



**TOWN OF GRANITE QUARRY
BOARD OF ALDERMEN MEETING MINUTES
Monday, May 7, 2018**

Present: Mayor Bill Feather, Mayor Pro Tem Jim LaFevers, Alderman Jim Costantino, Alderman John Linker, and Alderman Kim Cress

Staff: Mr. Phil Conrad – Town Manager, Ms. Tanya Word – Town Clerk/HR Officer, Mr. Scott Stewart – Deputy Clerk/Finance/HR Analyst, Mr. Jason Hord – Maintenance Supervisor, Ms. Shelly Shockley – Finance Analyst/Event Coordinator, Mr. Steve Blount – Town Planner, Mr. Bill Fraley, Mr. Mark Cook – Police Chief, Mr. Graham Corriher – Town Attorney

Guests: There were fifteen guests present.

Call to Order: Mayor Feather called the meeting to order at 7:00 p.m.

Moment of Silence: Mayor Feather opened the meeting with a moment of silence.

Pledge of Allegiance: Zach Huddleston led the Pledge of Allegiance.

Approval of the Agenda:

ACTION: Alderman Linker made a motion to approve the agenda as presented with the addition of a Board Discussion section being added to future agendas. Alderman Costantino seconded the motion. The motion passed with all in favor.

Approval of the Consent Agenda:

ACTION: Alderman Linker made a motion to approve the consent agenda. Mayor Pro Tem LaFevers seconded the motion. The motion passed with all in favor.

Special Presentation – Proclamation Presentation to Mr. Zach Huddleston

Mayor Feather presented a Proclamation thanking him for Zach Huddleston for service in the community. Mr. Huddleston will graduate on June 8, 2018 from Gray Stone Day School and has received early acceptance into Western Carolina University's Honor College. Mayor Feather proclaimed June 8, 2018 as Zach Huddleston Day and presented a Key to the Town of Granite Quarry to Mr. Huddleston.

Citizen Comments:

Jason Smith of 408 S. Salisbury Avenue, Granite Quarry, presented a citizenship award to Elliott Mathis on behalf of F&M Bank and The Hot Dog Shack. Mr. Mathis was recognized for his contributions to the landscaping at Erwin Middle School, assistance organizing events for Student Council, and assisting in classrooms at Erwin. Mr. Mathis thanked everyone for the recognition.

Guests and Presentations

There were no guest presentations.

Fire Department Report

Mr. Bill Fraley presented the Fire Department report. There were 57 calls the previous month. The Fire Department hosted an annual Steak Supper this month, which they hope to build on in future years. After further consideration, the Staffing Grant application has been withdrawn. The Granite Quarry Fire Department does not respond to a high enough volume of structure fires to meet requirements for the grant. The department is now planning to supplement staffing needs with additional hours from part-time staff.

Public Hearing

ORDINANCE NO. 2018-02 – Ordinance amending various sections of the Town of Granite Quarry Uniform Development Ordinance.

Mayor Feather opened the Public Hearing at 7:25 pm. There were no citizens present who wished to speak for or against the Ordinance Amendment. Mayor Feather closed the Public Hearing at 7:26 pm.

ORDINANCE NO. 2018-03 – Code of Ordinances. To change the words “Davie County” to “Rowan County” in Section 6-65.

Mayor Feather opened the Public Hearing at 7:26 pm. There were no citizens present who wished to speak for or against this wording change. Mayor Feather closed the Public Hearing at 7:26 pm.

Mr. Steve Blount, Town Planner, gave a presentation of recommendations for Text Amendments.

Section 6.2.2 A. says, “For wall signs, placard signs, and window signs, the area of the sign shall be the smallest rectangle that can encompass all letters and logos included in the sign.”

This works if the lettering and logos are spelled out in a straight line or in a square that includes multiple lines of text.

