

MINUTES OF REGULAR MEETING HELD FEBRUARY 17, 2020

REGULAR MEETING The Granite Falls Town Council held a Regular Meeting on Monday, February 17, 2020 at 6:00 p.m. in the Council Chambers of the Administrative Building.

PRESENT The following members of the governing body were present: Mayor Barry Hayes, Council Members Dr. Caryl B. Burns, Larry Knight, Jim Mackie, Martin Townsend, and Tracy Townsend.

ABSENT The following member of the governing body was absent: Mike Mackie

STAFF PRESENT The following staff members attended the meeting: Town Manager Jerry Church, Town Clerk Paula Kirby, Town Attorney Bruce Cannon, Police Chief Chris Jenkins, Assistant Police Chief Brine Branham, Town Planner Greg Wilson, Finance Director Jana Williams, Administrative Assistant Kara Calloway, Water Resources Director and Public Works Director Randy Smith, and Electric Services Director Rick Sisk.

VISITORS Caldwell Community College and Technical Institute President Dr. Mark Poarch, Caldwell County Economic Development Commission Executive Director Deborah Murray, Lisa Cook, Anna Cook Bennett, Robyn Bronson, and Ted Cooke.

NEWS MEDIA Garrett Stell, representing *The News-Topic*, attended the meeting.

MEETING CALLED TO ORDER Mayor Barry Hayes called the meeting to order and welcomed everyone present.

INVOCATION Police Chief Chris Jenkins led in prayer.

PLEDGE OF ALLEGIANCE Mayor Barry Hayes led the Pledge of Allegiance.

SPECIAL PRESENTATIONS/INTRODUCTIONS/RECOGNITIONS

Caldwell Community College & Technical Institute President Dr. Mark Poarch Dr. Poarch presented the Council a 2018-2019 President's Report. The report focused on partnerships. CCC&TI has partnered with Appalachian State University with a program that provides a pathway and guaranteed admission for students who want to start at CCC&TI and complete their degree at ASU. Another partnership is the Dr. Hector Estepan CobraCare Clinic on the Caldwell Campus. The clinic provides a full range of affordable healthcare and mental health services for college students and employees. Continued partnerships with area businesses, industries, and local government help fund programs and expansions for the

school. CCC&TI also works with the hospital and Caldwell County Economic Development to help meet the needs of the community. The school has a new men's baseball team and a new women's softball team. CCC&TI athletes maintain a 2.8 grade point average. Enrollment has increased with 38% being High School students. Dr. Poarch expressed his gratitude to the Council for their support.

Mayor Barry Hayes thanked Dr. Poarch and stated that CCC&TI was a great school and is a big part of the success of Caldwell County.

Caldwell County Economic Development Commission Executive Director Deborah Murray Caldwell County EDC Executive Director Deborah Murray informed the Council that Caldwell Community College and Technical Institute was a great partner with the EDC. Ms. Murray presented a power point presentation showing population growth, unemployment rates and top employers, median household income, 2020 private sector average wages, and Granite Falls projects since 2013. A copy of this presentation is attached and is hereby made a part of these minutes. Ms. Murray informed the Council the 20th annual "Caldwell County is Hiring" event will be held April 9, 2020 at the JC Broyhill Civic Center. 3,000 jobs were available at last year's event. Ms. Murray also presented the Council a piece of artwork celebrating Economic Development in 2019.

Mayor Barry Hayes thanked Ms. Murray and the EDC for their services.

APPROVAL OF AGENDA Larry Knight made a motion the Council approve the agenda as presented. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote.

APPROVAL OF MINUTES FROM THE REGULAR COUNCIL MEETING HELD FEBRUARY 3, 2020 Martin Townsend made a motion the Council approve the minutes from the Regular Council meeting held February 3, 2020 as presented. Jim Mackie seconded the motion, with a unanimous affirmative vote.

TOWN ATTORNEY REPORT Town Attorney Bruce Cannon did not have a report.

PUBLIC COMMENT PERIOD No one registered to speak.

PUBLIC HEARINGS

PUBLIC HEARING ON AMENDMENT TO TOWN CODE OF ORDINANCES TITLE III: ADMINISTRATION, CHAPTER 34. GENERAL POLICIES 34.01 SMOKING POLICY CALLED TO ORDER Mayor Barry Hayes called to order a public hearing on an amendment to the Town of Granite Falls Code of Ordinances TITLE III: ADMINISTRATION, CHAPTER 34. GENERAL POLICIES 34.01 Smoking Policy. The amendment would change Smoking Policy to Smoking, Tobacco, and E-Cigarettes Policy and would expand the prohibition of these products to include the building and grounds of all Town facilities. The amended ordinance would also add clarifying language to prohibit the use of all of these products in all Town vehicles and facilities. The amended Town Ordinance would become effective immediately.

