



City Council Regular Meeting Minutes Monday, August 1, 2011

The regular City Council meeting of the City of Claremont was held in the Council Chambers at City Hall at 7:00 p.m. on Tuesday, July 5, 2011.

The following members of the Claremont City Council were present: Mayor David Morrow, Councilmember James Stanley, Mayor Pro Tem Timothy Lowrance, Councilmember Shawn Brown, Councilmember Nicky Setzer and Councilmember Dale Sherrill.

The following personnel of the City of Claremont were present: City Manager, Doug Barrick, City Attorney, Bob Grant, Finance Officer, Stephanie Corn, Police Chief, Gerald Tolbert, Police Captain, Gary Bost, Fire Chief, Gary Sigmon, and Public Works Director, Tom Winkler.

Others in attendance were: Henry Helton, Robert Smith, Ryan Smith, Andrea Ramsey, Gene Monday, Laurie LoCicero, John Cathey, Billie Peeler, Jerry Peeler, Rev. Perry Miller, Julie Pruitt, Clarence Lockamy, Scott Ramsey, Elizabeth Smyre, Kevin Greer, Will Clayton, Luke Dickey, and Gene Haynes.

1. CALL TO ORDER

Mayor David Morrow called the Claremont City Council meeting to order at 7:03 p.m.

3. INVOCATION & PLEDGE OF ALLEGIANCE

The invocation was led by Reverend Perry Miller from Bethlehem United Methodist Church in Claremont. Councilmember Nicky Setzer led the Pledge of Allegiance.

4. MAYOR'S REPORT

Mayor David Morrow thanked everyone for the prayers and condolences in regards to the loss of his brother. On July 20th City Manager Doug Barrick, Councilmember Shawn Brown and Mayor Morrow attended the annual meeting of the Catawba County Economic Development Corporation (EDC). At the meeting the EDC President, Scott Millar, presented the new opportunity sectors 2011-2012 program, encompassing the situational analysis of Catawba County. There has been positive feedback on the Tailgate Market. Plans are being made for the Mayor's Planning breakfast it will be a two hour long session on a Saturday morning and the plan is to have it facilitated by a representative from the Western Piedmont Council of Governments or someone from the UNC School of Government. The purpose of this meeting will be to discuss the long term goals for the City as discussed at the Budget Retreat in February. The breakfast will attentively be scheduled for mid September or early October. Mayor Morrow recognized Councilmember Nicky Setzer, James Stanley, and Dale Sherrill for filing for reelection this year.

5. APPROVAL OF MINUTES

A. Regular Meeting – July 5, 2011 – Mayor Pro Tem Timothy Lowrance moved to accept July’s regular meeting minutes as presented. The motion was seconded by Councilmember Shawn Brown. The motion passed unanimously.

B. Closed Session – July 5, 2011 – Councilmember Nicky Setzer moved to accept July’s closed session minutes as presented. The motion was seconded by Councilmember Shawn Brown. The motion passed unanimously.

C. Second Closed Session – June 6, 2011 – Mayor Pro Tem Timothy Lowrance moved to accept June’s second closed session meeting minutes as presented. The motion was seconded by Councilmember Nicky Setzer. The motion passed unanimously.

6. CITIZEN'S CONCERNS AND COMMENTS

Elizabeth Ann Smyre stated she is a planning board member and the other members of the planning board has approved a salvage yard business in Claremont which will be located approximately 1,050 feet from her residence. She wants to know if anything can be done about it because she is unhappy about it.

City Manager Doug Barrick stated the Board of Adjustment set restrictions for the salvage yard. There is nothing that can be done aside from enforcing the City's code and the restrictions that were put on the conditional use permit.

7. PRESENTATIONS

A. Claremont International Business Park Phase II Master Plan – Mayor Morrow stated the funding is provided by grant support from Duke Energy.

Julie Pruitt stated Claremont International Business Park Phase II is a very large rail site adjacent to the current Business Park. We have been summitting this site for many years for several different rail projects both medium and large. It is the largest rail site in the County and one of the larger rail sites in the state. The Catawba County EDC has been working with Luke Dickey and his partner Doug Stimmel of Stimmel and Associates, Mayor Morrow and City Manager Barrick on some fresh ideas for the rail site.

Luke Dickey from Stimmel and Associates stated the firm is out of Winston Salem, NC and they specialize in landscape architecture, land planning and civil engineering. He also stated that he was hired by the Catawba County EDC for a fresh look on the rail site. At a previous meeting there were four concepts discussed and he has refined those four concepts and is prepared to present them to the council.