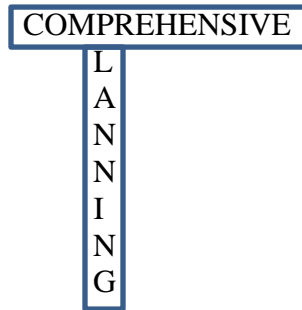
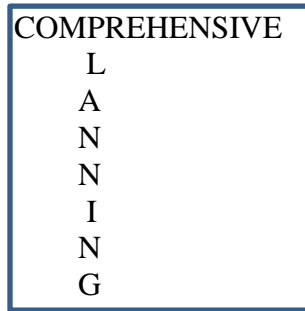
Examples:

Joe’s Barber Shop

Or

Joe’s
Barber
Shop

This measurement doesn't work very well for oddly shaped signs.
Example:



The first example would result in a much larger measurement than the second, adding undue restrictions to the sign size. I would suggest revising the UDO text to read as follows:

6.2.2 A. says, “For wall signs, placard signs, and window signs, the area of the sign shall be the smallest rectangle or set of rectangles that can encompass all letters and logos included in the sign.”

ACTION: Alderman Linker made a motion to approve proposed change to section 6.2.2 A of the Uniform Development Ordinance. Alderman Cress seconded the motion. The motion passed with all in favor.

Section 15.5 says The Zoning Board of Adjustment is made up of 10 members, 5 living in the town boundaries and 5 living in the town's ETJ. There are also 2 alternates. 15.5.3.B. in a discussion of using the Alternates to fill open positions for the purpose of voting on issues says, “In no case, however, shall *more* than five (5) regular members or combination of regular members and the alternate members be empowered to make motions or vote on any matter that comes before the Board involving this Ordinance.”

This should be amended to change the word *more* to *less*, to insure at least five members are present to consider important issues.

ACTION: Mayor Pro Tem LaFevers made a motion to approve proposed change to section 15.5 of the Uniform Development Ordinance. Alderman Costantino seconded the motion. The motion passed with all in favor.

In **Section 3.3** the Table of Permitted Uses, under the heading Zoning Districts, we list the various zoning district abbreviations (RR, RL, RM, etc.) horizontally and then mark the various columns below for permitted uses in each classification. To the far right of the Zoning Districts we list “SR”. Because it is in line with the zoning districts it looks like it should be one, but in fact SR stands for Special Requirements.

USES	ZONING DISTRICTS										
<i>Residential Uses</i>	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	SR

The letters SR should be moved up one row to be in the same row as the words “Zoning Districts” to avoid confusion.

USES	ZONING DISTRICTS										SR
<i>Residential Uses</i>	RR	RL	RM	RH	OI	NB	CB	HB	LI	HI	

ACTION: Alderman Linker made a motion to approve proposed change to section 3.3 of the Uniform Development Ordinance. Mayor Pro Tem LaFevers seconded the motion. The motion passed with all in favor.

Section 10.2.1 A. states, “All water and sewer service for the Town is furnished by the City of Salisbury and all water and sewer line connection and installation shall be in accordance with Salisbury-Rowan Utility standards and Chapter 17 of the City of Salisbury Code of Ordinances.”

This is not true. Some parts of our Town have sewer service provided by the Town of Faith and it is possible a stand-alone packaged sewer system might be used for a small subdivision. Standards are different for different system operators. Specifically, the Faith system allows sewer lines to be built out of PVC material regardless of where it is located in relation to pavement. SRU allows PVC to be used but does not allow it to be placed under pavement. And as a minor note, the Section in the Salisbury Code of Ordinances has been changed to Section 25.

I would suggest the following rewording to resolve this issue:

“All water and sewer service for the Town that is furnished by the City of Salisbury shall have all water and sewer line connection and installation be in accordance with Salisbury-Rowan Utility (SRU) standards and Chapter 25 of the City of Salisbury Code of Ordinances. Water and sewer line connection and installation that connect to other systems shall be governed by those systems’ regulations or by specific rulings made by the Town Planner.”

ACTION: Alderman Costantino made a motion to approve proposed change to section 10.2.1 A of the Uniform Development Ordinance. Alderman Linker seconded the motion. The motion passed with all in favor.

Section 10.1.3, Street Design has a cross section for a 50' wide residential street. This cross section has a footnote that says, “*This cross section may only be utilized if each lot has a minimum of three (3) parking spaces, not including garage spaces.”

We have learned from experience that most driveways in small-lot subdivisions only have space for two cars to park in the driveway and two in the garage. Road frontage and lot width do not allow for a third space. We also recognize that while this cross section indicates “(no on-street parking)” that we do not require “no-parking” signs, nor do we enforce this limitation.

The reason for this limitation is to allow adequate road access for emergency vehicles. This could become especially critical if someone were having a party or yard sale and a large number of cars were parked in the street on both sides.

