



**CITY OF CLAREMONT
CITY COUNCIL MEETING
Regular Meeting
March 7, 2016
7:00 PM
Claremont City Hall**

AGENDA

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
- 3. INVOCATION-** Dennis Marshall- Bethlehem United Methodist Church
- 4. PLEDGE OF ALLEGIANCE**
- 5. MAYOR'S REPORT**
- 6. CONSENT AGENDA**
 - A. Regular Meeting Minutes –February 1, 2016
 - B. Closed Session Minutes- February 1, 2016
- 7. CITIZEN'S CONCERNS AND COMMENTS**
- 8. OLD BUSINESS**
 - A. Budget Transfer
- 9. PUBLIC HEARING**
 - A. Consideration for Rezoning at 2883 North Oxford
- 10. PRESENTATIONS**
 - A. Suzanne White, Library Director- Catawba County Library
 - B. Police Department Awards
- 11. NEW BUSINESS**
 - A. Resolution 18-15 Appointing Members to the Planning Board
 - B. Resolution 19-15 Directing the Clerk to Investigate a Petition for Annexation- 2985 Oxford Way
 - C. Resolution 20-15 Call for Public Hearing- Voluntary Annexation 2985 Oxford Way
 - D. Resolution 21-15 Directing the Clerk to Investigate a Petition for Voluntary Annexation- 3000 Frazier Drive
 - E. Ordinance 10-15 Amending the Official Zoning Map- 2883 N. Oxford
 - F. Call for Public Hearing Protest Petition -Text Amendment
 - G. Call for Public Hearing Residential Architectural Standards- Text Amendment
 - H. Resolution 22-15 Adopt Changes to Personnel Policy

12. DEPARTMENT & COMMITTEE REPORTS

A. Department Dashboard Report

13. CITY MANAGER'S REPORT

14. CLOSED SESSION

15. ADJOURN

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Wendy Helms, City Clerk

Action Requested: Consent Agenda

1. Regular Session Minutes – February 1, 2016
2. Closed Session Minutes- February 1, 2016

Recommendation: Approve as Presented



City of Claremont Regular Meeting Minutes Monday, February 1, 2016

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, February 1, 2016.

The following members of the Claremont City Council were present: Mayor Shawn Brown, Councilmember Timothy Lowrance, Councilmember Dayne Miller, Councilmember Lee Miller and Councilmember David Morrow. 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, Fire Chief Bart Travis, Public Services Director Tom Winkler, Captain Allen Long, Recreation Coordinator Michael Orders, Finance Officer Stephanie Corn, City Planner Elinor Hiltz and City Attorney Bob Grant.

Others in attendance were: Robert Winrow, Melanie Starr, Jason Sigmon, Taylor Dellinger, Fara Dellinger, Les Morrow, Steve Norris, Eric Jones, Jimmy Freeman, Leah Martin, Clarence Lockamy and Slade Harvin

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, with Item 10H being moved to after the closed session.

3. INVOCATION & PLEDGE OF ALLEGIANCE

The invocation was given by Reverend Jason Sigmon from Mt. Calvary Lutheran Church. Mayor Shawn Brown led the Pledge of Allegiance.

5. MAYOR'S REPORT

Mayor Brown thanked all City departments for their work during the recent snow storm.

6. CONSENT AGENDA

A. January 4, 2016, Regular Meeting Minutes – Councilmember Timothy Lowrance made a motion to accept January 4, 2016 regular meeting minutes as presented. Councilmember Dayne Miller seconded the motion. The motion passed unanimously.

B. January 12, 2016, Special Called Meeting Minutes – Councilmember Timothy Lowrance made a motion to accept the minutes from January 12, 2016 special called meeting as presented. Councilmember Dayne Miller seconded the motion. The motion passed unanimously.

7. CITIZEN'S CONCERNS & COMMENTS- none

8. OLD BUSINESS-

A. Budget Transfer- Transfer of funds were made to allocate additional funds into the fire department contribution and miscellaneous line items. Informational only.

B. Resolution 18-15 Poppelmann Lease Agreement- In order for Pöppelmann Plastics to begin receiving rail shipments from Norfolk Southern, Pöppelmann and Norfolk Southern must execute a siding agreement. However, before the siding agreement can be executed a lease agreement between Pöppelmann and the City must be executed. The lease agreement allows Pöppelmann Plastics to lease the spur and execute the siding agreement.

The City executed a lease agreement with Pöppelmann in July of 2012. Pöppelmann executed the same lease agreement in July of 2015 but re-dated it July 1, 2015. The lease terms are otherwise identical. To account for the discrepancy in date of execution, it is recommended that the City now ratify a version with the 2015 date of execution.

Motion was made by Councilmember Timothy Lowrance to accept Resolution 18-15 as presented. Councilmember David Morrow seconded the motion. Motion passed unanimously.

9. PRESENTATIONS-

A. Mayor's Proclamation Supporting the Carolina Panthers- Mayor Brown read into record a Proclamation declaring "Panther Pride Week" in Claremont. Everyone was encouraged to show their Panther Pride by wearing the team colors and gear the week before the Super Bowl.

B. 2014-2015 Audit Presentation- Melanie Starr gave Council a slide show and presentation of the completed 2014-2015 audit. After all work has been completed the City is shown to be in a good financial position.

C. Claremont Demographic & Economic Data Profile- Taylor Dellinger with the WPCOG briefly reviewed with Council a presentation he had shared with the Planning Board. He discussed the trends for growth in Claremont, along with age of the population. Information provided will help Council to plan for the future of its citizens.

10. NEW BUSINESS-

A. Resolution 15-15 Surplus Property to be sold via Gov Deals- Resolution 15-15 will allow the Police Department to surplus two police cars which have excess mileage on them. One car has mold inside the passenger area.

- 2005 Ford Crown Victoria VIN: 2FAFP71W45X123073 Mileage- 79,126
- 2007 Ford Crown Victoria VIN: 2FAFP71W27X128484 Mileage- 81,525

Motion was made by Councilmember David Morrow to approve Resolution 15-15. Second was made by Councilmember Timothy Lowrance. Motion passed unanimously.

B. Resolution 16-15 Surplus Property to be sold to Bethlehem Fire Department- Resolution 16-15 will allow the Fire Department to surplus four VHF walkie talkies, selling them the Bethlehem Fire Department for a price of \$225 each. The fire department has recently acquired 800 MHz radios and these are no longer of use to them.

- Motorola HT 1250 w/SM Serial #749HFWR464
- Motorola HT 1250 w/SM Serial #749HFWR463
- Motorola HT 1250 w/SM Serial # 749HFWR457
- Motorola HT 1250 w/SM Serial #749HFWR455

Motion was made by Councilmember Timothy Lowrance to approve Resolution 16-15 as presented. Second was made by Councilmember Lee Miller. Motion passed unanimously.

C. Ordinance 09-15 Amending the FY 15/16 Budget- Ordinance 09-15 amends the FY 2015-2016 budget to allow payment for fees associated with the WWTP, help Claremont Rescue Squad by distributing a grant which they received from the Carpenter Foundation and adjust fund balance due to loan proceeds from the fire truck. Also in this amendment will be funds reallocated due to the pump station project not scheduled to begin in the 2015/2016 budget year.

Motion was made by Councilmember Dayne Miller to approved Ordinance 09-15. Second was made by Councilmember David Morrow. Motion passed unanimously.