Concept 1: Heart Drive Improvements

Opportunities:

- Utilize existing Heart Drive and railroad crossing.
- Improvements to Heart Drive can bring value to existing industrial development for potential rehabilitation or redevelopment.

Constraints:

- Primary entrance through outdated industrial development.
- Improvements to Heart Drive are limited by proximity of existing buildings and numerous driveway cuts.
- CIBP II signage options are limited due to the HWY 70 right of way and rail road right of way.
- Signage would have to be located on existing industrial development sites.
- Development of largest tract (Lot 1) would require road improvements to Heart Drive (1,100 lf) and completion of primary road infrastructure (2,650 lf) in CIBP II.
- Portion of existing industrial site needed to maximize Lot 4.

Concept 2: Redevelopment**Opportunities:**

- Utilize existing Heart Drive and railroad crossing.
- Redevelopment of outdated industrial development.
- Primary entrance redirected into proposed CIBP II.
- Improves options for signage locations.

Constraints:

- Additional costs to acquire existing industrial land.
- Development of largest tract (Lot 1) would require completion of primary road infrastructure (3,500 lf) in CIBP II.
- Portion of existing industrial site needed to maximize Lot 4.

Concept 3: New Entry**Opportunities:**

- New entrance drive on HWY 70 provides distinct entrance into CIBP II.
- New entrance drive provides approximately 175 lf of stacking room between HWY 70 and the Norfolk Southern Railroad.
- The 3 primary lots can be accessed with a shorter length of road infrastructure (1,200 lf)
- Provides opportunity for secondary entrance at existing Heart Drive and railroad crossing.

Constraints:

- Requires approval of new railroad crossing.
- May require closing of existing crossing at Heart Drive eliminating secondary access.
- Consideration of adjacent property owner for location of proposed new entrance drive.
- Portion of existing industrial site needed to maximize Lot 4.

Concept 4: Comfort Drive Entry**Opportunities:**

- New entrance drive across from Comfort Drive on HWY 70 provides a distinct entrance at an intersection into CIBP II.
- New entrance drive provides approximately 550 lf of stacking room between HWY 70 and the Norfolk Southern Railroad.
- 2 primary lots can be accessed with a shorter length of road infrastructure (1,250 lf)
- Layout allows for 3 large industrial lots.

Constraints:

- Requires approval of new railroad crossing.
- May require closing of existing crossing at Heart Drive eliminating secondary access. Additional road infrastructure would be required to connect to Heart Drive which would bisect Lot 3 and Lot 4.
- Lot 4 accessed off of Heart Drive unless additional road infrastructure provided.
- Locating main CIBP II industrial drive to the rear of property creates a portion of undevelopable land between the road and existing stream on southern boundary.
- Existing industrial site needed to maximize Lot4.

Councilmember Stanley stated in the past there has been talk of a multi jurisdictional business park and he wants to know if this could be the start of one.

City Manager Barrick stated he has discussed the options with Conover's City Manager and Conover likes all the options. He asked the council to think about the options and at some point possibly endorse one or two of the options so that Julie Pruitt and her team at the EDC can market the site out to interested companies and rail users. City Manager Barrick added the only reason for sticking with any option for using Heart Drive as the only access is, if the city was not able to work out a deal with Norfolk Southern Railroad to get a new rail crossing.

B. Preliminary Engineering Report on the McLin/Lyle Creek Basin – Gene Haynes from Davis & Floyd stated that he is the Project Director and Will Clayton is the Senior Designer and the project is commissioned and paid for by Catawba County. The purpose of the engineering report is to evaluate regional alternatives for waste water that is already provided in this area.

Will Clayton, Senior Designer, stated they studied a 37 square mile area with a 20 year planning period. An endangered species survey was conducted to see if any endangered species would be harmed and the results were that none would be harmed. The population of the study area as of 2010 is 10,757 and they also looked at Claremont's current waste water treatment plants. The projected future conditions are a population of 13,681 in 2030 for the study area and the flow projections are predicted to be 1.145 MGD average daily flow. They came up with 9 alternatives and based on five different criteria the Technical Advisory Committee chose alternative number three based on monetary cost being the highest ranked criteria. Alternative number 3 consist of decommissioning the Claremont North Plant and McLin Creek Plant. The flow from the Claremont North Plant would be routed to the McLin Creek location and taken via 24" gravity sewer down the McLin/ Lyle Creek location to the Hickory/Catawba waste water treatment plant. The cost of the design and construction is \$3.2 million.

8. PUBLIC HEARING

At 7:47 p.m. a motion was made by Mayor Pro Tem Timothy Lowrance to open the public hearing to discuss the City of Claremont high rise sign district overlay. Councilmember Dale Sherrill seconded the motion. The motion passed unanimously.

A. City of Claremont High Rise Sign District Overlay – Mayor Morrow stated the council has already approved the guidelines for the City of Claremont High Rise Sign District Overlay. The guidelines explain the areas that are available for certain signs, heights, sizes and etc. that are allowed in our city sign ordinance.

Gene Monday, owner of The Dive Shop and Claremont Self Storage, and other business owners think it should be a tiered type system. North Claremont, mainly the Centennial Blvd. area seems to be a business district that we want to promote and with the overlay that we're doing with the 350 feet dividing Centennial Blvd. you're really just talking about the land right next to the interstate. With the sign square footage that you're going with, which is 150 feet, everything else is 32 sq ft. That is a drastic difference and I think it would be a very competitive business disadvantage for the people on south blvd. We would like to go 450 feet. That would cover a lot of the north Claremont business district.

Laurie LoCicero, City Planner, stated when the planning board looked at this we were trying to go with the guidance that Council gave us and it was really directed to the parcels that are immediately adjacent to the interstate and those that have businesses that pull traffic off of the interstate. Such as Mr. Cathey's business that relies on the interstate traffic.

Councilmember Dale Sherrill stated I think what we looked at was having high rise signs period. It's an interstate issue. Once you get away from the overlay district it becomes a street sign along a road and 32 sq. ft. is what we have all around town. Once you get to the interstate area where high rise has to be an interstate issue, I don't see a reason to change it.

City Manager Barrick stated one of the issues that the planning board wrestled with was the height requirement in the overlay district. Originally we looked at a 60 ft. sign but after the planning board discussed it they came back with an 80 ft. sign. The rationale behind that was because of the actual elevation difference of our interchange. If we start to back that requirement more than 350 ft. off the interstate you're going to have to look at an even taller sign to be able to see that from the interstate.

Mayor Morrow stated we want to be able to find a middle ground. If we get into this expanded overlay than we would have huge signs everywhere.

At 8:05 p.m. a motion was made by Mayor Pro Tem Timothy Lowrance to close the public hearing and reconvene the regular meeting. Councilmember Dale Sherrill seconded the motion. The motion passed unanimously.

B. City of Claremont Code of Ordinances Fire Prevention Code - At 8:05 p.m. a motion was made by Councilmember Shawn Brown to open the public hearing to discuss City of Claremont Code of Ordinances Fire Prevention Code. Councilmember Nicky Setzer seconded the motion. The motion passed unanimously.

Fire Chief Gary Sigmon stated this just helps clean up the ordinance book. The current ordinance refers to the 2003 international fire code and fire prevention code. By changing the wording to the most current edition we will not continually have to update our ordinance book.

At 8:09 p.m. a motion was made by Councilmember Nicky Setzer to close the public hearing and reconvene the regular meeting. Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

9. OLD BUSINESS

A. Long Range Water & Sewer Utility Fund Operations Planning – The City of Claremont is at a cross roads with our Water & Sewer Utility Fund in terms of long range sewer capacity. On the heels of the

McLin Creek Preliminary Engineering Report the City has a few options to address the current and long term needs of the sewer system.

The North WWTP will need to be addressed in the short term to comply with NCDENR and EPA regulations in regards to the amount of waste water the plant is able to process on a daily basis. The NPDES permit allows the plant to handle 100,000 gallons per day; however the plant has seen volumes of over 100,000 gallons per day for 5 of the last 9 months.

10. NEW BUSINESS

A. City of Claremont and the City of Hickory Waste Water Operations Agreement – A motion was made by Councilmember James Stanley to approve the waste water operations agreement with the City of Hickory with text changes as noted. Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

B. O'Cup Bean & Bakery Community Board – O'Cup Bean & Bakery of 3279 East Main Street has submitted a request to install a community information board in the grassy area between the entrance and exit of their parking lot in a location close to the sidewalk along East Main Street. The sign is allowed by our sign code; however it requires approval from the City Council.

O'Cup Bean & Bakery will be responsible for the information that is posted the board and has offered to allow the City to post information as needed.

A motion was made by Councilmember Dale Sherrill to approve the community board at O'Cup Bean & Bakery. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

C. Ordinance 01-11 Fire Prevention Code – A motion was made by Mayor Pro Tem Timothy Lowrance to accept Ordinance 01-11 as presented. Councilmember Dale Sherrill seconded the motion. The motion passed unanimously.