No one registered to speak during the public hearing.

Notice of the public hearing was duly provided in the *News Topic* as required by law.

PUBLIC HEARING ON AMENDMENT TO TOWN CODE OF ORDINANCES TITLE III: ADMINISTRATION, CHAPTER 34. GENERAL POLICIES 34.01 SMOKING POLICY CLOSED Mayor Barry Hayes closed the public hearing on the amendment to the Town Code of Ordinances Title III: Administration, Chapter 34. General Policies 34.01 Smoking Policy.

PUBLIC HEARING ON ZONING TEXT AMENDMENT #1-2020 CALLED TO ORDER Mayor Barry Hayes called to order a public hearing on Zoning Text Amendment #1-2020. The Council called for the public hearing at the February 3, 2020 Council meeting following the presentation of the text amendment by Town Planner Greg Wilson.

Zoning Text Amendment #1-2020, submitted by Lisa Cook, would amend the methods for calculating the allowable size and number of accessory structures. The proposed amendment would exempt one (1) detached canopy (carport) from both calculations under certain conditions only on lots that are larger than one (1) acre. The Planning Board voted 5 to 2 to recommend that the Town Council approve Zoning Text Amendment #1-2020.

Notice of the public hearing was duly provided in the *News Topic* as required by law.

Lisa Cook speaks to the Council Lisa Cook, owner of 54, 56, and 58 Duke Street, Granite Falls, informed the Council that she has a canopy but needs an additional storage building for a riding lawn mower.

PUBLIC HEARING ON ZONING TEXT AMENDMENT #1-2020 CLOSED Mayor Barry Hayes closed the public hearing on Zoning Text Amendment #1-2020.

NEW BUSINESS/ACTION ITEMS

AMENDMENT TO TOWN CODE OF ORDINANCES TITLE III: ADMINISTRATION, CHAPTER 34. GENERAL POLICIES 34.01 SMOKING POLICY APPROVED The Council considered an amendment to the Town of Granite Falls Code of Ordinances Title III: Administration, Chapter 34. General Policies 34.01 Smoking Policy. Martin Townsend made a motion the Council approve the amendment as requested. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote. A copy of the amendment is attached and is hereby made a part of these minutes.

ZONING TEXT AMENDMENT #1-2020 APPROVED The Council considered Zoning Text Amendment #1-2020. The Planning Board voted 5 to 2 to recommend that the Town Council approve Zoning Text Amendment #1-2020 as submitted.

Tracy Townsend made a motion to approve Zoning Text Amendment #1-2020, which the Granite Falls Town Council does hereby find and determine that the adoption thereof is both reasonable and in the public interest, while acknowledging that the adopted Granite Falls

Horizons: Land Development Plan does not specifically address the issue. Therefore, a determination cannot be made relative to its consistency therewith. Martin Townsend seconded the motion, with a unanimous affirmative vote. A copy of Zoning Text Amendment #1-2020 is attached and is hereby made a part of these minutes.

ORDINANCE #356 APPROVED Since the Council approved Zoning Text Amendment #1-2020, which amended the methods for calculating the allowable size and number of accessory structures, they considered Ordinance #356 amending the Town of Granite Falls Zoning Ordinance.

Ordinances for Zoning Text Amendments are not required under NC General Statutes; however, the passing of the formal ordinance gives the Town an additional mechanism to track zoning activity and serves as the formal document that repeals former zoning ordinances or resolves conflict when there are zoning disputes.

Martin Townsend made a motion the Council approve Ordinance #356 as presented. Larry Knight seconded the motion, with a unanimous affirmative vote. A copy of Ordinance #356 is attached and is hereby made a part of these minutes.

UNIFOUR REGIONAL MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN APPROVED The Council was requested to approve the adoption of the Unifour Regional Multi-Jurisdictional Hazard Mitigation Plan and approve the resolution adopting the plan. The Hazard Mitigation Plan has already been approved by the State of North Carolina and must be approved by the Town Council in order for the Town to be eligible for disaster recovery funding from Federal Emergency Management Agency (FEMA) or State Emergency Management Agency (SEMA).

Tracy Townsend made a motion the Council approve the adoption of the Hazard Mitigation Plan and approve the resolution adopting the plan as requested. Larry Knight seconded the motion, with a unanimous affirmative vote. The plan is available for review online at <https://gis.aecomonline.net/IRISK2/NCHMP.aspx?region=32> and a copy of the resolution is attached and is hereby made a part of these minutes.