D. Resolution 17-15 Authorizing NC IDF Grant Application- NC Department of Commerce's NC Rural Infrastructure Authority has set aside \$120,975 in funds to provide necessary sewer to the proposed 17.5 acre site Substance, Inc. is proposing to purchase in Claremont's International Industrial Park. Due to growth, the Company needs additional manufacturing space and is planning an estimated investment of \$3.4 million in building and M&E to construct a 54,000 sf building (concrete tilt-up with expansion wall) that is expandable up to 200,000 sf. The estimated total sewer grant project estimate is \$161,300. In addition to Substance Incorporated, this gravity sewer outfall could allow for service to additional acres of contiguous industrial property.

The grant application as it is now proposed requires a match from the City of Claremont of \$40,325. Motion was made by Councilmember Timothy Lowrance to approve Resolution 17-15 Authorizing the NC IDF Grant Application. Second was made by Councilmember David Morrow. Motion passed unanimously.

E. Call for a Public Hearing- On January 25, 2016 the Planning Board recommended rezoning 4883 North Oxford St. from Community Business (B-2) to Highway Business (B-3). The applicant's immediate proposal is to sell cars in addition to repairing cars on that property, but in the long term, rezoning the property to B-3 allows motels, big box stores, and other uses that are currently not permitted.

Motion was made by Councilmember Dayne Miller to call for a Public Hearing on March 7, 2016 for citizen input on the matter. Second was made by Councilmember Timothy Lowrance. Motion passed unanimously.

F. Approval of Amending Audit Contract- The original audit contract with Melanie Starr called for an audit completion date of October 31, 2015. However, the audit was not completed until January 29, 2016. The Local Government Commission requires an amended contract be adopted if submitted after the due date.

Motion was made by Councilmember David Morrow to accept the amended contract for auditing services. Second was made by Councilmember Dayne Miller. Motion passed unanimously.

G. Park and Recreation Master Plan review- Parks and Recreation Coordinator Michael Orders made a presentation on the Comprehensive Park and Recreation Master Plan. The WPCOG developed this plan in 2014. Michael gave an update on what has been done in the park as improvements. He also addressed Council as to a direction for future expansion of the park and recreation programs.

11. DEPARTMENT & COMMITTEE REPORTS

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

12. CITY MANAGER REPORT –

A. Committee and Bylaw Updates- City Manager Renbarger advised that the Recreation Committee is looking over the current ordinances and bylaws which govern them. She also advised that NC DENR has reviewed the petition for civil penalties to be adjusted. They have adjusted the amount owed to around \$9,000. Catherine is talking with the City of Hickory to see if they will pay a portion of the fines. Representatives for Sun Power have announced the Apple solar farm is almost complete. They have asked Council to come for a tour in late February.

13. CLOSED SESSION- Motion was made by Councilmember Timothy Lowrance to go into closed session at 8:26 p.m. in reference to G.S. 143-318.11(6) Personnel. Second was made by Councilmember David Morrow. Motion passed unanimously.

Council came back into open session at 9:09 p.m.

Item 10-H- Updates on Wastewater Needs Analysis- Clarence Lockamy and Slade Harvin from the Wooten Company gave Council an update on the wastewater needs analysis. Council was presented the most desirable options. Clarence will come back to Council with the pros and cons of each option.

14. ADJOURN

Motion was made by Councilmember David Morrow to adjourn the meeting at 9:43 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

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Catherine Renbarger, City Manager

Action Requested: Citizen Concerns

Open the floor for comments or questions from the audience.

Recommendation: No action needed

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Catherine Renbarger, City Manager

Action Requested: Budget Transfers

Recommendation: Informational, no action needed.



CITY OF CLAREMONT

Shawn R. Brown
Mayor

Catherine Renbarger
City Manager

2/24/2016

I, Stephanie Corn, authorize the following transfers in the Fiscal Year 2016 budget.

<u>Line</u>	<u>Increase</u>	<u>Decrease</u>
10-4200-0400 Audit Fees	\$ 2,000.00	
10-4200-5410 Unemployment Ins.		\$ 2,000.00
30-8220-1200 Printing	\$ 72.73	
30-8100-1200 Printing		\$ 72.73

Stephanie Corn, Finance Officer

Catherine Renbarger, City Manager

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Elinor Hiltz, City Planner

Action Requested: Open public hearing

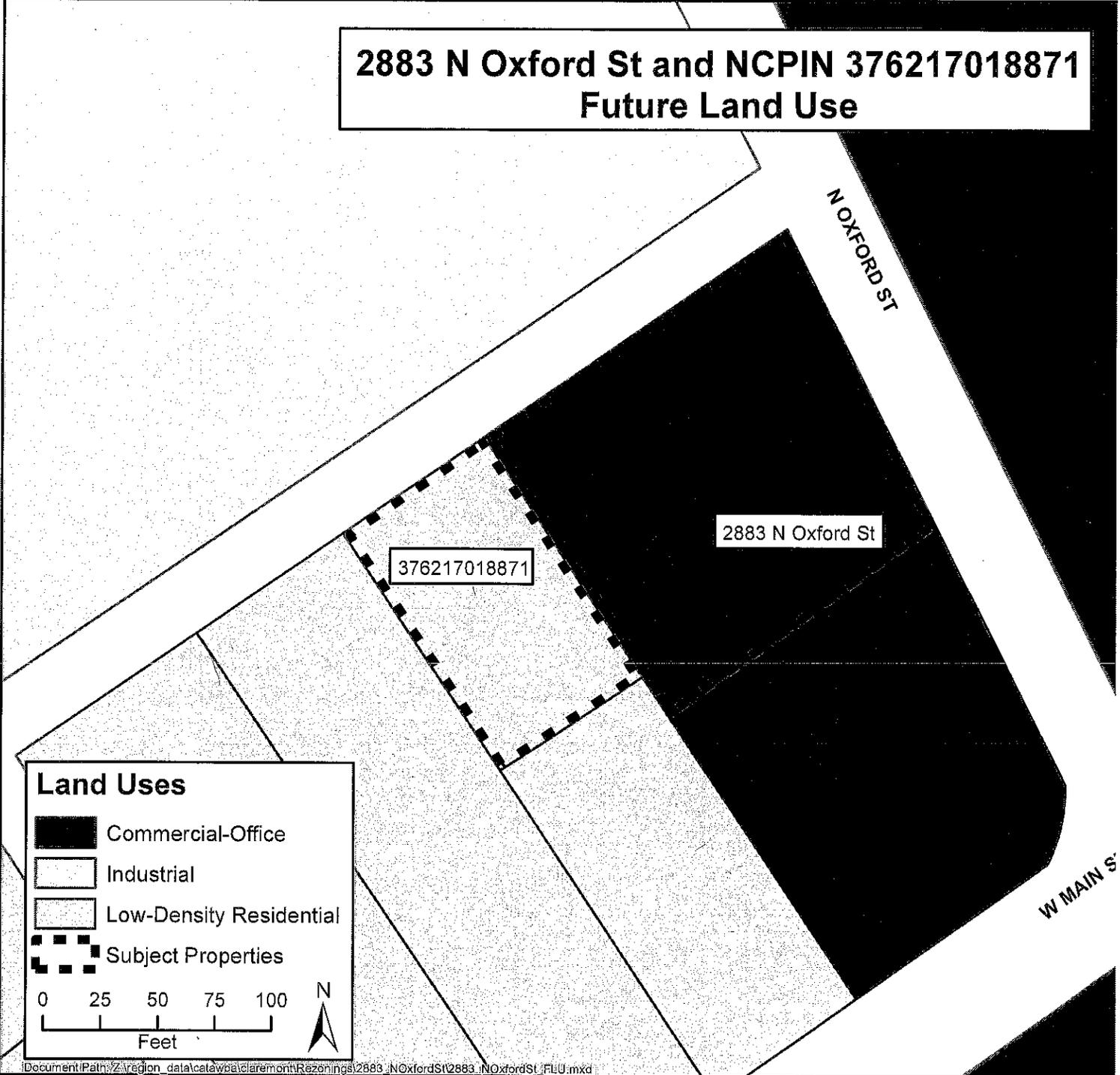
A public hearing is needed before a rezoning can occur. This item will open a public hearing to solicit public comment about rezoning 2883 N Oxford St (Town and Country Tire) from Community Business to Highway Business.

Recommendation: Open public hearing

**2883 N Oxford St and NCPIN 376217018871
Rezoning From B-2 to B-3**



2883 N Oxford St and NCPIN 376217018871 Future Land Use





2883 N Oxford
Rezoning Staff Report
Claremont City Council
March 7, 2016 7:00

REZONING: Town and Country Tire; 2883 N Oxford St; 3762-1701-9886 and 3762-1701-8871

Size of Area to be Rezoned: 0.72 acres

Current Zone and Permitted Uses: B-2

By Right: Bed and breakfast inns, Boarding or rooming houses for up to six boarders, Churches, Civic, fraternal, cultural, community, or club facilities, Small-scale retail services (5,000 square feet or less), excluding automobile, boat, camper, or any other retail service requiring outdoor storage of goods, Financial services, Government and other institutional uses, Offices, Professional services

With Conditions: Cemeteries, Day Care Center, Essential services 1 and 2, Neighborhood gasoline stations, excluding major service and repair of motor vehicles, Parking lot principal uses, Parks, Temporary sales of seasonal agricultural products and customary accessory products (example: farmers' markets, Christmas tree/pumpkin sales)

With Conditional Use Permit: Single-family homes, Multi-family homes, Elementary and Secondary Schools, Planned Unit Developments, Essential Services 3

Permitted Building and Lot Types: Apartment building, Attached house, Civic building, Detached house, Mixed use up to 15,000 square feet of first floor area, Shopfront up to 15,000 square feet of first floor area, Workplace up to 15,000 square feet of first floor area

Requested Zone and Permitted Uses: B-3

Everything that is permitted in the B-2 district (except Parking lots as principal uses, Houses, Elementary and secondary schools, Apartments, and Mixed-use buildings under 15,000 square feet) PLUS: Indoor amusement facilities, Commercial uses, Indoor and outdoor recreation, Motels, Wholesale sales, Adult businesses, Car washes, Commercial kennels, Sweepstakes, Gasoline service stations including service and repair, Vehicle and boat sales, service, rental, cleaning, mechanical repair and body repair, Vocational and technical schools*, Mini-warehouses*, Wireless Telecommunication facilities*, Highway business buildings up to 65,000 square feet

*with conditional use permit

Description of Surrounding Area:

Subject property is Town and Country Tire between Stanford Furniture (manufacturing, zoned M-1) and a car wash (zoned B-2).

Applicant's Immediate Plans for Property:

The applicant requests the rezoning for the permission to use 4 to 8 parking spaces in front to sell cars. The applicant recently purchased .2 acres in back where he intends to

store cars waiting to be repaired or picked up. The rear parcel is included in the rezoning request.

Traffic

12,700 trips per day capacity

8,700 average daily trips in 2013 near the Highway 70 intersection

12,000 average daily trips in 2013 near Exit 135

18 trips per weekday with current use

29 trips per weekday if current use was converted to auto sales entirely*

*Texas Trip Generation Manual

An additional 10 trips per day seems insignificant against North Oxford Street's 8,700 trips per day at that location. A proposed development that would generate an estimated 1,000 trips per day may be required to conduct a Traffic Impact Study (TIS).

Applicable Sections of Ordinance:

The applicant has submitted a site plan demonstrating he can meet all zoning regulations. He will need to make the following modifications to the property:

- there should be a landscape buffer between the back parking lot and adjacent residentially-zoned property
- there should be a shrub bed at the streetfront

Consistency with Land Development Plan:

The Future Land Use map recommends rezoning the North Oxford Street parcel to "Commercial-Office", and the Highway Business (B-3) District fits that description. The back parcel is shown as "Low Density Residential" on the Future Land Use map, but these parcels are under the same ownership and access is from North Oxford so the North Oxford side carries the weight.

The Land Development Plan, page 15, encourages infill development like this proposal.

Planning Board Recommendation

On January 25, 2016 the Planning Board recommended approval of this rezoning.

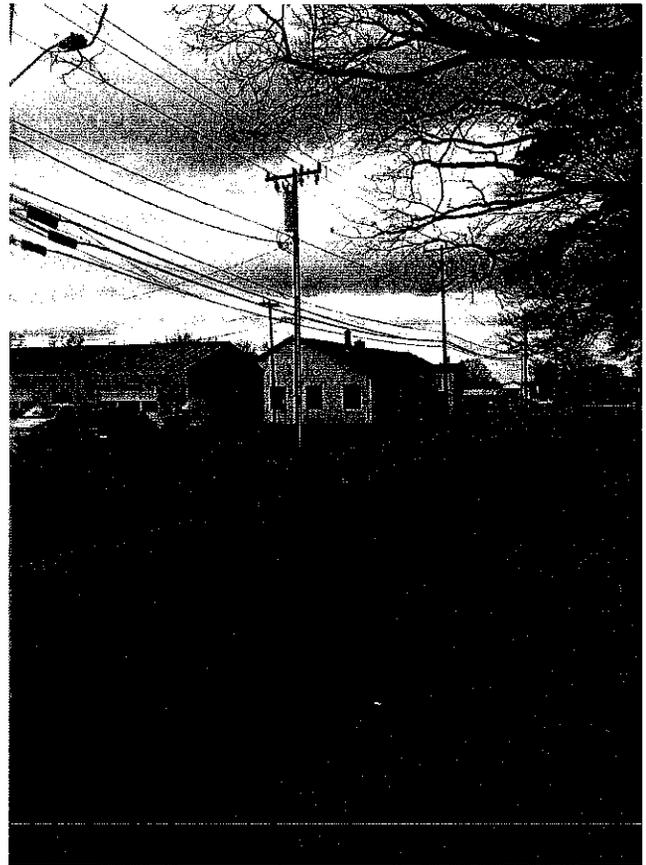
Action Needed:

Read this or a similar statement about how the amendment is in the public interest: **"High-traffic areas such as North Oxford Street are appropriate for highway businesses because they are convenient to regional shoppers and residents."**

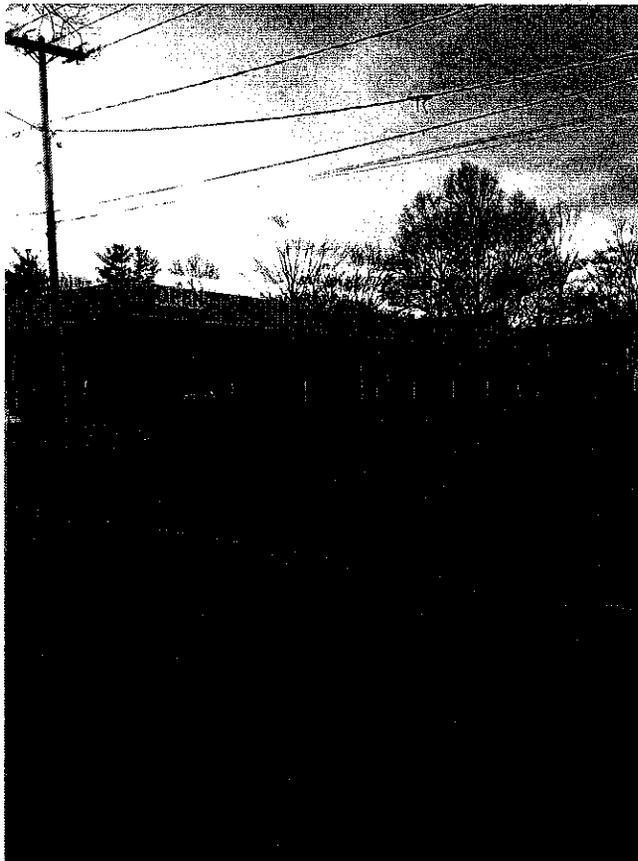
Make a motion: **"I move to RECOMMEND APPROVAL because this amendment is consistent with the Land Development Plan."**