I would suggest the following text amendments to this section to resolve this issue:

“*This cross section may only be utilized if each lot has a minimum of two (2) parking spaces, not including garage spaces. Spaces in the driveway must be long enough that the rear of the parked car does not intrude on the sidewalk if required and provided.”

ACTION: Alderman Linker made a motion to approve proposed change to section 10.1.3 of the Uniform Development Ordinance. Alderman Cress seconded the motion. The motion passed with all in favor.

Section 10.1.4 On-Street Parking says, “On-street parking shall be at least 8 feet wide (to back of curb) and 22 feet long and be marked on the pavement.” This is unrealistic for all but downtown on-street parking spaces. Revise this to say:

“On-street parking will be allowed on both sides of the road per the above 58’ wide right-of-way cross section. On-street parking will only be allowed on one side of the street on the 50’ wide right-of-way cross section and the property owner/developer will provide signs stating, “no parking this side of road” on one side of the road.

The Planning Board voted unanimously not to recommend this change. Mr. Blount also recommended not approving this Amendment.

ACTION: Alderman Costantino made a motion to follow the advice of the Planning Board and reject the proposed change to section 10.1.4 of the Uniform Development Ordinance. Mayor Pro Tem LaFevers seconded the motion. The motion passed with all in favor.

Section 4.2.2 M., discussing Swimming Pools at Residences says, “Swimming pools shall be enclosed with a fence of at least 4 feet in height.” Our Zoning Application states that swimming

pools must be located in the rear yard of the residence and that “inground pools” must have a 4’ tall fence.

Revise Section 4.2.2 M., to say,

“Inground swimming pools shall be enclosed with a fence of at least 4 feet in height. All swimming pools shall be located in the rear yard of the residence.”

There was discussion by the Planning Board regarding the possibility to include all pools, regardless of type. After consideration, Mr. Blount also recommended approving the change with application to all swimming pools. The Board discussed this change.

ACTION: Mayor Pro Tem LaFevers made a motion to approve the proposed change to section 4.2.2 M of the Uniform Development Ordinance with the change that it apply to all swimming pools. Alderman Cress seconded the motion. The motion passed with all in favor.

Section 6-56 in the Town’s Code of Ordinances refers to, “the Clerk of Superior Court of Davie County...”.

Revise this to say,

“...the Clerk of Superior Court of Rowan County...”.

ACTION: Alderman Linker made a motion to approve proposed change to section 6-56 of the Granite Quarry Code of Ordinances. Alderman Cress seconded the motion. The motion passed with all in favor.

Graham Corriher, Town Attorney, recommended that a statement of consistency be adopted. The Board discussed a statement of consistency.

ACTION: Alderman Costantino motioned that a statement of consistency be adopted per the Town Attorney recommendation; stating that these are technical amendments designed to clarify the Unified Development Ordinance and as such, we reviewed the long-term plan and found these changes to be consistent with the 2020 plan. Alderman Linker seconded the motion. The motion passed with all in favor.

Town Manager’s Update

Litter Sweep Update: Mr. Conrad asked Mr. Hord to come forward, stating that they had participated in the NCDOT 2018 Litter Sweep campaign. The group from the Town split up into two teams. Mr. Hord reported that 10 to 12 bags of litter were picked up. Mr. Conrad reported that those involved were planning to participate again; and may do so before the official event next year. Mr. Hord thanked Alderman Linker and Mayor Feather for their participation.

Policy and Procedure Update:

Boards and Committee Appointment Process

Ms. Tanya Word presented an appointment process for appointments to Boards and Committees. The Board was requested to approve Resolution 2018-02, which establishes a Board and Committee Appointment Policy. Mayor Feather added that last year the appointment process was delayed due to hiring of the Clerk. Alderman Linker clarified that this approval was only for the Appointment Process and not for the Handbook for Citizen Boards and Committees.

ACTION: Alderman Linker made a motion to approve the Appointment process as presented in Resolution No. 2018-02. Alderman Costantino seconded the motion. The motion passed with all in favor.

Information Item – Handbook for Citizen Boards and Committees:

The Board discussed the Handbook for Citizen Boards and Committees. Both Mayor Feather and Alderman Linker suggested that there would need to be updates in a variety of sections before this would be ready for approval. Alderman Linker stated that he felt there should be a handbook to give to new applicants explaining the responsibilities involved. There were concerns expressed that the vetting process as described could deter volunteers. Ms. Word stated that there was no expectation to vote on approval of the handbook at this point and encouraged the Board to email any comments or suggestions to her as they read through the document further.

