



**TOWN OF GRANITE QUARRY
TOWN COUNCIL
REGULAR MEETING MINUTES
Thursday, July 11, 2024 6:00 p.m.**

Present: Mayor Brittany Barnhardt, Mayor Pro Tem Doug Shelton, Council Member John Linker, Council Member Laurie Mack, Council Member Rich Luhrs

Staff: Interim Town Manager/Fire Chief/Public Works Director Jason Hord; Town Clerk Aubrey Smith; Town Attorney Zachary Moretz; Planning, Zoning, and Subdivision Administrator Richard Flowe; Interim Police Chief Todd Taylor; Police Officer Travis Shuffler

Call to Order: Mayor Barnhardt called the meeting to order at 6:00 p.m.

Moment of Silence: Mayor Barnhardt led a moment of silence.

Pledge of Allegiance: The Pledge of Allegiance was led by Mayor Barnhardt.

1. Approval of the Agenda

Mayor Barnhardt stated an email had been forwarded by Clerk Smith regarding a possible discussion on the Town Manager search timeline. There was consensus to add the item after the other business items. Mayor Pro Tem Shelton requested that a Closed Session item be added to the agenda for a chance to consult with the attorney under attorney-client privilege.

ACTION: Council Member Linker made a motion to approve the agenda as presented and with the suggested amendments (*addition of items for TM timeline and closed session*). Mayor Pro Tem Shelton seconded the motion. The motion passed 4-0.

2. Approval of the Consent Agenda

A. Approval of the Minutes

- 1) Special Meeting June 10, 2024
- 2) Regular Meeting June 10, 2024
- 3) Closed Session June 10, 2024

B. Departmental Reports

C. Financial Reports

D. Appointment – CAC

Mayor Pro Tem Shelton asked Manger Hord how confident he was in the revenues and expenses shown on the financial reports. Manager Hord responded there were some invoices that were still coming in, but the data for the end of the fiscal year would have no substantial changes.

ACTION: Mayor Pro Tem Shelton made a motion to approve (*the consent agenda*). Council Member Linker seconded the motion. The motion passed 4-0.

3. **Public Comments** – There were no public comments.

4. **Town Manager’s Update**

Manager Hord shared highlights from the Town Manager’s Update in the agenda packet including a successful Fish for Fun event and new banners up throughout town. The PARTF grants will be awarded live August 23rd. The RFP for the Civic Park parking lot is posted and bids will be accepted through July 19th. The staff appreciation event was successful and enjoyed by all. The TAP sidewalk project is still in the design phase. There have been quite a few applications received for the open Fire positions; applications will be accepted through July 12th. Manager Hord stated he met with John Ganus and formulated a plan for moving forward with code enforcement. Communication has been excellent so far. Rowan Tourism confirmed that wayfinding signs should be received by early fall. Recent upgrades to Town Hall have taken place and include new paint and carpet in the meeting room and lobby.

Manager Hord introduced Todd Taylor who has been appointed Interim Police Chief. Chief Taylor has been with the Town for 28 years, most recently in the role of Police Investigator. He is also a Fire Captain at Bostian Heights. Chief Taylor was accompanied by his family including his wife Stephanie and son Alex. Mayor Barnhardt administered the oath of office.

Manager Hord introduced the newest police officer, Travis Shuffler. Officer Shuffler has been employed by the Town for the last six months, during which time he attended and completed the BLET program. Officer Shuffler graduated from Pfeiffer University with a degree in criminal justice. Officer Shuffler was accompanied by his family and fiancée. Chief Taylor administered the oath of office and then presented Officer Shuffler with his badge and a challenge coin. Chief Taylor spoke about the significance of an untarnished badge.

5. **Public Hearing** **Zoning Map Amendment 2024-07-11 Cline**

A. **Staff Summary**

Planning, Zoning, and Subdivision Administrator Richard Flowe summarized the requested amendment to parcel 354 186 from Single-Family Residential-3 (SFR-3) to US Highway 52 Commercial (C-52). Two ordinances were presented to the Council for consideration: the first was recommended by the Planning Board and the second included conditions which were developed with the agreement of the applicant after discussion at the neighborhood meeting. If the ordinance including the conditions is adopted, it would create a conditional zoning district. The conditions appear as “Attachment B” to the ordinance and include additional setbacks.

Clerk Smith attested that notice of the hearing had been made.

B. **Public Hearing**

- 1) Opened: Mayor Barnhardt opened the public hearing at 6:29 p.m.
 - There were no comments from the public.
- 2) Closed: Mayor Barnhardt closed the public hearing at 6:30 p.m.

C. **Council Discussion and Decision**

Council members asked questions of Mr. Flowe for clarification. It was stated that the applicant is not held to a specific use or plan at this time. Any rezoning would run with the land and not the property owner. Council members stated there had been previous concerns with the development of the property including issues with traffic and infrastructure.

ACTION: Council Member Linker made a motion to adopt Ordinance ZMA-2024-07-11 with conditions. Council Member Luhrs seconded the motion. The motion passed 3-1 with Council Member Mack opposed.

6. Public Hearing

ZTA 2024-07-11 Religious Institution in MSD

A. Staff Summary

Mr. Flowe summarized the application for the Zoning Text amendment which would change the written language of the ordinance to add in Table 8.1 of the Granite Quarry Development Ordinance a symbol indicating a listing of religious institutions in the Main Street District. Currently religious institutions are one of the primary listed uses in the Civic District and are only a listed use in that classification. Mr. Flowe stated that the act referred to as RLUPA clarified that local governments cannot restrict places of assembly by type. The current ordinance allows places of assembly including government, schools, clubs, and religious institutions in the Civic District. The proposed amendment would add religious institutions only in the Main Street District in addition to them being allowed in the Civic District.