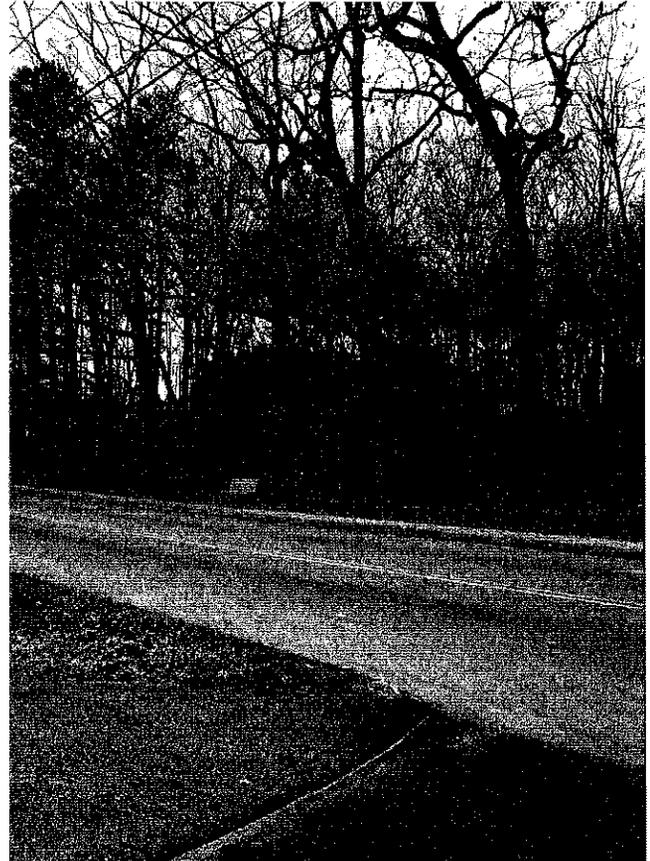
subject property



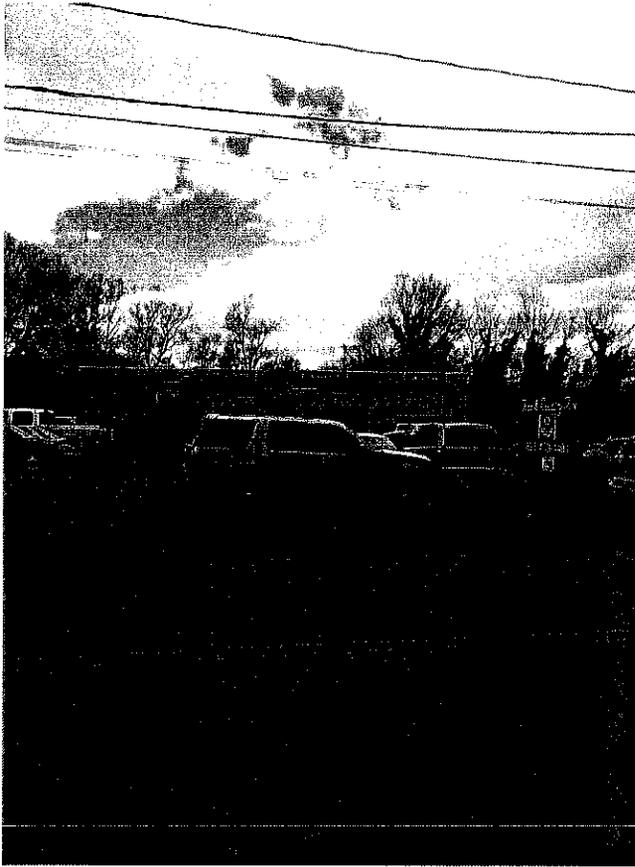
view towards I-40



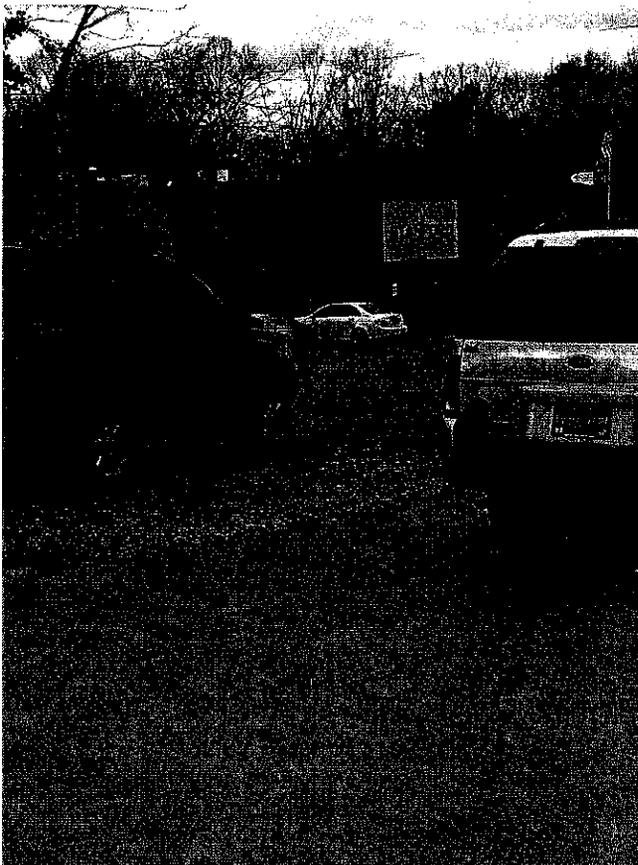
car wash to left



across the street



subject property



manufacturing to right

REQUEST FOR COUNCIL ACTION

Date of Meeting: March 7, 2016

To: Mayor and the City Council

From: Catherine Renbarger, City Manager

Action Requested: Presentations; No action Requested

1. Suzanne White- Catawba County Library
2. Gary Bost- Police Department Awards

Recommendation: Information only; No action Requested

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Elinor Hiltz

Action Requested: Resolution 18-15 to Reappoint Planning Board Members

The Planning Board currently has two member seats open. Both members have agreed to serve once again.

Recommendation: Approve Resolution 18-15



CITY OF CLAREMONT
NORTH CAROLINA

RESOLUTION 18-15

APPOINTMENTS TO CITY OF CLAREMONT PLANNING BOARD

WHEREAS, there are two open seats on the Planning Board; and

WHEREAS, it has been determined that the existing members of this board proved good service to the City of Claremont; and

WHEREAS, the Chair of the Planning Board has recommended that the existing members be reappointed; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Claremont that the following persons be reappointed to the Planning Board:

Rupert Little- this term shall expire in April 2020

Jeff Barkley- this term shall expire in April 2020

Adopted this 7st day of March 2016.

Shawn R. Brown, Mayor

Attested: _____
Wendy L. Helms, City Clerk

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Catherine Renbarger, City Manager

Action Requested: Resolution 19-15 Directing the City Clerk to Investigate the Petition for Voluntary Annexation

The City has received petition from the property owners at 2985 Oxford Way for a voluntary annexation.

The City Clerk is directed to investigate the sufficiency of the voluntary annexation at 2985 Oxford Way and certify to the Claremont City Council the results of her investigation.

Recommendation: Approve Resolution 19-15



**City of Claremont
North Carolina
Catawba County
Petition Requesting Annexation**

Date: 2/17/16

Catawba County Tax Parcel #(s): 375216 938165

To the City Council of the City of Claremont:

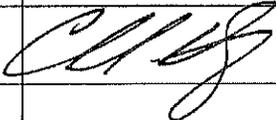
1. I/We the undersigned owners of real property, respectfully request that the tax parcels listed above and the area described in Item 2 below be annexed to the City of Claremont. Furthermore I/we do declare and certify that all legal owners of real property in the annexation area have signed this petition in Item 3 below.

2. The area to be annexed is (choose one):
 - Contiguous to the primary corporate limits to the City of Claremont. A complete and accurate legal description of the property and a recently prepared survey map are attached.

OR

 - Not contiguous to the primary corporate limits of the City of Claremont. A complete and accurate legal description of the property and a recently prepared survey map are attached. In addition, I/we certify that:
 - (A) The nearest point of the property to be annexed is no more than three miles from the primary corporate limits of the City of Claremont; and
 - (B) No Point of the property to be annexed is closer to the primary corporate limits of another city than to the primary corporate limits of the City of Claremont; and
 - (C) The property to be annexed is not a subdivision as defined by N.C.G.S. 160A-376 or if it is that the entire subdivision as defined by this statute is included in the proposed annexation area.

3. I/we acknowledge that any zoning vested rights acquired pursuant to G.G. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/we further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. If zoning vested rights are claimed, indicate below and attach proof. (Copy of a valid building permit, CUP, etc.)

Name (Please type or print)	Address (Please type or print)	Vested Rights? Yes or No	Signature
WKZ HOUSING, LLC CHARLIE HERITAGE	8401 KEY BLVD GREENSBORO NC 27409	No	

* If you answer yes, you must attach a detailed description of the right you are claiming; otherwise you will forfeit this right within the City



CITY OF CLAREMONT

**NORTH CAROLINA
RESOLUTION 19-15**

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A
PETITION RECEIVED UNDER G.S. 160A-31**

WHEREAS, a petition requesting annexation of an area described in said petition was received on February 17, 2016 by the Claremont City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the Claremont City Council of the City of Claremont, North Carolina deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Claremont, North Carolina that:

The City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Claremont City Council the results of her investigation.

Shawn R. Brown, Mayor

Attest:

Wendy L. Helms, City Clerk



**CITY OF CLAREMONT
NORTH CAROLINA**

CERTIFICATION OF SUFFICIENCY

To the Claremont City Council of the City of Claremont, North Carolina:

I, Wendy L. Helms, City Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Claremont, this 7st day of March, 2016.

Wendy L. Helms, City Clerk

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Catherine Renbarger, City Manager

Action Requested: Resolution 20-15 Call for a Public Hearing

City Council will call for a public Hearing on Monday, April 4, 2016 to get citizen input on the voluntary annexation of 2985 Oxford Way.

Recommendation: Approve Resolution 20-15



**City of Claremont
North Carolina
Catawba County
Petition Requesting Annexation**

Date: 2/17/16

Catawba County Tax Parcel #(s): 375216938165

To the City Council of the City of Claremont:

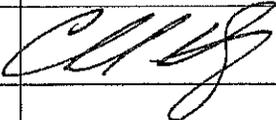
1. I/We the undersigned owners of real property, respectfully request that the tax parcels listed above and the area described in Item 2 below be annexed to the City of Claremont. Furthermore I/we do declare and certify that all legal owners of real property in the annexation area have signed this petition in Item 3 below.

2. The area to be annexed is (choose one):
 - Contiguous to the primary corporate limits to the City of Claremont. A complete and accurate legal description of the property and a recently prepared survey map are attached.

OR

 - Not contiguous to the primary corporate limits of the City of Claremont. A complete and accurate legal description of the property and a recently prepared survey map are attached. In addition, I/we certify that:
 - (A) The nearest point of the property to be annexed is no more than three miles from the primary corporate limits of the City of Claremont; and
 - (B) No Point of the property to be annexed is closer to the primary corporate limits of another city than to the primary corporate limits of the City of Claremont; and
 - (C) The property to be annexed is not a subdivision as defined by N.C.G.S. 160A-376 or if it is that the entire subdivision as defined by this statute is included in the proposed annexation area.

3. I/we acknowledge that any zoning vested rights acquired pursuant to G.G. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/we further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. If zoning vested rights are claimed, indicate below and attach proof. (Copy of a valid building permit, CUP, etc.)

Name (Please type or print)	Address (Please type or print)	Vested Rights? Yes or No	Signature
WKZ Housing, LLC CHARLE HERITAGE	8401 KEY BOND GREENSBORO NC 27409	No	

* If you answer yes, you must attach a detailed description of the right you are claiming; otherwise you will forfeit this right within the City

- REG. REGULAR
- H/C HANDICAPPED
- GM GAS METER
- A/C AIR CONDITION UNITS
- TV TELEVISION/CABLE
- PB POWER BOX
- TB TELEPHONE BOX
- EM ELECTRIC METER
- CO SANITARY SEWER CLEAN OUT
- WM WATER METER
- DI DRAINAGE INLET (GRATE)
- YI YARD INLET (CONCRETE)

: 1 EXT.

MILLER, C. NOBLE
 CYNTHIA G. NOBLE
 D.B. 1811, P.G. 0519
 P.B. 13, P.G. 91

3/4" EIP

N 43°30'1" E

146.20'

EX MON

3/8" ER

N 44°37'36" W

WALTER DRIVE
 50' RIGHT-OF-WAY (PUBLIC)

ACHTREE STREET
 50' RIGHT-OF-WAY (PUBLIC)



CITY OF CLAREMONT
NORTH CAROLINA
RESOLUTION 20-15

**RESOLUTION CALLING FOR A PUBLIC HEARING ON QUESTION OF
ANNEXATION PURSUANT TO G.S. 160A-31**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Claremont City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Claremont, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein at Claremont City Hall, Council Chambers at 7:00 p.m. on April 4, 2016.

Section 2. The area described for annexation is described as follows:

BEGINNING at an existing iron pipe in the western margin of North Oxford Street, a variable public right-of-way, said point being in the southern line of Jackie Devlin, either now or formerly, as described in instrument recorded in Deed Book 1277, Page 056, in the Catawba County Registry (the "Devlin Property"), said beginning point also being North 52 deg. 22 min. 55 sec. West 2175.84 feet from a published NCGS monument, "Claremont" and having NAD 83\2011 coordinates of, Northing = 722,276.987 and Easting = 1,361,929.287; and running thence from the Point of Beginning in a southerly direction along the western margin of North Oxford Street, South 25 deg. 41 min. 29 sec. East 423.86 feet to an existing iron pipe in the northern line of Max G. Fulbright, either now or formerly, as described in instrument recorded in Deed Book 310, Page 391, in the Catawba County Registry (the "Fulbright Property"); thence leaving the western margin of North Oxford Street and in a westerly direction with the northern line of the Fulbright Property the following two (2) courses and distances: (i) South 65 deg. 34 min. 01 sec. West 80.73 feet to an existing iron pipe; (ii) South 48 deg. 11 min. 22 sec. West 1030.71 feet to an existing iron rod, the northwest corner of the Fulbright Property and in the eastern margin of Peachtree Street, a 50' public right-of-way; thence with the eastern margin of Peachtree Street, North 44 deg. 37 min. 36 sec. West 55.50 feet to an existing monument, the southeast corner of William C. Noble and Cynthia C. Noble, either now or formerly, as described in instrument recorded in Deed Book 1877, Page 579, in the Catawba County Registry (the "Noble Property"), said point also being the junction of Peachtree Street and Walter Drive, a 50' public right-of-way; thence in a northerly direction with the Noble Property North 44 deg. 30 min. 28 sec. West 375.25 feet to an existing iron pipe, the southeast corner of William E. Gilbert and Loretta H. Henry, either now or formerly, as described in instrument recorded in Deed Book 1344, Page 434, in the Catawba County Registry (the "Gilbert Property"); thence continuing in a northerly direction with the Gilbert Property North 44 deg. 30 min. 28 sec. West 101.30 feet to an existing iron pipe, the southwest corner of William E. Gilbert and Loretta H. Henry, either now or formerly, as described in instrument recorded in Deed Book 1331, Page 367, in the Catawba County Registry (the