Old Business

a. Consider Approval of Incentives for Project Wheel

Mayor Feather mentioned that this request was tabled from the April Board of Aldermen meeting. Alderman Linker asked if anything has changed about the request. Mr. Scott Shelton replied that he had no updates, but they were planning to choose their business location sometime this month.

Alderman Linker asked for restating of exactly what had been requested. Mr. Shelton stated that the original project was a 5-year tax incentive under which they would pay their property taxes and would get 75% of those taxes back as a grant in equal installments over five years. They would have to pay first, then get the money back. Based on the \$11 million investment, the estimate was that the project would generate \$45,925 annually and they would get a tax incentive of \$34,444 with a net gain to the Town of \$11,481 for the first five years. Over a 10-year window, the business would generate about \$229,000 for the Town after incentives are paid out.

Mayor Feather asked Mr. Shelton to refresh the Board on the incentive on the building itself. Mr. Shelton replied that the tax incentive would be for the building and equipment. If they chose the spec building, the building owner would pay the taxes as the landlord. The company paying the rent would get the tax incentive, not the landlord. Mayor Feather

asked what the net effect is for the Town if approving this new incentive. Mr. Shelton expressed that it was an improvement for the Town to get 25% of the taxes paid the first five years, then after that would get the full 100%.

Alderman Linker asked if the clause was still included that stated if the company eliminated 51% or more of their workforce during the first 12-months the agreement would be terminated. Mr. Shelton replied that yes, in that circumstance the agreement would be void, also mentioning that other stipulations could be added.

Alderman Cress asked who monitors the incentive agreement. Mr. Shelton stated that the dollar amount would be on the tax bill. The wage and employment data would be turned in on the NCUI-101 form.

ACTION: Alderman Linker made a motion to approve the incentive grant for Project Wheel as presented. Alderman Costantino seconded the motion. The motion passed with all in favor.

b. Consider Approval of Resolution of Support and Authorize Execution of State Grant Application on behalf of Cold Storage:

Scott Shelton opened stating that the Cold Storage project began in 2009. The project is expected to generate \$284,000 in new tax revenue over ten years. The company is pledging to create forty new jobs by the second phase of the project. The partners have experience in the frozen food distribution industry and saw a need for modern facilities that meet sanitation and security standards. The company plans to build a 42,000 square foot facility with capacity to hold 3,500 pallets. They plan to double the size of the facility in the second phase approximately two years later.

There are preliminary engineering reports on a necessary project to extend Chamandy Drive and add water lines to the proposed site at an expected cost of \$507,000. Salisbury Rowan Utilities would own the extended water line and the Town of Granite Quarry would own the road extension. In order to reduce costs, it has been requested that the Town apply for an Infrastructure Grant from the Department of Commerce, under which the project should be eligible for \$500,000 in grant funds. This program has a required grant match of 5% (\$25,000) from the municipality who applies for the grant. Alderman Linker asked if Rowan County would be contributing any funds to the project. Mr. Shelton replied that the County may consider a tax incentive for the company.

Mayor Feather asked the Town Attorney if there needs to be a Public Hearing for the matching being requested to extend the road and water line. Graham Corriher replied that if the funds are not going to a company, it should not be necessary to hold a Public Hearing.

ACTION: Alderman Linker made a motion to approve the requested match for Rural Economic Infrastructure Grant. Alderman Cress seconded the motion. The motion passed with all in favor.

c. Survey of Town Property and access to Chamandy Drive

The property has been surveyed now, so more accurate information is now available. The Board discussed the potential sewer or septic requirements for the property on Chamandy Drive. A septic system would require approval of the Board of Aldermen.

- d. Code Enforcement** – To authorize the Manager to include adequate funding in the upcoming budget to provide staffing needed to create a baseline inventory of code violations in Granite Quarry and proceed with enforcement on approximately four open cases; and (2) once we have a baseline inventory in hand, the Manager and the Code Enforcement Staff will present to the Board a plan to address the identified and future code enforcement issues in the Town.

Mr. Conrad mentioned that the code enforcement issue is a continuation of discussion from the Board Retreat. This is follow-up seeking direction related to Code Enforcement.

Mr. Blount presented that Code Enforcement is an evolving process. Advice had been sought from the Town Attorney regarding enforcement in the ETJ. The Attorney's response was that the Town should not be enforcing ordinances outside the Town. When Mr. Blount presented this back to Rowan County, he was told that the County would not be picking up enforcement in the ETJ due to statutes that state that Public Health Nuisance or Minimum Housing Codes could be enforced by the Town.

Previously Mr. Blount had asked for direction from the Board and funding to enforce four ongoing violations. Since that time, two of these have responded and should require no further enforcement and the other two are in the ETJ, where we are unclear about enforcement at this time.

It also had been suggested that we complete a survey of code violations inside the Town to determine the volume of issues. This would require budgeting of sufficient funds to carry out a survey of all properties in the Town. The Town Manager can present that with approval of the budget.

Mr. Blount asked for direction on how far we want to go with code enforcement, stating that initial communication in the form of conversations or letters does not involve much incurred cost. If necessary, later steps involving Benchmark Planning, the Town Attorney, and cases going to court could be costly with potential to cost thousands of dollars.

Direction needs to be given by the Board regarding any pursuit of enforcement in the ETJ. There also should be direction on whether to continue with enforcement as a complaint driven process, or do we want Town staff to work toward identifying code violations.

Mayor Feather suggested that maybe the process could start with inventory of violations inside the Town first. There could also be further communication with Rowan County to determine what will be enforced in the ETJ and by whom. Alderman Linker also recommended gathering the inventory of violations inside Town only, then assess what is needed from a budget to move forward.

DIRECTION: By Board consensus there was support expressed for creating an inventory of violations within the Town. Once the items inside Town are identified, looking at issues in the ETJ can be revisited. There also may be consideration given to moving beyond the complaint driven process after an inventory has been compiled.

New Business & Action Items

- a. **Discussion Item** – Richard Luhrs – Update on former Town Property and Sewer Treatment Plant.

Jason Hord presented pictures showing bags of leaves, debris, large granite blocks up to 12' in length, manhole covers / risers, 36" pipe, asbestos and PVC pipe, granite and broken concrete, railroad ties, and water meter extenders on the property.

Mayor Feather stated that the property had been sold to Lonnie Goodman who then transferred the property to Richard Luhrs. When the property was sold, there was an agreement to clean up some things and approximately 100 truck loads of items were removed from the property. Mr. Luhrs has requested assistance with cleaning up the remaining items.

Mr. Luhrs spoke, stating that when he purchased the property the largest notable item was a large volume of shrubbery that covered approximately one quarter of an acre fifteen feet high. That was what the 100 loads of mulch removed consisted of. As Mr. Luhrs has worked to clean up the property, he has run across the other items Mr. Hord described. Particularly, the large granite blocks or "lentils" are too heavy for Mr. Luhrs to move with his tractor. These would be donated to the Town if there is a use for them. He also identified the asbestos pipe and waste sidewalk material. At this point Mr. Luhrs is seeking any assistance available from the Town and states he was unaware of these items presence when he purchased the property 2 ½ years ago.

Alderman Linker asked if there was anything in the agreement when it was sold to Mr. Goodman regarding clean-up of the property. Mr. Luhrs stated that when asbestos was left on a property, he did not think the purchasing owner should not be responsible for it. Alderman Linker suggested that there should be legal research completed on the matter. Mayor Pro Tem LaFevers agreed that there should be legal review; adding that there was an agreement with Mr. Goodman regarding removal of some items, but he does not recall an itemized list. Mayor Feather spoke in agreement that there should be a review of what Town responsibility is before making any decisions. Alderman Cress stated that he thought Salisbury Rowan Utilities would take the manhole covers and risers if they were notified.

DIRECTION: By consensus the Board agreed to respond to Mr. Luhrs request for assistance after having time for further review.

- b. **Motion Request** – Staff is requesting a motion to request bids for Auditing firm. Mayor Feather stated that the current firm has been used for several years and it would be prudent to get additional bids at this time.

ACTION: Alderman Costantino made a motion that Town Staff collect bids from Financial Auditing Firms. Alderman Linker seconded the motion. The motion passed with all in favor.

