



## **City of Claremont Regular Meeting Minutes Monday, May 6, 2013**

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 Monday, May 6, 2013.

The following members of the Claremont City Council were present: Mayor David Morrow, Mayor Pro Tem Timothy Lowrance, Councilmember Shawn Brown, Councilmember Nicky Setzer, Councilmember Dale 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, Administrative Support Clerk Mandy Buff, Deputy Police Chief Gary Bost, Fire Chief Gary Sigmon, Public Works Lead Supervisor Rick Damron, Bryan Martin, Pamela Shook, Duane Cozzen, Allen Long, Clay Buff, David Clark and David Allen.

Others in attendance were: Pansey Helderman, Jennifer Harris, Faye Harris, Kay Bost, Kathryn Gailey, Keith Bost, Philip Toelkes, Brandi Tolbert, Melinda Bumgarner, Ramona Cozzen, Robert Winrow, Lisa Treadaway, Shawn Treadaway, Clifton Smith, Autumn Edwards, Susan Tucker, Jordan Presnell, Michael Kirby, Ron Self, Cody Jarvis, Stephen Bumgarner, Hannah Elliott, Alan Russell, Rupert Little, Robert Smith, Andrea Ramsey, Laurie LoCicero, Katana DeMauro, Rebecca Rhodes, Terri Pope, Gene Monday and Bill Stamey.

### **1. CALL TO ORDER**

Mayor David Morrow called the Claremont City Council meeting to order at 7:00 p.m.

### **2. APPROVAL OF AGENDA**

The agenda was approved as presented.

### **3. INVOCATION & PLEDGE OF ALLEGIANCE**

The invocation was led by Associate Pastor Chris Nivens from Liberty Hill Baptist Church. Councilmember Shawn Brown led the Pledge of Allegiance.

### **4. MAYOR'S REPORT & PROCLAMATIONS**

Mayor David Morrow along with Cargo Transporters, the City Council and Claremont Elementary School planted a Dogwood tree on Claremont Elementary School's campus to celebrate Earth Day. April 27<sup>th</sup> was Police Chief Gerald Tolbert's retirement dinner at Saint Marks Lutheran Church, on May 2<sup>nd</sup> was the Mayor's Prayer Breakfast and on May 4<sup>th</sup> was the city wide yard sale and several other events. On Memorial Day the City will have a ceremony at the Veteran's wall in the city park. The

ceremony will begin at 10 a.m. and the 3<sup>rd</sup> wall will be presented. A new restaurant has opened on Main Street called Marely's.

**A. National Police Week** - Mayor David Morrow proclaimed the week of May 12<sup>th</sup> – May 18<sup>th</sup> 2013 as “Claremont Police Week”.

**B. National Public Works Week** - Mayor David Morrow proclaimed the week of May 19<sup>th</sup> – May 25<sup>th</sup> 2013 as “Claremont Public Works Week”.

## **5. CONSENT AGENDA**

**A. Regular Meeting Minutes – April 1, 2013** –Councilmember Dale Sherrill made a motion to accept April 1, 2013 regular meeting minutes as presented. Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

**B. Closed Session Meeting Minutes – April 1, 2013** –Councilmember Dale Sherrill made a motion to accept April 1, 2013 closed session meeting minutes with the addition G.S. 143-318.11(a)(5) under item 11 closed session. Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

## **6. CITIZEN'S CONCERN'S & COMMENTS**

None

## **7. PRESENTATIONS**

**A. Fiscal Year 2014 Managers Recommended Budget** – City Manager Doug Barrick presented the FY 2014 managers recommended budget.

**B. Claremont Police Department** – City Manager Doug Barrick presented Deputy Chief Gary Bost with chief epilates and badge. Mayor David Morrow announced Claremont's new Police Chief, Chief Gary Bost.

**C. Claremont Public Works** – City Manager Doug Barrick presented the Public Works department with a framed image of the theme of Public Works Week.

**D. Claremont Youth Council** – Councilmember Dale Setzer presented the graduating senior's with a certificate of appreciation and a gift card.

## **8. PUBLIC HEARING**

At 7:54 p.m. Mayor Pro Tem Timothy Lowrance made a motion to recess the regular council meeting to open a public hearing. Councilmember Nicky Setzer seconded the motion. The motion passed unanimously.

**A. City of Claremont Code of Ordinances Beer & Wine Text Amendments** – City Attorney Bob Grant stated I would like to add that actually the title of this is a little incomplete because the proposed ordinance has text language that would permit spirituous liquor to be sold. Not that it is mandated but if we approved that it would be an option along with beer or wine.

At 7:57 p.m. Councilmember Nicky Setzer made a motion to close the public hearing and reconvene the

regular council meeting. Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

At 7:57 p.m. Councilmember Shawn Brown made a motion to recess the regular council meeting to open a public hearing. Councilmember Dale Sherrill seconded the motion. The motion passed unanimously.

**B. City of Claremont Code of Ordinances Zoning Sign Text Amendments** – City Planner Laurie LoCicero stated the Planning Board held a public forum at our April meeting and reviewed the changes that we have been working on. We have come up with five major changes in our sign ordinance.

Churches and civic buildings can now have two permanent ground signs per street front. Currently we only allow one. Commercial flags and sandwich board signs will be allowed but must be brought in at the end of business each day and must meet the size requirements.

We have increased the size of the ground mounted signs for manufacturing and industrial buildings because those buildings are typically bigger and they receive an abundance of deliveries so we wanted the truck drivers to be able to see the signs. We have also increased the size of the sign in multitenant buildings. In the ordinance we do define commercial flags and A-frame signs.

City Manager Doug Barrick said, “I have a question about the commercial flags. If the flag is lit at night on the pole how did you address that in the ordinance? I’m thinking of the commercial businesses that have multiple flags on multiple poles.”

City Planner Laurie LoCicero said, “This isn’t for anything on a permanent flag pole. The commercial flag is defined in the ordinance as a temporary flag that is used for something like advertising.”

Mayor Pro Tem Timothy Lowrance said, “If a church uses a sandwich board to advertise something are you going to require them to go there every day and have them take the sign in and out?”

City Planner Laurie LoCicero said, “Yes.”

Mayor Pro Tem Timothy Lowrance said, “I don’t think so. You don’t have people at the church every day and I don’t think that should be permitted. It should not be required for someone to make a special trip by the church to move that sign in.”

City Manager Doug Barrick said, “I think the planning board went over and above. A lot of these sign ordinance text changes came and stemmed from civic and religious usage. I will say the planning board I think went over and beyond the call of duty to incorporate all of the pastors here in Claremont and church officials in the revised text you have here. Not only on the onset in a public forum they actually had two public forums one on what the public wanted to see and what did the pastors want to see in this sign text and once they came up with a draft they called them back to their meeting last month and reviewed those sign texts. I understand your comment Tim, I appreciate your comment, that there’s not people at the church but from our perspective in order to enforce this we have to be fair across the board. If we are going to do this for a business we have to treat a business just as we would the civic or religious use. We have opened it up for civic and religious uses now to be able to have two permanent signs per street front. In addition to the two signs and the temporary sign they can also put a banner up two weeks prior to the event. From what I have heard from the pastor community and religious community I think we have every one in agreeance with what we’ve presented.”

Mayor Pro Tem Timothy Lowrance said, “So basically they can put a banner out two weeks before the event and don’t have to take it down.”

City Planner Laurie LoCicero said, "Correct."

Councilmember Dale Sherrill said, "Would the A-frame not be a temporary also if it's advertising an event two weeks down the road."

City Planner Laurie LoCicero said, "It could, the A-frame or sandwich board is really geared toward more on being on the sidewalk but if it's not on the sidewalk it's okay to leave it out two weeks prior to the event."

Councilmember Dale Sherrill said, "I agree with Doug that I think we have promoted this out as much as we can to the pastors in the area and I have attended both of the Planning Board's public forums and the one where they invited them back not one pastor showed up."

Councilmember Shawn Brown said, "What about the sign like the Fire Department puts out for the pancake breakfast, the ones that are printed and have the little metal post. Where do they fall under?"

City Planner Laurie LoCicero said, "They are temporary signs. They are allowed to be put out two weeks prior to the event."

Charles Connor III said, "Laurie is there any way we can ban political signs? Where do they fall under this ordinance? They put them out and never come back to take them up."

City Planner Laurie LoCicero, "They're only supposed to put them out a few weeks prior to the election. They have seven days to remove them after the election."

City Manager Doug Barrick said, "Really there are two requirements one federal law and two state law that dictates that. They can put out the signs thirty days prior to the election and where our ordinance comes in is they have to be removed within seven days after the election. Also they are not suppose to have their political signs in the right of way."

At 8:09 p.m. Councilmember Dale Sherrill made a motion to close the public hearing and reconvene the regular council meeting. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

At 8:10 p.m. Councilmember Dale Setzer made a motion to recess the regular council meeting to open a public hearing. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

### **C. City of Claremont Voluntary Annexation 13-01 – No one spoke about the topic.**

At 8:10 p.m. Councilmember Dale Setzer made a motion to close the public hearing and reconvene the regular council meeting. Councilmember Dale Sherrill seconded the motion. The motion passed unanimously.

## **9. OLD BUSINESS**

None.

## **10. NEW BUSINESS**

**A. Ordinance 11-12 Beer & Wine Text Amendments** - Councilmember Shawn Brown made a motion to approve Ordinance 11-12 as presented. Councilmember Dale Sherrill seconded the motion. The motion passed unanimously.

