary of \$51,618. Under the terms of this agreement, the City will provide an economic development incentive grant to DAE Systems on a sliding scale of 75% for 2 years, 67% for 2 years, and 50% for the fifth year of new tax receipts. Cumulative payment by the City will not exceed \$109,433.

Motion was made by Councilmember David Morrow to accept Resolution 03-16. Second was made By Councilmember Lee Miller. Motion passed unanimously.

C. Ordinance 04-16 Budget Amendment- This action amends the budget to include the spec building reimbursement of \$27,966.95 in additional revenue. In addition, this budget amendment creates a line item in the economic development fund for future spec building costs and allocates \$99,966.95 to that line item.

Motion was made by Councilmember Timothy Lowrance to adopt Ordinance 04-16, amending the fiscal year 2016-2017 budget. Second was made by Councilmember David Morrow. Motion passed unanimously.

D. Ordinance 05-16 Budget Amendment- The City's FY2016-2017 budget includes \$36,000 in funds from the economic development project fund to pay towards the spec building costs. With the sale of the spec building, the City is now amending the budget as the payment is no longer necessary. The funds will remain in the economic development project fund for future use.

Motion was made by Councilmember Dayne Miller to adopt Ordinance 06-16 amending the fiscal year 2016-2017 budget. Second was made by councilmember Timothy Lowrance. Motion passed unanimously.

E. Supplemental Agreement for CMAQ Grant with NCDOT- As a result of higher than anticipated construction estimates, Council provided direction to request NC DOT allow the City to modify the scope of work of the Congestion Mitigation and Air Quality (CMAQ) sidewalk project by removing the Centennial Boulevard section. Since that time, staff have been working with NC DOT and the Federal Highway Administration to obtain the necessary approvals. The attached supplemental agreement reflects the change in scope of work. The original preliminary engineering contract approved by DOT was for \$43,697.33.

However, with the removal of the engineering costs associated with Centennial, the remaining costs for preliminary engineering total \$28,890.09. As only 80% of eligible costs may be reimbursed, the total

allowed for reimbursement related to design and engineering is now \$23,112.07. Since the City has already been reimbursed \$23,675.58 in design costs, the City will need to reimburse NC DOT \$563.51.

Once the Supplemental Agreement has been fully executed, the City will move forward for the remaining segments of sidewalk.

- Calvin Street – between Depot and Lookout, between Lookout and School Dr.
- Yount Street – from Depot to Bethlehem
- South Depot Street – small section from end of sidewalk
- Bethlehem Drive – from Yount to Catawba Street
- School Drive – from Calvin to Main Street

Motion was made by Councilmember Lee Miller to approve the supplemental agreement for the CMAQ Grant with NCDOT, removing Centennial Blvd. from the scope of work. Second was made by Councilmember Timothy Lowrance. Motion passed unanimously.

F. Approval of Preliminary Plat for Oxford Crossing- The Oxford Crossing development was thrust into “major subdivision” category because a new Street, Oxford Way, is intended to be dedicated to the City. In Claremont’s ordinance major subdivision preliminary plats go to Planning Board and Council. If approved, a final plat must go to Planning Board and Council again. If the plat approval advances without delay, the final plat could be approved by Council by October 3rd. The road is already built and has passed Wooten and the City’s inspections. The Conditional Use Permit required certain things to be shown on the plat, which were:

- 10% open space would remain undeveloped in perpetuity
- the interior drives would not be maintained by the City but by Oxford Crossing’s owner
- water and sewer easements would be dedicated to the City and shown on the plat
- outline where future driveways would be located on the outparcels, and
- ensure that the correct certificates and seals are displayed on the plat

On August 15th, the Planning Board determined the preliminary plat meets all necessary requirements, and recommends approval of the preliminary plat for Oxford Way as presented.

Motion was made by Councilmember David Morrow to accept the preliminary plat for Oxford Way. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

G. Ordinance 06-16 Text Amendment to Zoning Ordinance- Changes to the Ordinance would allow the Board of Adjustment to deny or modify CUP applications for more reasons than are allowed under the current code. The new proposed language adheres to the same standards that many other NC cities use, and ensures that new uses will not conflict with the City’s long-term goals.

Motion was made by Councilmember Timothy Lowrance to approve Ordinance 06-16 because this CUP amendment furthers the consistency with many adopted plans. Second was made by Councilmember David Morrow. Motion passed unanimously.

H. Contract with The Wooten Company for Waste Water Needs Study- As the City was recently awarded a Wastewater Regionalization and Merger Feasibility Grant for \$50,000, the City can now enter into an agreement with Wooten Company and have expenses covered under the grant.

Included in the contract is a Scope of Work which includes:(1) reviewing past studies and evaluations; (2) updating wastewater flow projections for each wastewater treatment plant; (3) identifying a wide range of options for addressing the City’s wastewater needs and meeting with appropriate staff of cities’ to explore feasibility; (4) presenting a progress report to Council and with Council direction identifying

the top few options for in-depth analysis; and (5) developing a more detailed cost estimate for each option.

Motion was made by Councilmember Lee Miller to accept the contract with The Wooten Company for a wastewater needs study. Second was made by Councilmember David Morrow. Motion passed unanimously.

DEPARTMENT AND COMMITTEE REPORTS

The Departmental Dashboard was accepted as presented.

Recreation- Recreation Specialist Michael Orders gave an update on the Claremont Daze activities.

CITY MANAGERS REPORT

City Manager Renbarger spoke briefly about the Leadership Training class she attended in Chapel Hill. She also stated she and Attorney Bob Grant will be looking into capacity fees, because of a recent court ruling.

Motion was made by Councilmember Timothy Lowrance to recess the regular meeting at 6:54 p.m. and go into closed session reference G.S. 143.318-11(4). Second was made by Councilmember David Morrow. Motion passed unanimously.

With no further business of the board, motion was made by Councilmember Dayne Miller to adjourn the meeting at 7:06 p.m. Second was made by Councilmember David Morrow. Motion passed unanimously.

Respectfully submitted,
Wendy L. Helms, City Clerk

Shawn R. Brown, Mayor

Attested:

Wendy L. Helms, City Clerk