

## **MINUTES OF SPECIAL MEETING HELD OCTOBER 2, 2017**

**SPECIAL MEETING** The Granite Falls Town Council held a Special Meeting on Monday, October 2, 2017 at 5:30 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, Jim Mackie, Mike Mackie, Martin Townsend and Tracy Townsend.

**ABSENT** The following member of the governing body was absent: Marc Church.

**STAFF PRESENT** The following staff members attended the meeting: Town Manager Jerry Church, Town Clerk Paula Kirby, Administrative Assistant Kara Calloway, Town Planner Greg Wilson, and Police Chief Ritch Bolick.

**VISITORS** The following visitors attended the meeting: Larry Knight, Reverend Keith Childers, Caldwell County Chamber of Commerce President/CEO Barbara Armstrong, Caldwell County Public Library Director Leslie Mason, Caldwell County Economic Development Commission Executive Director Deborah Murray, Annie Beal, Paul Carson, Alfred Cooke, Ted Cooke, J. P. Miller, Shelly Miller, Alan Huffman, Patricia Hendrix, Gary and Linda Sheridan.

**NEWS MEDIA** Jordan Davis, representing the *News-Topic*, attended the meeting.

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

**INVOCATION** Reverend Keith Childers, Clover Baptist Church, led in prayer.

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

### **SPECIAL PRESENTATIONS/INTRODUCTIONS/RECOGNITIONS**

**Barbara Armstrong, Caldwell County Chamber of Commerce President/CEO, updated the Council on Chamber programs and upcoming activities.** Ms. Armstrong informed the Council the Chamber's membership has doubled in the last year to approximately 510 members with the added support of over 41 business partners. The Chamber has hired 4 new

staff members. They now have a full time staff of 6. The Chamber has started a 501c3, partnered with the NC Chamber and the US Chamber of Commerce, and has formed a Governmental Relations Committee.

Ms. Armstrong also thanked the Council for inviting her to the Merchants' Festival. She enjoyed the music, food and fellowship.

Mayor Barry Hayes thanked Ms. Armstrong and the Chamber for the work they do for the Town of Granite Falls.

**Lesley Mason, Caldwell County Public Library Director updated the Council on the Caldwell County Public Library.** Ms. Mason informed the Council that in June, she asked the County for an increase in salary/benefits to increase staffing to operational levels. The increase would add an additional full time staff person in the branches. Unfortunately, the funding was not approved. Currently staffing levels are structurally deficient, causing the need to close the Granite Falls branch for several hours last week due to lack of staff. Operational costs for a standalone branch library range from \$125k to \$150k depending on the size of the branch, operating hours, etc. This does not include funds for programming or materials.

Ms. Mason gave the following statistics for the Town of Granite Falls:

Door Count:	June 2759	July 2784	August 3224
Circulation:	June 5438	July 5139	August 5429
Computer Log-ins:	June 305	July 319	August 355

The Town of Granite Falls' branch has several new book clubs and is starting to provide on-going programs. Upgraded internet services are being installed with assistance from the Federal E-Rate program.

Mayor Hayes thanked Ms. Mason and the Granite Falls Branch staff for their wonderful work and dedication. He hopes to keep the library in Granite Falls.

**Deborah Murray, Executive Director, Caldwell County Economic Development Commission gave an update on EDC activities.** Ms. Murray informed the Council that the unemployment rate for North Carolina is 4.5%. Caldwell County remains one of the most consistently and continuously improving counties with .9% improvement year over year. Ms. Murray presented a list of new businesses and expansions in Caldwell County for 2017. Blue Ridge Energy District Office and UNC Health Care River Crest are newly completed and several new businesses are under construction. Ms. Murray also presented the EDC 2017 update to the Council. She thanked the Council for their continued support.

Mayor Hayes thanked Ms. Murray for her service with the EDC and for the Town of Granite Falls.

A copy of the EDC 2017 update is attached and is hereby made a part of these minutes.

**APPROVAL OF AGENDA** Mike Mackie made a motion the Council approve the agenda as presented. Martin Townsend seconded the motion, with a unanimous affirmative vote.

**MINUTES FROM THE REGULAR TOWN COUNCIL MEETING HELD SEPTEMBER 18, 2017 APPROVED** Martin Townsend made a motion the Council approve the minutes from the Regular Meeting held September 18, 2017 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 during the Public Comment Period.