**B. Ordinance 12-12 Zoning Sign Text Amendments** - Councilmember Dale Setzer made a motion to approve Ordinance 12-12 as presented. Councilmember Nicky Setzer seconded the motion passed unanimously.

**C. Ordinance 13-12 Zoning Sign Text Amendments** – The property owner approached City Manager Doug Barrick and requested to be annexed into the city limits of Claremont. Mayor Pro Tem Timothy Lowrance excused himself from voting due to him being the property manager.

Councilmember Shawn Brown made a motion to approve Ordinance 13-12 as presented. Councilmember Dale Setzer seconded the motion passed unanimously.

**D. NCDOT Sidewalk Grant Agreement** - Councilmember Dale Sherrill asked if the sidewalks aren't completed by the deadline that is stated in the agreement will we lose the funding.

City Manager Doug Barrick stated an extension can be requested if need be.

Councilmember Nicky Setzer made a motion to approve the NCDOT sidewalk grant agreement as presented. Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

**E. School Street Pump Station Upgrade Contract** - Councilmember Shawn Brown made a motion to approve the School Street pump station upgrade contract as presented. Councilmember Dale Sherrill seconded the motion. The motion passed unanimously.

**F. Budget Transfer** - Monies have been moved in the FY 2013 Budget to fund various end of the budget year projects and adjustments.

## **9. DEPARTMENT & COMMITTEE REPORTS**

**A. Youth Council** – Autumn Edwards reported the relay for Life event will be at the Hickory fairgrounds this year. Also there is one Zumba fundraiser class left. American Idol participant, Dave Pittman, will be performing in the City Park on May 11<sup>th</sup> at 6:00 p.m.

**B. Fire Department** – City Manager Doug Barrick reported fire prevention participated in 2 car seat installation events and installed 4 car seats. Engineers and other members are taking a certification class for the operation of the ladder truck.

**C. Police Department** – Chief Gary Bost reported Officer David Allen made an arrest for possession of “crack” cocaine; Lieutenant Allen Long investigated a case of vandalism at McKinley Leather and Countywide Insurance. Corporal David Clark made two arrests for discharging a firearm in the city park.

**D. Public Works** – Lead Supervisor Rick Damron stated they have been working on trimming the trees at the interstate. The summer help employee will be working full time hours starting May 7<sup>th</sup>.

**E. Rescue Squad** – Tim thanked everyone for their support in the Pig Picking and Poker Run fundraiser.

**F. Utilities Department** – City Manager Doug Barrick reported the gap in the water and sewer usage amounts between the amount Claremont has billed and the amount the City of Conover has billed Claremont is decreasing. The 2012 water quality report is finished and there is web address on the water bills for citizens to view the report.

**G. Planning & Zoning** – City Planner Laurie LoCicero reported the Planning Board finalized the sign revisions and they held a public forum on draft revisions, they invited the business community and churches to attend and give their input.

**H. Parks & Recreation Committee** – Mayor Pro Tem Timothy Lowrance reported the committee has been busy. The Hope 4 Cure event was a success. Pinnacle Amusement will be providing the kids' activities for Claremont Daze.

City Manager Doug Barrick asked the Parks & Recreation committee to come up with a reservation policy for the City Park to avoid issues in the future.

**I. Appearance Commission** – Councilmember Nicky Setzer reported the yard of the month winner is Shane and Angela Houston. They will receive a \$25 gift certificate to Box Car Grille.

## **10. CITY MANAGER'S REPORT**

City Manager Doug Barrick stated the Western Piedmont Symphony will be hosting The Kontras Quartet on May 22<sup>nd</sup> in the Council Chambers at 10 a.m. and 5 p.m. and it is free of charge. In a continued effort to go paperless City Hall now has a digital display in the lobby to advertise news and events. Anyone that sees sidewalk issues that needs repairing please call City Hall so it can be fixed.

## **11. CLOSED SESSION**

At 8:44 p.m. Councilmember Nicky Setzer made a motion go into closed session in reference to G.S. 143-318.11 (a)(4). Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

At 10:08 p.m. Mayor Pro Tem Timothy Lowrance made a motion to adjourn the closed session and reconvene the regular session. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

Councilmember Nicky Setzer made a motion to approve the conceptual agreement with The Wooten Company for engineering work to evaluate Phase II of the business park and the price not to exceed \$20,100. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

## **12. ADJOURN**

At 10:08 p.m. Councilmember Dale Setzer made a motion to adjourn the City Council meeting. Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

Respectfully submitted,  
Mandy D. Buff, Administrative Support Clerk

Attested:

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David B. Morrow, Mayor

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Douglas L. Barrick, City Clerk