2019 PLANNING DEPARTMENT ANNUAL REPORT Granite Falls Town Planner Greg Wilson presented the 2019 Planning Department Annual Report. A copy of the report is attached and is hereby made a part of these minutes.

2019 POLICE DEPARTMENT ANNUAL REPORT Granite Falls Police Chief Chris Jenkins presented the 2019 Police Department Annual Report. A copy of the report is attached and is hereby made a part of these minutes.

2019 ELECTRIC DEPARTMENT ANNUAL REPORT Electric Services Director Rick Sisk presented the 2019 Electric Department Annual Report. A copy of the report is attached and is hereby made a part of these minutes.

ASPLUNDH TREE EXPERT COMPANY AGREEMENT APPROVED The Council was requested to approve the General Agreement with Asplundh Tree Expert Co. for March 15, 2020 through March 14, 2021 and authorize the Town Manager to execute the agreement on behalf of the Town. The agreement establishes compensation, obligations and insurance requirements, etc. There are no significant changes to the terms and conditions and the agreement includes rate increases of approximately 6% per hour or approximately \$3,600 per year. Asplundh's rates reflect the tight labor market and are still lower than the labor rate quotes we received from other tree trimming companies.

Jim Mackie made a motion the Council approve the agreement as requested and authorize the Town Manager to execute the agreement on behalf of the Town. Larry Knight seconded the motion, with a unanimous affirmative vote. A copy of the agreement is attached and is hereby made a part of these minutes.

ASPLUNDH STORM EMERGENCY PROCEDURE - TREE CREWS APPROVED The Council was requested to approve the Storm Emergency Procedure – Tree Crews Terms and Conditions with Asplundh Tree Expert Co. for March 15, 2020 through March 14, 2021 and authorize the Town Manager to execute the contract on behalf of the Town. The terms, rates and conditions haven't changed since the 2013 contract.

Larry Knight made a motion the Council approve the Storm Emergency Procedure as requested and authorize the Town Manager to execute the contract on behalf of the Town. Martin Townsend seconded the motion, with a unanimous affirmative vote. A copy of the Storm Emergency Procedure is attached and is hereby made a part of these minutes.

UPDATED WATER SYSTEM SPECIFICATIONS APPROVED At the April 15, 2019 Council meeting; the Council approved an agreement with the Wooten Company to update the Standard Specifications for the Water System Infrastructure. The Wooten Company completed the update and submitted the revised specifications for Council consideration and approval.

Tracy Townsend made a motion the Council approve the updated Water System Specifications as submitted and make these specifications effective immediately. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote. A copy of the updated Water System Specifications is attached and is hereby made a part of these minutes.

UPDATED SANITARY SEWER SYSTEM SPECIFICATIONS APPROVED At the April 15, 2019 Council meeting, the Council approved an agreement with the Wooten Company to update the Standard Specifications for the Sanitary Sewer System Infrastructure. The Wooten Company completed the update and submitted the revised specifications for Council consideration and approval.

Larry Knight made a motion the Council approve the updated Sanitary Sewer System Specifications as submitted and make these specifications effective immediately. Tracy Townsend seconded the motion, with a unanimous affirmative vote. A copy of the updated Sanitary Sewer System Specifications is attached and is hereby made a part of these minutes.

UPDATED STREETS AND SIDEWALKS SPECIFICATIONS APPROVED At the April 15, 2019 Council meeting, the Council approved an agreement with the Wooten Company to update the Standard Specifications for Streets and Sidewalks Infrastructure. The Wooten Company completed the update and submitted the revised specifications for Council consideration and approval.

Martin Townsend made a motion the Council approve the updated Streets and Sidewalks Specifications as submitted and make these specifications effective immediately. Jim Mackie seconded the motion, with a unanimous affirmative vote. A copy of the updated Streets and Sidewalks Specifications is attached and is hereby made a part of these minutes.

PRELIMINARY UTILITY ENGINEERING AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NC DOT) FOR REIMBURSEMENT OF ENGINEERING FEES FOR PLANS TO RELOCATE WATER LINES FOR PROJECT 4700-A US 321 APPROVED The Council was requested to approve a preliminary utility engineering agreement with the NC DOT for the reimbursement of \$35,000 of engineering fees for engineering design and construction observation to relocate water lines for Project 4700-A US 321 and authorize the Town Manager to execute this agreement and any other documents necessary to complete this agreement.