- c. **Discussion Item** – Marsy’s Law

Ms. Word explained that a letter was received from Justin Rice regarding House Bill 551. This is a Bill to give victims of violent crime the right to be notified of the release date of their attackers. The Town Attorney added that this was a modification within the State Constitution outlining rights of notification that was recently modified and stated that expressing support or opposition had no effect on whether it becomes law. Mayor Feather suggested that maybe as individuals they should reach out to representatives to express their viewpoints. The Board agreed to table discussion of Marsy’s Law until the June meeting of the Board of Aldermen.

- d. **Discussion Item** – UDO REVISION – To authorize the Manager and his staff to create revisions as needed to the Uniform Development Ordinance to control the use of cul-de-sacs in commercial/industrial developments and then refer these to the Planning Board for review and recommendation to the Board for adoption.

Mr. Blount, Town Planner, presented the following conclusions regarding cul-de-sac use in commercial and industrial areas:

1. Due to the surface damage to the road caused by large, heavy trucks making limited radius turns in a cul-de-sac, they should be avoided if possible in commercial/industrial developments. “No turn around” signs should be posted at the Heilig Road entrance to Chamandy Drive.
2. The current cul-de-sac at the end of Chamandy Drive should be abandoned when/if the road is extended to the Town’s property. Gildan Yarns rear driveway should be configured to access Chamandy at a right angle.
3. No additional curb cuts should be approved into the cul-de-sac regardless of the Chamandy Drive extension.
4. Our UDO has guidelines for driveway separation that will control where and how many driveways will be allowed onto Chamandy Drive. No additional UDO text amendments are needed at this time.

DIRECTION: By consensus the Board of Aldermen directed the Planner to conduct further research and present a recommendation from the Planning Board.

- e. **Discussion Item** – ORDINANCE NO. 2018-04 - Code of Ordinances. Amendment to Chapter 9 Environment, Section 9-33, Declaration of Public Nuisance, add Item 12 to the list of Public Nuisances as follows: “12. Dirt and/or Construction Debris on Public Street- It shall be unlawful for the contractor in charge of a construction project, or

lacking said contractor, the property owner on whose land the construction project is taking place, to allow vehicles leaving the site to deposit dust, dirt, mud or construction debris on a public street. Each day after violation notification will constitute a separate violation and will be fined as set forth in the Town's Code of Ordinances and/or Schedule of Fees and Fines.”

DIRECTION: By consensus the Board of Aldermen asked for a recommendation from the Planning Board.

- f. Budget Amendment Request #15 - To transfer funds from Fund Balance Appropriated (01-3991-99) to Administration C.O. Equipment (01-4120-55) for Shelving in the Vault. The quote from Schafer Systems International was approved by the Board of Aldermen on July 6, 2017.

ACTION: Alderman Linker made a motion to approve Budget Amendment Request #15. Alderman Costantino seconded the motion. The motion passed with all in favor.

- g. Budget Amendment Request #16 – To transfer funds from Surplus Items Sold (01-3835-81) to Police Department C.O. Motor Vehicle Fund (01-4310-54) for the sale of a Police Vehicle sold on GovDeals, in which funds have been received.

ACTION: Mayor Pro Tem LaFevers made a motion to approve Budget Amendment Request #16. Alderman Costantino seconded the motion. The motion passed with all in favor.

- h. Consider Approval of Financial Support from the Rowan County Opioid Forum Planning Committee in the amount of \$500

ACTION: Alderman Costantino made a motion to approve \$500 in financial support for the Rowan County Opioid Forum Planning Committee. Mayor Pro Tem LaFevers seconded the motion. The motion passed with all in favor.

- i. **Proclamation** – National Day of Prayer
Mayor Feather proclaimed May 3, 2018 as a National Day of Prayer.
- j. **Proclamation** – Municipal Clerks Week
Mayor Feather proclaimed the week of May 6 - 12, 2018 as Municipal Clerks Week.

Mayor's Notes

- Mayor Feather reviewed the upcoming schedule of events.

Mayor's Action

Recess Meeting:

Alderman Linker made a motion at 9:15 PM to recess the meeting and reconvene at 3:00 PM on May 17, 2018 pursuant to N.C. General Statute Section 160A-71 for review of the 2018-2019 Budget. Alderman Costantino seconded the motion. The motion passed with all in favor.

Respectfully Submitted,

Scott Stewart

Deputy Clerk