“Gilbert Property); thence in a easterly direction with the southern line of the Gilbert Property North 49 deg. 11 min. 05 sec. East 250.00 feet to a point, the southwest corner of Claremont Plaza, LLC, either now or formerly, as described in instrument recorded in Deed Book 2194, Page 1141, in the Catawba County Registry (the “Claremont Plaza Property); thence continuing in a easterly direction with the southern line of the Claremont Plaza Property North 49 deg. 13 min. 02 sec. East 856.05 feet (crossing an existing iron pipe at 20.00 feet) to an existing iron pipe in the western line of the Devlin Property; thence with the Devlin Property the following two (2) courses and distances: (i) South 36 deg. 26 min. 12 sec. East 80.86 feet to an existing iron pipe; (ii) North 65 deg. 44 min. 28 sec. East 159.71 feet to the Point and Place of Beginning and containing 13.969 acres more or less.

Survey ROW Description – Oxford Crossing Apartments, Claremont, NC

ALL that certain piece, parcel or tract of land lying and being in the Town of Claremont, Clines Township, Catawba County, North Carolina, and being more particularly described as follows:

BEGINNING at an existing iron pipe in the western margin of North Oxford Street, a variable public right-of-way, said point being in the southern line of Jackie Devlin, either now or formerly, as described in instrument recorded in Deed Book 1277, Page 056, in the Catawba County Registry (the “Devlin Property”), said beginning point also being North 52 deg. 22 min. 55 sec. West 2175.84 feet from a published NCGS monument, “Claremont” and having NAD 83\2011 coordinates of, Northing = 722,276.987 and Easting = 1,361,929.287; and running thence from the Point of Beginning in a easterly direction North 65 deg. 44 min. 28 sec. East 28.00 feet to the approximate centerline of North Oxford Street; thence in a southerly direction with the approximate centerline of North Oxford Street South 25 deg. 41 min. 30 sec. East 423.78 feet to a point; thence in a westerly direction South 65 deg. 34 min. 01 sec. West 28.00 feet to an existing iron pipe in the northern line of Max G. Fulbright, either now or formerly, as described in instrument recorded in Deed Book 310, Page 391, in the Catawba County Registry (the “Fulbright Property”); thence in a northerly direction with the western margin of North Oxford Street North 25 deg. 41 min. 29 sec. West 423.86 feet to the Point and Place of Beginning and containing 0.272 acre more or less.

Section 3. Notice of the public hearing shall be published in The Observer News Enterprise, a newspaper having general circulation in the City of Claremont, at least ten (10) days prior to the date of the public hearing.

Shawn R. Brown, Mayor

Attest:

Wendy L. Helms, City Clerk

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Catherine Renbarger, City Manager

Action Requested: Resolution 21-15 Directing the City Clerk to Investigate the Petition for Voluntary Annexation

The City has received petition from the property owners at 3000 Frazier Drive for a voluntary annexation.

The City Clerk is directed to investigate the sufficiency of the voluntary annexation at 3000 Frazier Drive and certify to the Claremont City Council the results of her investigation.

Recommendation: Approve Resolution 21-15



CITY OF CLAREMONT

**NORTH CAROLINA
RESOLUTION 21-15**

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A
PETITION RECEIVED UNDER G.S. 160A-31**

WHEREAS, a petition requesting annexation of an area described in said petition was received on (date) by the Claremont City Council; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the Claremont City Council of the City of Claremont, North Carolina deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Claremont, North Carolina that:

The City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Claremont City Council the results of her investigation.

Shawn R. Brown, Mayor

Attest:

Wendy L. Helms, City Clerk

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Elinor Hiltz, City Planner

**Action Requested: Rezone from Community Business to Highway Business:
2883 N Oxford St/Town & Country Tire**

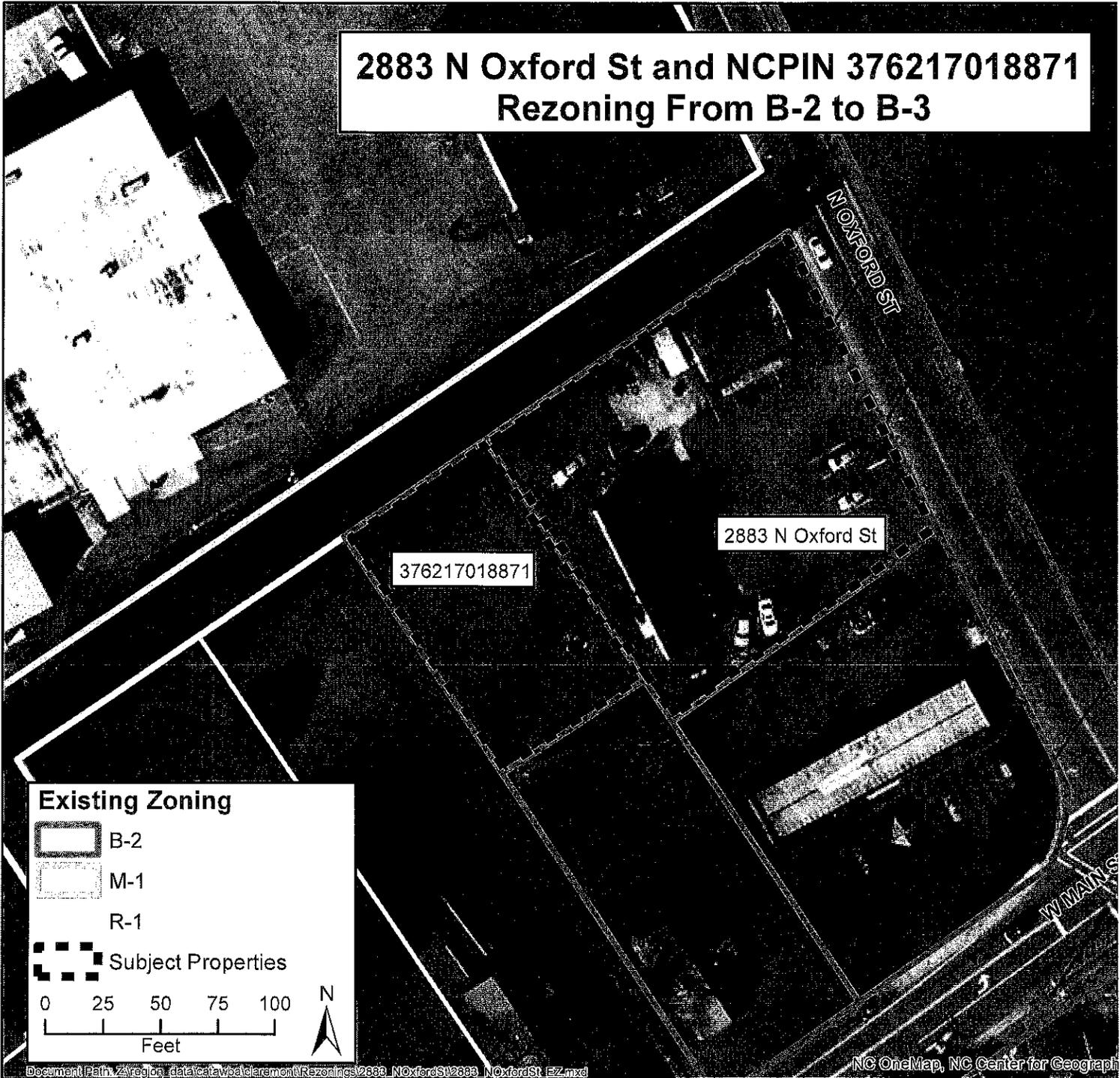
Staff report and maps are enclosed. The Planning Board recommended approval on January 25, 2016.