D. Ordinance 02-11 High Rise Sign District Overlay – A motion was made by Councilmember Nicky Setzer to accept Ordinance 02-11 as presented. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

E. Ordinance 03-11 Claremont Zoning Map – A motion was made by Councilmember Shawn Brown to accept Ordinance 03-11 as presented. Councilmember Nicky Setzer seconded the motion. The motion passed unanimously.

F. Resolution 01-11 Oppose Rate Increase By Duke Energy – A motion was made by Councilmember James Stanley to oppose the rate increase by Duke Energy. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

11. DEPARTMENT & COMMITTEE REPORTS

A. Youth Council – They are recruiting for the upcoming school year.

B. Fire Department - Gary Sigmon, Fire Chief, reported the Fire Department responded to 29 calls for the month and 175 for the year. There was 259.32 man hours spent on fire calls. The average response time to calls is 4 minutes 45 seconds till the first engine was on the scene.

City Manager Barrick commended Fire Chief Gary Sigmon and Wendy Helms for level II also for safety committee being overseen by Chief Sigmon.

C. Police Department - Gerald Tolbert, Police Chief, reported Captain Gary Bost has been awarded the advance certificate, which is the highest certificate that you can receive.

D. Public Works - Tom Winkler, Public Works Director, stated the storm drains are being cleaned out. The water tank at Kelly is being drained and cleaned and will be inspected tomorrow.

E. Rescue Squad – Ryan Smith stated September 8th the rescue Squad will be having a dinner and anyone is invited. Next Thursday is the Rescue Squad's business meeting and they will be drawing for the gun at the meeting.

F. Utilities Department – City Manager Doug Barrick reported they are continuing to work with AdvancedPierre Foods on the installation of a new pretreatment facility at their location. NCDENR has sent a letter asking the City to survey every industrial and commercial user connected to the waste water system and sample any significant commercial or industrial user on the system for all discharge parameters. The City of Hickory has completed all of the required surveys and has begun meeting various clients to begin working to find ways to improve internal processes that would help improve individual flow statistics. We've secured Davis & Floyd Engineers to evaluate the flow issues at the WWTP and recommend flow monitoring areas. They are also going to evaluate the need for smoke testing areas of the North WWTP drainage basin for inflow.

G. Planning and Zoning – City Planner Laurie LoCicero reported the resurfacing of I-40 from Conover to Iredell County the bulk of it will start next spring.

H. Recreation - Henry Helton reported Susan needs more ideas for senior programs. He proposed to have a reservation sign for the picnic tables in the park.

The Council agreed to back a reserved sign for the big picnic shelter only.

I. Appearance Committee – No Report.

J. Veterans Memorial Committee – An Eagle Scout wants to do some landscaping around the Veterans Memorial and will bring some more information back to the council at the next Council Meeting.

12. CITY MANAGER'S REPORT

City Manager Doug Barrick stated Centro Rotational Molders is expanding their facility. The Claremont Hardware will hopefully be open before Claremont Day this fall. The City has been working with the EDC on a new city properties flyer that will be able to market all available properties on hard copy. He spoke with the cities consultant that is working on a truck route for the city and he has found some loop holes that may allow us to move forward. Sam Nichols emailed Doug about the possibilities with the intersection at

Lookout and Centennial and their recommendations are double stop ahead signs on all street side approaches, add 25 mile per hour advisory sign to the existing sign on Lookout Drive, and cut vegetation blocking the stop sign on the west bound approach and recommend cutting the vegetation blocking the sign on the south bound approach. There will be a litter sweep on September 17th through October 1st. NCDOT is giving out cash prizes for the most unusual trash. We have petitioned for NCDOT to take over Heart Drive. Claremont will host a pre-game meal on September 30th for Bunker Hill at St. Mark's Lutheran Church. After August 4th we should know if we were funded in this year's grant cycle for improvements on Francis Sigman Park. Appalachian State University will be holding a ribbon cutting ceremony on August 15th at the Blackburn Landfill for a development and production facility for biodiesel research.

13. CLOSED SESSION - At 9:09 p.m. Mayor Pro Tem Timothy Lowrance moved to go into closed session in reference to G.S. 143-318.11(a)(3). The motion was seconded by Councilmember James Stanley. The motion passed unanimously.

At 10:20 p.m. Mayor Pro Tem Timothy Lowrance moved to adjourn the closed session. The motion was seconded by Councilmember James Stanley. The motion passed unanimously.

12. ADJOURN - At 10:21 p.m. Councilmember Nicky Setzer moved to adjourn the City Council meeting. The motion was seconded by Councilmember James Stanley. The motion passed unanimously.

Respectively submitted,
Mandy D. Buff,
Administrative Support Clerk

APPROVED JULY 5, 2011