



## **City of Claremont Regular Meeting Minutes Monday, July 7, 2014**

The regular City Council meeting of the City of Claremont was held in the council chambers located at Claremont City Hall at 7:00 p.m. on Monday, July 7, 2014.

The following members of the Claremont City Council were present: Mayor Shawn Brown, Councilmember Timothy Lowrance, Councilmember Dayne Miller, 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 Wendy Helms, Rick Damron, Lieutenant Allen Long, Jessica Miller, Fire Chief Bart Travis, Melinda Bumgarner, Police Chief Gary Bost, Sgt. David Clark, Officer Dillon Keller and City Planner Shelley Stevens.

Others in attendance were: Robert Smith, Andrea Ramsey, David Morrow, John Cathey, Leasa DeLozier, John Dollar, Bill Shillito, Evan Matsumoto, Crystal Clark, Charles Connor III, Jim Acker, Tiffany Winters, Heather Morgan, Cameron Morgan, Ray Ball, Bruce Hartsoe, Brian Helms, Rev. Wesley Frye, Lori Little, Kevin Little, Kaley Clark, Gene Monday, Kathy Lowrance, Scott Ramsey, Michael Donato, Jason Lowrance, Jennifer Lowrance, John Polinski, Pat Polinski, Duane Cozen, Stephen Bumgarner, Alan Russell, and Fred Zeytoonjian.

### **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 approved as presented.

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

The invocation was given by Rev. Wesley Frye. Councilmember Dale Sherrill led the pledge of allegiance.

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

Mayor Brown started with recognizing two Claremont Police officers: Sgt. David Clark and Officer Dillon Keller. These officers were first on the scene to a cardiac arrest. They performed life saving techniques. The patient has been allowed home from the hospital. He also commended Chief Bost and Lt. Long for their work on a forgery case and a recent bank robbery. He spoke briefly about several thank you letters to the City. He announced that Bunker Hill's Hope 4 a Cure is donating \$400 to the PJ Stanley Memorial Fund.

## 5. CONSENT AGENDA

**A. June 2, 2014 Regular Meeting Minutes** – Councilmember Timothy Lowrance made a motion to accept June 2, 2014 regular meeting minutes as presented. Councilmember Nicky Setzer seconded the motion. The motion passed unanimously.

**B. June 2, 2014 Closed Session Minutes-** Councilmember Timothy Lowrance made a motion to accept June 2, 2014 closed session minutes as presented. Councilmember Nicky Setzer seconded the motion. The motion passed unanimously.

**C. Resolution 01-14 Appearance Committee Appointment-** Councilmember Timothy Lowrance made a motion to appoint David Morrow to the Appearance Committee. Second was made by Councilmember Nicky Setzer. Motion passed unanimously.

**D. Resolution 02-14 Carolina Thread Trail-** Councilmember Timothy Lowrance made a motion to accept Resolution 02-14, to support and commit to funding construction of a paved greenway trail in coordination with Carolina Thread Trail. Second was made by Councilmember Nicky Setzer. Motion passed unanimously.

**E. Memorandum of Understanding with North Carolina Wireless-** With the city’s approval NCW proposes to conduct engineering studies, and site survey’s to demonstrate the feasibility of broadband service to new and expanding business park and others in the general area.

Councilmember Timothy Lowrance made a motion to accept the proposal from North Carolina Wireless. Second was made by Councilmember Nicky Setzer. Motion passed unanimously.

## 6. CITIZEN’S CONCERN’S & COMMENTS- none

## 7. PRESENTATIONS

**A. Fiscal Year 2014 Goal Reviews-** Each department discussed there year end accomplishments.

**B. Connor Family-** Charles Connor III purchased the original sign that hung at the Claremont Depot. He in turn sold it to the city for a donation. This sign was presented to council and those in attendance.

**C. Fire Department 2014-2015 Officer Installations-** Fire Chief Bart Travis and City Manager Barrick swore in the newly elected officers of the Claremont Fire Department.

Assistant Chief – Jason Lowrance

Assistant Chief – Bruce Hartsoe

Captain- Brian Helms

Captain- Kevin Little

Lieutenant – Cameron Morgan

Lieutenant- Ray Ball

Lieutenant- Jim Acker

**8. PUBLIC HEARING-** Motion was made by Councilmember Timothy Lowrance to open a public hearing at 7:50 p.m. Second was made by Councilmember Dale Sherrill. Motion passed

unanimously. Purpose of the public hearing: Development Agreement between the City of Claremont and Apple Inc.