Recommendation: Approve Rezoning Request

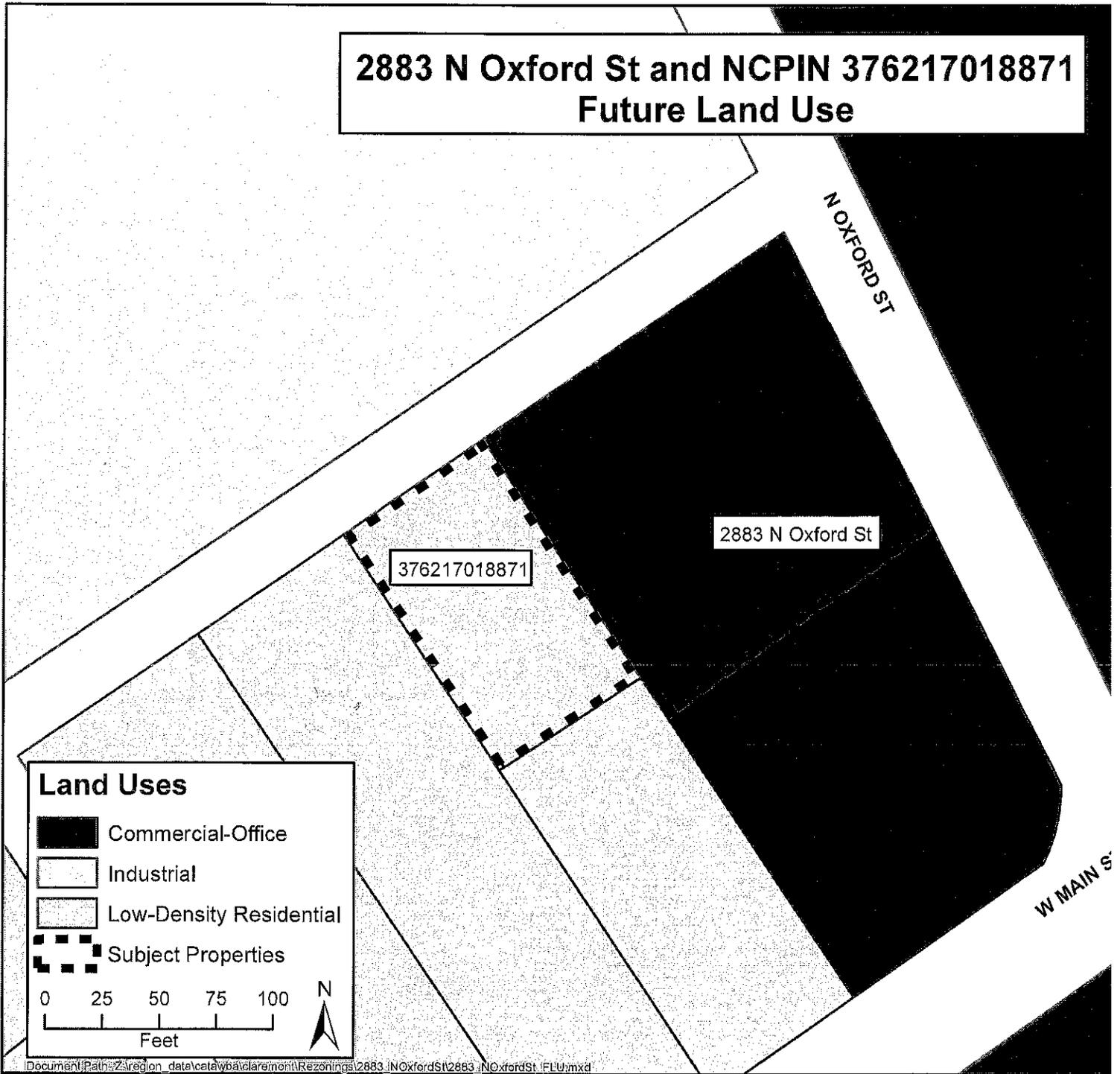
Adopt a statement of public interest: *“Rezoning this tract to Highway Business is beneficial to the public because _____” (suggested phrases: commercial use in a high traffic area, convenient to regional shoppers and residents, removed from residences)*

Make a motion: *“I move to adopt the statement of public interest and approve this rezoning because it is consistent with the Land Development Plan’s Future Land Use Map.”*

**2883 N Oxford St and NCPIN 376217018871
Rezoning From B-2 to B-3**



2883 N Oxford St and NCPIN 376217018871 Future Land Use



City Council of the City of Claremont

Catawba County, North Carolina

Ordinance No. 10-15

AN ORDINANCE OF THE CITY OF CLAREMONT AMENDING THE OFFICIAL
CLAREMONT ZONING MAP

THE CITY COUNCIL OF THE CITY OF CLAREMONT DOES HEREBY ORDAIN AS
FOLLOWS:

The City of Claremont Official Zoning Map shall be updated to reflect the change of two parcels from B-2 Community Business District to B-3 Highway Business District. This change is in conformance with the Future Land Use Map of the 2003 Land Development Plan, and the proposed development is infill development, which the Land Development Plan promotes. This Board believes this change to be for the common good. This zoning change is subject to the following properties:

<u>Catawba County PIN</u>	<u>Owner</u>	<u>Address</u>
3762-1701-9886	Fred Freeman Properties LLC	2883 N Oxford St
3762-1701-8871	Fred Freeman Properties LLC	2883 N Oxford St

INTRODUCED at a regular meeting of the City Council of the City of Claremont on March 7, 2016.

ADOPTED at a regular meeting of the City Council of the City of Claremont on March 7, 2016.

MAYOR Shawn Brown

ATTEST:

Wendy Helms, City Clerk

APPROVED AS TO FORM:

Bob Grant, City Attorney

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Elinor Hiltz, City Planner

Action Requested: Call for Public Hearing

A public hearing is needed for an amendment to the zoning ordinance about protest petitions. A protest petition is a petition that opposition to a rezoning may submit. If the petition is valid, City Council must approve a rezoning by a $\frac{3}{4}$ vote for it to pass. Recently the state legislature changed the statutes regarding what constitutes a valid protest petition. They lowered the standard from 20 percent to 5 percent of affected property owners, and they described the affected area as a buffer to account for oddly-shaped parcels.

The City of Claremont must adjust its ordinance to become consistent with the new state law. On January 25, 2016 the Planning Board recommended approval of this text amendment.

Recommendation: Call for Public Hearing on April 4, 2016 at 7:00

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Elinor Hiltz, City Planner

Action Requested: Call for Public Hearing

A public hearing is needed for an amendment removing residential architectural standards from Claremont's zoning ordinances. The state legislature passed a new statute making it illegal for cities to regulate architecture in single-family houses and duplexes. Claremont must remove some sections of their ordinance to comply with the new law.

On February 22, 2016 the Planning Board recommended approval of this text amendment.