### **PUBLIC HEARINGS**

**PUBLIC HEARING ON ZONING TEXT AMENDMENT #3-2017 CALLED TO ORDER** Mayor Barry Hayes called to order a public hearing on Zoning Text Amendment #3-2017. The Council called for the public hearing at the September 18, 2017 Council meeting following the presentation of the text amendment by Town Planner Greg Wilson.

Zoning Text Amendment #3-2017, submitted by J. P. Miller, would expand the existing Conditional Use, Wine Shop/Wine Bar, in the Central Business District (CBD) to include Craft Beer Bottle Shop/Taproom. The proposed Zoning Text Amendment would also amend the conditions of approval for both uses. The Planning Board voted unanimously to recommend that the Town Council approve Zoning Text Amendment #3-2017 as submitted.

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

**Patricia Hendrix speaks to the Council** Patricia Hendrix, Co-Owner of Flowers in the Vine Wine Shoppe, located at 16 S. Main Street, Granite Falls, stated that she did not like the idea of a new Craft Beer Bottle Shop/Taproom opening one door down from her business. Ms. Hendrix stated that she was not offered the options of Sunday hours of operation, outdoor seating and small scale brewing when she applied for her permit. She wants to have the same options for her business.

Town Planner Greg Wilson informed Ms. Hendrix that if Zoning Text Amendment #3-2017 was approved, she could apply for an amendment to her Conditional Use Permit (CUP). CUPs are site specific and Mr. Wilson informed Ms. Hendrix that she could file for an amendment to her existing CUP. CUP applications and amendments go through the Planning Board and then to the Board of Adjustment for a final decision.

**PUBLIC HEARING ON ZONING TEXT AMENDMENT #3-2017 CLOSED** Mayor Barry Hayes closed the public hearing on Zoning Text Amendment #3-2017.

**PUBLIC HEARING ON ZONING TEXT AMENDMENT #4-2017 CALLED TO ORDER** Mayor Barry Hayes called to order a public hearing on Zoning Text Amendment #4-2017. The Council called for the public hearing at the September 18, 2017 Council meeting following the presentation of the text amendment by Town Planner Greg Wilson.

Zoning Text Amendment #4-2017, submitted by Ted Cooke, would allow for Temporary Sales Trailers, when associated with a residential subdivision, as a Permitted Use in residential districts. The Planning Board recommended that the Zoning Text Amendment be modified to allow the Temporary Sales Trailers as a Conditional Use instead of being allowed as a Permitted Use. Mr. Cooke agreed to the modification. The proposed language still includes specific standards and timeframes for such uses.

The Planning Board voted 5 to 1 to recommend that the Town Council approve Zoning Text Amendment #4-2017 as amended.

Notice of the public hearing was duly provided in the *News Topic* as required by law. Additionally, the applicant has notified the residents in the River Bend development.

**Patricia Hendrix speaks to the Council** Patricia Hendrix, resident of Broadwater Landing, Granite Falls asked if Zoning Text Amendment #4-2017 would apply to her neighborhood. Town Planner Greg Wilson informed her that Broadwater Landing does meet the subdivision size requirements and that Zoning Text Amendment #4-2017 is site specific and applicants will have to present their Conditional Use Permit requests to the Planning Board and then to the Board of Adjustment for a final decision.

**PUBLIC HEARING ON ZONING TEXT AMENDMENT #4-2017 CLOSED** Mayor Hayes closed the public hearing on Zoning Text Amendment #4-2017.

**PUBLIC HEARING ON ZONING TEXT AMENDMENT #5-2017 CALLED TO ORDER** Mayor Barry Hayes called to order a public hearing on Zoning Text Amendment #5-2017. The Council called for the public hearing at the September 18, 2017 Council meeting following the presentation of the text amendment by Town Planner Greg Wilson.

Zoning Text Amendment #5-2017 would amend the conditions of approval for Electronic Gaming/Internet Sweepstakes businesses in the H-B, Highway Business District. The proposed Zoning Text Amendment would modify and simplify the separation requirements.

The Planning Board voted unanimously to recommend that the Town Council approve Zoning Text Amendment #5-2017.

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

No one registered to speak during the public hearing.

**PUBLIC HEARING ON ZONING TEXT AMENDMENT #5-2017 CLOSED** Mayor Hayes closed the public hearing on Zoning Text Amendment #5-2017.

**NEW BUSINESS/ACTION ITEMS:**

**ZONING TEXT AMENDMENT #3-2017 APPROVED** The Council considered Zoning Text Amendment #3-2017. The Planning Board voted unanimously to recommend that the Town Council approve Zoning Text Amendment #3-2017 as submitted.