Motion was made by Councilmember Timothy Lowrance to close the public hearing at 8:05 p.m. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

Motion was made by Councilmember Dale Sherrill to open a public hearing at 8:05 p.m. Second was made by Councilmember Nicky Setzer. Motion passed unanimously. Purpose of the public hearing: Economic Development Agreement between the City of Claremont and Apple Inc.

Motion was made by Councilmember Nicky Setzer to close the public hearing at 8:06 p.m. and go back into regular session. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

## **9. OLD BUSINESS-** none

## **10. NEW BUSINESS**

**A. Fiscal Year 2014 Audit Contract-** North Carolina General Statutes require that the City Council Select and Approve a Certified Public Accountant as soon as possible after the close of each fiscal year to audit all accounts. The auditor shall be selected by and shall report directly to the governing board.

Motion was made by Councilmember D.B. Setzer to accept the contract from Melanie Starr, CPA for the fiscal year 2014 audit. Second was made by Councilmember Nicky Setzer. Motion passed unanimously.

**B. Wooten Company Contract for CMAQ Sidewalks- C-5195-** The City has been awarded a CMAQ grant for the design and construction of sidewalks within the city totaling 8,030 feet of sidewalks. The Wooten Company was selected by staff using a qualifications based selection process. The contract amount is in line with the project budget. It is recommended that City Council approve this contract pending any final changes from NCDOT.

Motion was made by Councilmember Nicky Setzer to approve this contract pending any final changes from NC DOT. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

**C. Contract with Smeal Fire Apparatus Company-** As a member of the HGAC buy consortium the City has been negotiating with various Fire Apparatus companies to find the best apparatus at the best price that meets the department's operational needs for the next 25-30 years. Smeal Fire Apparatus as presented a contract for a 5 man custom cab pumper featuring a 450 hp engine, a 1500 g.p.m pump, 1000 gallon tank, 30 gallon foam system, a booster reel, electric deck gun, and a SCBA air fill station. The proposed custom cab engine cost is \$445,000. This price is above the proposed budget of \$425,000 however for the needed features no apparatus manufacture has been able to meet the proposed budget for this purchase. In FY 13 the budget for this truck was set at \$475,000 and was dropped in FY 14 due to increased budget needs from the dept. Recently the dept. has been awarded a radio grant which will free up needed capital. It is proposed to authorize an expenditure of \$475,000 to purchase and up fit this truck for service. This would come in the form of a cash down payment followed by installment financing or use of the Capital Reserve funds depending on the results of the financing market.

Motion was made by Councilmember Timothy Lowrance to accept the bid from Smeal for \$445,000 for the fire apparatus and \$30,000 for the equipment needed for the truck; for a total of \$475,000. Second was made by Councilmember D.B. Setzer. Motion passed unanimously.

#### **D. Development Agreement between the City of Claremont and Apple Inc. –**

**Proposed Project:** a 100 acre 17.50 megawatt solar farm; with an initial investment of \$55 million. The project is located outside of the City at this time however Apple has agreed to a voluntary annexation.

#### **Highlights of the Development Agreement:**

Apple with Voluntary Annex in to the corporate limits of the City  
The City will provide a fire hydrant at the entrance to the farm  
The City will provide normal police and fire services  
Apple and Claremont will exchange lands  
Apple will lease back new city property for a period of 2 years for construction  
The City will vest the development rights for this project for a period of 20 years

Motion was made by Councilmember Nicky Setzer to accept the Development Agreement with Apple, Inc. Second was made by Councilmember Timothy Lowrance. Motion passed unanimously.

#### **E. Economic Development Agreement between the City of Claremont and Apple Inc. –**

**Proposed Project:** a 100 acre 17.50 megawatt solar farm; with an initial investment of \$55 million. The project is located outside of the City at this time however Apple has agreed to a voluntary annexation.

#### **Highlights of the Economic Development Agreement:**

- Investment of \$55 Million in the property
- Creation of 75 indirect jobs during the construction
- City to provide annual grant payments of 80% of the solar value –only if NCGS 105-275 is repealed or revised. Under a revision the City would pick up the delta between the revised law and 80%.