Recommendation: Call for Public Hearing on April 4, 2016 at 7:00

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Catherine Renbarger, City Manager

Action Requested: Amend Personnel Policy

In January, several members of Council requested that City Administration examine the City's Personnel Policy and conditions of employment regarding political activity. Attached are three versions of an amendment to the Personnel Policy for Council's consideration. All options will require an officer, volunteer or otherwise, of any City Department to resign his or her role as officer if elected to the office of Mayor or City Council.

Under Option 1, the following section would be added to the Policy: *No officer, volunteer or otherwise, of any City Department shall be a candidate for nomination or election to office. If an officer chooses to be a candidate for nomination or election of office as established by the City Charter, he or she must resign his or her role as officer with the City Department.*

Under Option 2, the following section would be added to the Policy: *No officer of any Department of the City, volunteer or otherwise, shall be a candidate for or elected to office of Mayor or the City Council. If an officer chooses to be a candidate for nomination or election of office as established by the City Charter, he or she must resign his or her role as officer with the City department until the outcome of the election. If elected, the officer must resign his or her role as officer. If the candidate is not elected, he or she may regain his or her role as officer.*

Under Option3, the following section would be added to the Policy: *No officer, volunteer or otherwise, of any City Department shall be elected to office of Mayor or the City Council. If an officer chooses to be a candidate for nomination of election of offices as established by the City Charter, he or she must refrain from any political activity or campaigning while acting as an officer. If elected, he or she must resign his or her role as officer.*

Recommendation: If Council chooses to amend the Personnel Policy, a motion to adopt Resolution 23-15 indicating Option 1, Option 2, or Option 3 is needed.

Section 1. Work Schedule

Department heads shall establish work schedules, with the approval of the City Manager, which meet the operational needs of the department in the most cost effective manner possible.

Section 2. Political Activity

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States. However, no employee shall:

- a.) Engage in any political or partisan activity while on duty;
- b.) Use official authority of influence for the purpose of interfering with or affecting the result of a nomination or an election for office;
- c.) Be required as a duty of employment or as condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes;
- d.) Coerce or compel contributions from another employee of the City for political or partisan purposes;
- e.) Use any supplies or equipment of the City for political or partisan purposes; or
- f.) No full-time, part-time or temporary employee shall be a candidate for nomination or election to office under the City Charter. Volunteer employees (see definition in Article 1, Section 8) are not covered under this exclusion and are eligible for nomination or election to such office.
- g.) No officer, volunteer or otherwise, of any City Department shall be a candidate for nomination or election to office.

Any violation of this section shall subject the employee to disciplinary action including dismissal.

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- c.) Be required as a duty of employment or as condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes;
- d.) Coerce or compel contributions from another employee of the City for political or partisan purposes;
- e.) Use any supplies or equipment of the City for political or partisan purposes; or
- f.) No full-time, part-time or temporary employee shall be a candidate for nomination or election to office established by the City Charter. Volunteer employees (see definition in Article 1, Section 8) are not covered under this exclusion and are eligible for nomination or election to such office.
- g.) No officer of any Department of the City, volunteer or otherwise, shall be a candidate for or elected to office of Mayor or the City Council. If an officer chooses to be a candidate for nomination or election of office as established by the City Charter, he or she must resign his or her role as officer with the City department until the outcome of the election. If elected, the officer must resign his or her role as officer. If the candidate is not elected, he or she may regain his or her role as officer.

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Any violation of this section shall subject the employee to disciplinary action including dismissal.

**CITY OF CLAREMONT
NORTH CAROLINA**

RESOLUTION #22-15

**A RESOLUTION TO AMEND THE CITY OF CLAREMONT PERSONNEL POLICY –
ARTICLE V. CONDITIONS OF EMPLOYEMENT SEC. 2 POLITICAL ACTIVITY**

WHEREAS, the City of Claremont desires to amend the City of Claremont Personnel Policy in Article V. Conditions of Employment and Sec. 2 Political Activity.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Claremont, meeting in regular session on the 7th day of March, 2016, make the following changes to the City of Claremont Personnel Policy:

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States. However, no employee shall:

- a.) Engage in any political or partisan activity while on duty;
- b.) Use official authority of influence for the purpose of interfering with or affecting the result of a nomination or an election for office;
- c.) Be required as a duty of employment or as condition for employment, promotion or tenure of office to contribute funds for political or partisan purposes;
- d.) Coerce or compel contributions from another employee of the City for political or partisan purposes;
- e.) Use any supplies or equipment of the City for political or partisan purposes; or
- f.) No full-time, part-time or temporary employee shall be a candidate for nomination or election to office under the City Charter. Volunteer employees (see definition in Article 1, Section 8) are not covered under this exclusion and are eligible for nomination or election to such office.

Option 1: G) No officer, volunteer or otherwise, of any City Department shall be a candidate for nomination or election to office.

Option 2: G) No officer of any Department of the City, volunteer or otherwise, shall be a candidate for or elected to office of Mayor or the City Council. If an officer chooses to be a candidate for nomination or election of office as established by the City Charter, he or she must resign his or her role as officer with the City department until the outcome of the election. If elected, the officer must resign his or her role as officer. If the candidate is not elected, he or she may regain his or her role as officer.

Option 3: G) No officer, volunteer or otherwise, of any City Department shall be elected to office of Mayor or the City Council. If an officer chooses to be a candidate for nomination of election of offices as established by the City Charter, he or she must refrain from any political activity or campaigning while acting as an officer. If elected, he or she must resign his or her role as officer.

Any violation of this section shall subject the employee to disciplinary action including dismissal.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Manager is hereby authorized to act on behalf of the City of Claremont in making these changes to the City of Claremont Personnel Policy.

Adopted the 7th day of March, 2016.

Shawn R. Brown, Mayor

ATTEST:

Wendy L. Helms, City Clerk

REQUEST FOR COUNCIL ACTION

Date of Meeting: **March 7, 2016**

To: Mayor and the City Council

From: Catherine Renbarger, City Manager

Action Requested: Department Dashboard

Recommendation: Informational

Claremont February 2016 Dashboard Report

Police Dept.			Fire Dept.			
Month			YTD			
Calls Answered	538	1046	Calls for Service	23	53	General Fund
Citations Served	129	252	Working Fires	5	3	Water/Sewer
Warnings	64	126	Training Hours	273	495	
Number of Arrests	12	21	Prevention Programs	11	40	
Accidents	6	12	Structural Responses	4	12	
Warrants	21	39	EMS Calls	6	13	Calls for Service
Open Cases	2	7				Training Hours
Other Activities & Announcements			Other Activities & Announcements			Other Activities
Cpl. Martin & Ofcr. Russell attended Active Shooter Training. Ofcr. Russell made 2 arrest for possession of marijuana. Ofcr. Bumgarner made an arrest for possession of Meth. Ofcr. Russell made an arrest for possession of a firearm by a felon.			8.3 personnel per incident, NCFCA, NCFLSE Conference			
Public Services			Utility Dept.			Planning
Month			YTD			
Vehicles Serviced	11	28	Water Turned Off	12	23	Total Zoning
Recycling Tons- Jan 2016	8.76	8.76	Water Taps	0	1	Commercial
Solid Waste Tonnage	35.77	84.3	Water Purchased	6,604,790	14,297,620	New Dwellir
Street Lights Replaced	9	18	Water Sold	5,737,387	12,262,558	Customers w
Work Orders	22	43	McLin WWTP Avg.	14,900	198,900	New Plats R
Sewer Line Jetted	1,658	2,784	North WWTP Avg.	7,400	19,400	Plng Brd Age
Other Activities & Announcements			Other Activities & Announcements			Other Activi
Cleaned top floor of Jessup Kline Building. Removed old piping.			Locating old water valves and exercizing them. Working on water pressure problems on Shamrock water system.			Acti