Tracy Townsend made a motion the Council approve Zoning Text Amendment #3-2017, which the Granite Falls Town Council does hereby find and determine that the adoption thereof is consistent with the adopted Granite Falls Horizons: Land Development Plan and is reasonable and in the public interest. Martin Townsend seconded the motion, with a unanimous affirmative vote. A copy of Zoning Text Amendment #3-2017 is attached and is hereby made a part of these minutes.

**ORDINANCE #332 APPROVED** The Council considered Ordinance #332 amending the Town of Granite Falls Zoning Ordinance, contingent upon the approval of Zoning Text Amendment #3-2017 at tonight's Council meeting. Zoning Text Amendment #3-2017 expands the existing Conditional Use, Wine Shop/Wine Bar, in the Central Business District (CBD) to include Craft Beer Bottle Shop/Taproom. The proposed Zoning Text Amendment would also amend the conditions of approval for both uses.

Martin Townsend made a motion the Council approve Ordinance #332 as presented. Mike Mackie seconded the motion, with a unanimous affirmative vote. A copy of Ordinance #332 is attached and is hereby made a part of these minutes.

**ZONING TEXT AMENDMENT #4-2017 APPROVED** The Council considered Zoning Text Amendment #4-2017. The Planning Board voted 5 to 1 to recommend that the Town Council approve Zoning Text Amendment #4-2017 as amended.

Martin Townsend made a motion the Council approve Zoning Text Amendment #4-2017, which the Granite Falls Town Council does hereby find and determine that the adoption thereof is consistent with the adopted Granite Falls Horizons: Land Development Plan and is reasonable and in the public interest. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote. A copy of Zoning Text Amendment #4-2017 is attached and is hereby made a part of these minutes.

**ORDINANCE #333 APPROVED** The Council considered Ordinance #333 amending the Town of Granite Falls Zoning Ordinance, contingent upon the approval of Zoning Text Amendment #4-2017 at tonight's Council meeting. Zoning Text Amendment #4-2017 would allow for Temporary Sales Trailers, when associated with a residential subdivision, as a Permitted Use in residential districts. The Planning Board recommended that the Zoning Text Amendment be modified to allow the Temporary Sales Trailers as a Conditional Use instead of being allowed as a Permitted Use. Mr. Cooke agreed to the modification. The proposed language still includes specific standards and timeframes for such uses.

Tracy Townsend made a motion the Council approve Ordinance #333 as presented. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote. A copy of Ordinance #333 is attached and is hereby made a part of these minutes.

**ZONING TEXT AMENDMENT #5-2017 APPROVED** The Council considered Zoning Text Amendment #5-2017. The Planning Board voted unanimously to recommend that the Town Council approve Zoning Text Amendment #5-2017 as submitted.

Tracy Townsend made a motion the Council approve Zoning Text Amendment #5-2017, which the Granite Falls Town Council does hereby find and determine that the adoption thereof is consistent with the adopted Granite Falls Horizons: Land Development Plan and is reasonable and in the public interest. Mike Mackie seconded the motion, with a unanimous affirmative vote. A copy of Zoning Text Amendment #5-2017 is attached and is hereby made a part of these minutes.

**ORDINANCE #334 APPROVED** The Council considered Ordinance #334 amending the Town of Granite Falls Zoning Ordinance, contingent upon the approval of Zoning Text Amendment #5-2017 at tonight's Council meeting. Zoning Text Amendment #5-2017 amends the conditions of approval for Electronic Gaming/Internet Sweepstakes businesses in the H-B, Highway Business District. The proposed Zoning Text Amendment would modify and simplify the separation requirements.

Mike Mackie made a motion the Council approve Ordinance #334 as presented. Martin Townsend seconded the motion, with a unanimous affirmative vote. A copy of Ordinance #334 is attached and is hereby made a part of these minutes.

**IDENTITY THEFT PREVENTION PROGRAM ANNUAL REPORT ACCEPTED** The Town Council previously adopted the Identity Theft Prevention Policy that was required under the Federal Trade Commission's Red Flags Rule. The FTC delayed enforcement of the Red Flags Rule on several occasions with the final date of compliance being December 31, 2010. The Town implemented the rules effective November 1, 2008 and submitted the required annual report for the Council's review. Additions to the required annual report are highlighted in yellow.

Martin Townsend made a motion the Council accept the Identity Theft Prevention Program Annual Report as presented. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote. A copy of the report is attached and is hereby made a part of these minutes.

**PROCLAMATION RECOGNIZING OCTOBER 23 – OCTOBER 31, 2017 AS NATIONAL RED RIBBON WEEK ADOPTED** Greg Ross, Unit Commander of The General Nathaniel Greene Young Marines, requested that the Council adopt a proclamation recognizing October 23 – 31, 2017 as National Red Ribbon Week. Red Ribbon Week is in honor of fallen DEA Special Agent and former Marine Enrique "Kiki" Camarena and his fight against drugs and the crimes of the drug cartels. Red Ribbon Week allows the Young

Marines to continue to deliver Special Agent Camarena's message of hope to millions of people every year.

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

**RESOLUTION DECLARING NOVEMBER 2017 AS PUBLIC SAFETY AND EMERGENCY SERVICE PROVIDERS APPRECIATION MONTH ADOPTED** The Council was requested to adopt a resolution declaring November 2017 as Public Safety and Emergency Service Providers Appreciation Month. The resolution expresses gratitude to those agencies directly responsible for making the Town of Granite Falls a safer place to live and work.

Mike Mackie 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.

**RESOLUTION HONORING THE 2017 GRANITE FALLS WOMAN OF THE YEAR ADOPTED** The Granite Falls Women's Enrichment Association requested the Council adopt a resolution honoring Karen Patterson Isbell as the 2017 Granite Falls Woman of the Year.

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

**TOWN HOLIDAY SCHEDULE** The Town of Granite Falls Administrative Office, the Recreation Center, and the Public Works and Electric Departments will be closed in observance of the following holidays:

Veteran's Day	Friday, November 10 <sup>th</sup>
Thanksgiving	Thursday & Friday, November 23 <sup>rd</sup> & 24 <sup>th</sup>
Christmas	Monday, Tuesday & Wednesday, December 25 <sup>th</sup> - 27 <sup>th</sup>
New Year's Day	Monday, January 1 <sup>st</sup>
Martin Luther King, Jr. Day	Monday, January 15 <sup>th</sup>

The Recreation Building will be closed to the public the entire week of Thanksgiving so the floors can be refinished. The Police and Fire Departments and the Water and Wastewater Facilities will be on duty as scheduled, and those employees scheduled to work these holidays receive alternate time off with pay. Due to Christmas falling on Monday in 2017, Republic Services will pick up garbage and recycling one day later than normal during the week of Christmas and will return to their normal pick up schedule the week of January 1, 2018.

**REPORT ON THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES** Council Member Jim Mackie, who served as the Town of Granite Falls voting delegate at the North Carolina League of Municipalities (NCLM) Annual Conference, gave a report on the annual conference that was held in Greenville, NC September 20-22, 2017. Mr. Mackie stated that the meeting was very informative. He also stated that he felt it beneficial to meet with other Cities and Municipalities.

**MANAGER UPDATE** Town Manager Jerry Church updated the council on the following:

1. Enclosed with the Council's agenda package was a calendar of events through the end of November 2018. Revisions since the last calendar were highlighted in gray. Upcoming events include the Veterans Day Celebration at the Recreation Center on Thursday, November 9<sup>th</sup> at 10:00 a.m., the Festival on the Square Annual Tree Lighting Ceremony on Monday, November 20<sup>th</sup> at 6:15 p.m. and the Granite Falls Rotary Annual Christmas Parade on Saturday, December 2<sup>nd</sup> at noon. Members of the Town Council may attend these events but there will be no Council business conducted at any of the events in instances where a quorum of the Council may be present.
2. The Town auditors, Martin Starnes & Associates, will present the annual audit report at the December 7<sup>th</sup> special Council meeting.
3. The Town received the first half of the 2017-2018 Powell Bill Allocation. The allocation was for \$74,292.14 which would make the annual amount \$148,584.28 and we budgeted \$147,500.00.
4. Public Power Week is this week and tomorrow, Tuesday, October 3<sup>rd</sup>, is Public Power Day. Council Members should see Paula about coming to the Town Office to serve cookies and drinks to customers tomorrow.

**COUNCIL GOES INTO CLOSED SESSION** Mike Mackie 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. Dr. Caryl B. Burns seconded the motion, with a unanimous affirmative vote.

**COUNCIL GOES OUT OF CLOSED SESSION** Martin Townsend made a motion the Council go out of Closed Session. Mike Mackie seconded the motion, with a unanimous affirmative vote.



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

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Town Clerk

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Council

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Mayor

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Members