Council Member Linker asked about the status of the Planning Board's review, as instructed by the Town Council, of the Table of Uses. Mr. Flowe stated it had begun and was ongoing. Mayor Pro Tem Shelton asked if there was a particular reason the use hadn't been listed in the Main Street District zoning classification before now. Mr. Flowe responded that to address the concerns of the RLUPA, in all the ordinances he has written over the past fifteen years, all those types of uses have been captured in their own district so that they have a singular standard. Prior to RLUPA schools and religious institutions had been allowed in most districts but the problem that arose was that different standards were applied to each depending on the district they were in. The Civic District was created to standardize the requirements.

Mayor Barnhardt asked if there was a risk associated with allowing religious institutions in multiple classifications. Attorney Moretz stated that the RLUPA required that all religious institutions be treated the same and that the current Civic District was meeting that; the request here would just be to add religious institutions in an additional zoning classification. Mayor Pro Tem Shelton stated a concern that allowing religious institutions in two separate classifications could mean different requirements. Attorney Moretz stated he didn't believe that represented any legal risk.

Council Member Luhrs asked about how the trend with storefront churches would be affected and asked if the Town has a liability if they are not allowed. Attorney Moretz stated he didn't believe so, assuming there was a reasonable number of places where churches would be allowed.

Clerk Smith attested that notice of the hearing had been made.

B. Public Hearing

- 1) Opened: Mayor Barnhardt opened the public hearing at 6:52 p.m.
 - There were no comments from the public.
- 2) Closed: Mayor Barnhardt closed the public hearing at 6:52 p.m.

D. Council Discussion and Decision

Mayor Pro Tem Shelton expressed a desire for the Planning Board to complete the review of the classification table before a decision was made. Mayor Barnhardt stated it was not unusual for the Council to request that a matter be reviewed in depth by the Planning Board.

Mr. Flowe stated that the specific religious institution in question was still allowed to meet in the Main Street District location while the amendment was under review.

ACTION: Mayor Pro Tem Shelton made a motion to defer a decision on the topic (*Ordinance ZTA-2024-07-11*) to the next regular meeting after 90 days. Council Member Mack seconded the motion. The motion passed 3-1 with Council Member Luhrs opposed.

Old Business
New Business

None

7. Ordinance

Comprehensive Land Use Plan Update & FLUM

Mr. Flowe presented and summarized the drafted amendments to the Comprehensive Land Use Plan and associated Future Land Use Map. The amendments were drafted after the recent non-annexation boundary agreement with Salisbury which defined the areas of growth for the town and increased the town's scope of influence. The Planning Board has reviewed the proposed amendments. Mr. Flowe requested that the Council review the changes before the August 8th regular meeting when a public hearing on the ordinance updating the CLUP and FLUM will be held.

8. Annexation

3000 Old Concord Road

A. Resolution Directing Clerk to Investigate

Mr. Flowe presented the petition for voluntary annexation in the Town's area of influence.

ACTION: Council Member Linker made a motion to adopt Resolution 2024-07-11-1 directing the clerk to investigate a petition for annexation. Council Member Luhrs seconded the motion. The motion passed 4-0.

B. Certificate of Sufficiency

The certificate of sufficiency was entered into the record.

C. Resolution Setting Date for Public Hearing

ACTION: Council Member Luhrs made a motion to adopt Resolution 2024-07-11-2 setting the date for a public hearing regarding an ordinance for annexation. Council Member Mack seconded the motion. The motion passed 4-0.

9. Agreement

Granite Industrial Park Sign Easement

Manager Hord stated the agreement was drafted by Attorney Moretz and then reviewed and signed by Easter Creek.

ACTION: Council Member Luhrs made a motion to adopt the Easement Agreement for the Granite Industrial Park Sign. Council Member Mack seconded the motion. The motion passed 4-0.

10. Discussion

Town Manager Search Timeline Discussion

The Council discussed an email update from Centralina regarding applications that had been received for the Town Manager position and options for the timeline. There was Council consensus to go with the original timeline with the application period closing July 15th and the meeting to identify candidates taking place July 22nd.

11. Council Comments – There were no Council comments.

12. Announcements and Date Reminders

A. Monday	July 22	10:00 a.m.	Special Meeting w. Centralina (TM Search)
B. Saturday	July 27		Dragon Boat Festival
C. Wednesday	July 31	TBD (p.m.)	Special Meeting w. Centralina (TM Interviews)

D. Monday	August 5	6:00 p.m.	Planning Board
E. Monday	August 5	6:15 p.m.	Board of Adjustment
F. Tuesday	August 6	5:30 p.m.	Events Committee

The Council took a short recess at 7:30 p.m.

Mayor Barnhardt called the meeting back to order at 7:39 p.m.

13. Closed Session

ACTION: Mayor Pro Tem Shelton made a motion to go into closed session pursuant to N.C. General Statutes Section 143-318.11(a)(3) to consult with an attorney retained by the public body in order to preserve the attorney-client privilege. Council Member Linker seconded the motion. The motion passed 4-0.

The Council went into closed session at 7:40 p.m.

ACTION: Mayor Pro Tem Shelton made a motion to return to open session. Council Member Luhrs seconded the motion. The motion passed 4-0.

The Council returned to open session at 7:50 p.m.

Mayor Pro Tem Shelton stated that no action was taken in closed session.

Adjournment

ACTION: Council Member Linker made a motion to adjourn. Mayor Pro Tem Shelton seconded the motion. The motion passed with all in favor. The meeting ended at 7:51 p.m.

Respectfully Submitted,

Aubrey Smith

Town Clerk