Motion was made by Councilmember D.B. Setzer, to accept the agreement between the City of Claremont and Apple, Inc. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

**F. Resolution 03-14 Exchange of Land Rights-** Pursuant to North Carolina General Statute § 160A-271, the City Council of the City of Claremont, North Carolina, states its intention to authorize the exchange of certain City-owned property for certain property owned by Apple Inc. or Apple Inc. has the right to own.

The exchange involves the following interests of land:

The City shall receive from Apple Inc. for greenway, public recreation and other public purposes two tracts of land of approximately 8.264 and 17.995 acres located North and South of Kelly Boulevard between Penny Road and South Depot Street with reservations of various easements and rights. These tracts of land are portions of Tax Parcel Number 376109156074 and their combined value is \$92,793.00

The land rights to be conveyed by the City shall be:

A tract of land approximately 1.51 acres, being the City's former South Waste Water Treatment Plant site and being described in Deed Book 940, Page 324, Catawba County Registry and identified as Tax Parcel Number 376105175825, together with land and access and utility easements in and near South

Oxford Road and the City's former Waste Water Treatment Plant site North of Kelly Boulevard and their combined value is \$36,000.00.

Motion was made by Councilmember Timothy Lowrance to accept Resolution 03-14 Exchange of Land. Second was made by Councilmember Dale Sherrill. Motion passed unanimously.

**G. Resolution 04-14 Surplus Property-** The items up for surplus under this resolution are a 2005 Toro zero turn lawnmower that has been replaced with a new mower and a 1987 Ford F-350. The Ford will be replaced by the recently ordered Engine 71. It is recommended to sell this vehicle now to gain the maximum value. These items will be sold via Govdeals.com.

Motion was made by Councilmember Nicky Setzer to accept Resolution 04-14. Second was made by Councilmember Timothy Lowrance. Motion passed unanimously.

**H. Coffee Pot- Streetscape Enhancement Funding-** In an effort to create a vibrant and active downtown the City has from time to time participated in the enhancement of local businesses that are starting up or expanding their operations.

A request from Candy Coffee of the soon to be Coffee Pot at 3279 East Main Street has come into City Hall for this grant. The request will be used to enhance the streetscape of the building and to provide a suitable restaurant environment.

Motion was made by Councilmember Dale Sherrill to accept the Streetscape Enhancement Grant Request. Second was made by Councilmember Dayne Miller. Councilmember Nicky Setzer abstained from voting. Motion passed unanimously.

**I. Ordinance 01-14 Budget Amendment-** Motion was made by Councilmember Nicky Setzer to accept Ordinance 01-14. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

**J. Budget Transfer-** This budget transfer was for information purpose only.

## **11. DEPARTMENT & COMMITTEE REPORTS**

**A. Quarterly Financial Reports-**

**B. Monthly Department Dashboard Report-** There was no questions in reference to the monthly dashboard report.

**C. Parks and Recreation Committee-** Jessica Miller spoke on behalf of the Recreation Committee.

**D. Appearance-** Councilmember Nicky Setzer discussed the yard of the month winner, Jana Lemoine.

**12. CITY MANAGER'S REPORT-** City Manager Barrick introduced Shelley Stevens. Shelley is the new City Planner. He also discussed that the city will begin online bill pay for water and sewer services beginning in August. Manager Barrick reported that he would be sitting down with Catawba County Animal Control to clarify and update some of the animal control ordinances.

**13. CLOSED SESSION:** Motion was made by Councilmember Timothy Lowrance to go into a closed session in reference to G.S. 143-318.11(a) (4) at 8:47 p.m. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

Motion was made by Councilmember Timothy Lowrance to recess the closed session at 9:18 p.m. Second was made by Councilmember Dale Sherrill. Motion passed unanimously.

**14. ADJOURN-** Motion was made by Councilmember Dayne Miller to adjourn the meeting at 9:23 p.m. Second was made by Councilmember Nicky Setzer. Motion passed unanimously.

Respectfully submitted,  
Wendy L. Helms, Administrative Support Clerk

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Shawn R. Brown, Mayor

Attested:

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Douglas L. Barrick, City Clerk