Tracy Townsend made a motion the Council approve the agreement as requested and authorize the Town Manager to execute this agreement and any other documents necessary to complete this agreement. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote. A copy of the agreement is attached and is hereby made a part of these minutes.

AGREEMENT WITH THE WOOTEN COMPANY TO PROVIDE ENGINEERING FEES TO RELOCATE WATER LINES FOR NC DOT PROJECT 4700-A US 321 APPROVED The Council was requested to approve an agreement with The Wooten Company for engineering design and construction observation to relocate water lines for Project 4700-A US 321 at a cost of \$35,000 and authorize the Town Manager to execute the agreement and any other necessary documents on behalf of the Town.

Larry Knight made a motion the Council approve the agreement as requested and authorize the Town Manager to execute the agreement and any other necessary documents on behalf of the Town. Martin Townsend seconded the motion, with a unanimous affirmative vote. A copy of the agreement is attached and is hereby made a part of these minutes.

BUDGET AMENDMENT #5 FY 2019-2020 APPROVED Finance Director Jana Williams requested the Council approve budget amendment #5 for fiscal year 2020 for the purchase of laptops for the Police Department from State Drug Funds.

Tracy Townsend made a motion the Council approve budget amendment #5 as requested. Martin Townsend seconded the motion, with a unanimous affirmative vote. A copy of the budget amendment is attached and is hereby made a part of these minutes.

FINANCIAL REPORT Town of Granite Falls Finance Director Jana Williams presented the Financial Report for January 2020. The financial dashboard and an analysis of current year sales tax revenue and current year property tax revenue versus prior year and budgeted revenues, for the seven months ended January 31, 2020, were presented for the Council's review. These reports represent 58% of the current 2019 – 2020 fiscal year budget. Copies of these reports are attached and are hereby made a part of these minutes.

RESOLUTION TO ACCEPT THE DONATION OF REAL PROPERTY WITHIN THE TOWN OF GRANITE FALLS ADOPTED The Council was requested to adopt a resolution to accept .094 acres of property from Gunpowder, LLC. The Town currently maintains a wastewater pump station on this site and the donation of the site includes the existing pump station and an additional 20-foot utility easement in case the Town needs to expand the wastewater pump station footprint in the future.

Tracy Townsend made a motion the Council adopt the resolution as requested. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote. A copy of the resolution is attached and is hereby made a part of these minutes.

CONTRACT AWARDED FOR THE INSTALLATION OF THE GRACE VILLAGE ASSISTED LIVING CENTER UNDERGROUND DISTRIBUTION INFRASTRUCTURE The Council previously approved the solicitation of formal bids for the installation of the Grace Village Assisted Living Center underground distribution infrastructure. Progressive Engineering, the Town's electrical engineering firm, solicited and evaluated the informal bids and determined that Carl Grigg Electric and Supply, Inc. (Grigg) was the lowest responsive, responsible bidder. The Grigg bid of \$64,693.70 was slightly less than the estimated installation cost of \$72,000.00 for the project. The Town will provide the materials for the project, at an estimated cost of \$88,000.00, which would bring the revised estimated cost of the project to \$152,693.70. The original estimated cost of the project for materials and installation was \$160,000.00.

Larry Knight made a motion the Council award the contract for the installation of the underground electric system distribution infrastructure for the Grace Village Assisted Living Center to Grigg in the amount of sixty-four thousand six-hundred ninety-three dollars and seventy cents (\$64,693.70) and authorize the Town Manager to execute the contract, and any change orders on behalf of the Town, up to the original estimated installation cost of \$72,000.00. Tracy Townsend seconded the motion, with a unanimous affirmative vote. A copy of the bids is attached and is hereby made a part of these minutes.

MANAGER UPDATE

Town Manager Jerry Church shall update the council on the following:

Enclosed with the Council's agenda package was a calendar of events through the end of February, 2021. Revisions since the last calendar were highlighted in yellow. Upcoming events include the WPCOG Annual Dinner at 6:00 p.m. on Thursday, April 23, 2020 at the Hickory Metro Convention Center (Reservations required).

COUNCIL GOES INTO CLOSED SESSION Martin Townsend made a motion under N.C. General Statute 143-318.11 (3) the Council shall hold a closed session to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. Tracy Townsend seconded the motion, with a unanimous affirmative vote.

COUNCIL GOES OUT OF CLOSED SESSION Jim Mackie made a motion the Council go out of closed session. Tracy Townsend seconded the motion, with a unanimous affirmative vote.

MEETING ADJOURNED Tracy Townsend made a motion the Council adjourn the meeting. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote.