

**TOWN OF MCADENVILLE COUNCIL AGENDA
TUESDAY, JULY 14, 2020 @ 6:00 PM
VIRTUAL MEETING HOSTED ON ZOOM**

1. CALL TO ORDER

2. ADJUSTMENT & APPROVAL OF JULY AGENDA: Items will only be added or removed upon approval of the Mayor and Town Council.

3. CONSENT AGENDA: The items of the “Consent Agenda” are adopted on a single motion and vote, unless the Mayor or Council wishes to withdraw an item for separate vote and/or discussion:

- a) **Approval of Minutes:** Regular Meeting of June 9, 2020.
- b) **Inter-local Agreement for Enforcement of State Fire Code:** Renewal of yearly contract with Gaston County for enforcement of State Fire Code including inspections, plan review and permitting beginning July 1, 2020 in the amount of \$1,350.00.
- c) **Resolution to Adopt the Cleveland Gaston Lincoln Regional hazard Mitigation Plan:** Earlier this year, FEMA approved the 2020 update of the Cleveland Gaston Lincoln Regional Hazard Mitigation Plan. Participating jurisdictions must officially adopt the plan by resolution to remain eligible for certain types of FEMA funding. Resolution 2020-01 adopts the CGL Regional Mitigation Plan for the Town of McAdenville and supports the action necessary to carry out the Plan. The final plan can be viewed at the following link:
https://drive.google.com/file/d/1BPIZnuT23gwy8RwdacRNF1kaTtxBe_zC/view?usp=sharing

4. CANOE/KAYAK LAUNCH: A quote for construction of the canoe/kayak launch for the McAdenville greenway has been received from Southeastern Sealcoating & Striping in the amount of \$22,340.00. The estimate includes building the launch to the specification designed by Stewart Engineering. The launch construction plans were approved by Gaston County with the McAdenville Park site plan submittal and received the required FERC permit on October 12, 2019. Council consideration is requested.

5. UPDATE ON UDO TEXT AMENDMENT – TELECOMMUNICATION TOWERS AND FACILITIES: Town Council voted to return the text amendment application for UDO Sections 8.4.22(D) and 8.4.22(I) to the Planning Board for further study and consideration at the June 9, 2020 regular meeting. The Planning Board has 30 days to resubmit a recommendation to the Town Council when an application is returned. The Planning Board reviewed Crown Castle’s text amendment request at their June 25th meeting and voted 5 to 1 to recommend denial of the application.

6. POLICE DEPARTMENT REPORT: The updated CPD monthly report is included in the agenda packet for Council review. Chief Adams has requested Council’s input on the following items:

- a) Revisions to the current Street Parking Ordinance
- b) Golf Cart Restrictions

7. COUNCIL GENERAL DISCUSSION: This is an opportunity for the Mayor and Council to ask questions for clarification, provide information to staff, or place an item on a future agenda.

8. OPPORTUNITY FOR PUBLIC COMMENT: Public comments may be submitted by attendees anytime during the webinar via the chat feature or emailed to the Town Clerk prior to the meeting at clerk@tonwofmcadenville.org. Comments will be read individually.

ADJOURN

**TOWN OF MCADENVILLE MINUTES
JUNE 9, 2020**

The McAdenville Town Council met in Regular Session on Tuesday, June 9, 2020 at 6:00 PM in a virtual format via a webinar hosted on zoom. The webinar was available live, and the link was distributed to the Sunshine List and made available on the Town's website.

PRESENT:

Mayor Jim Robinette and Mayor Pro-tem Jay McCosh; Council Members: Reid Washam, Carrie Bailey, Greg Richardson, and Joe Rankin. Also present: Attorney Jim Windham, Police Captain Debbold, and Town Administrator/Clerk Lesley Dellinger

CALL TO ORDER & PLEDGE OF ALLEGIANCE:

Mayor Robinette called the meeting to order at 6:00 PM.

ADJUSTMENT & APPROVAL OF AGENDA:

The June Agenda was approved as submitted by motion of Joe Rankin and second by Greg Richardson and unanimous vote.

CONSENT AGENDA:

The items of the Consent Agenda were unanimously approved by motion of Carrie Bailey, second by Reid Washam and unanimous vote:

- a) **Budget Amendment Ordinance #2020-001:** Council approved the ordinance authorizing the final amendments to the Budget for Fiscal Year beginning July 1, 2019. The amendments do not affect the net appropriations of the General Fund or Water/Sewer Fund.
- b) **Approval of Minutes:** The Regular Meeting of May 12, 2020 and the Special Meeting/Joint Public Hearing of May 28, 2020 were approved as submitted.
- c) **Contract to Audit Accounts:** Council Approved the Butler & Stowe contract to audit accounts for the Town of McAdenville for the year ending June 30, 2019 in the amount of \$22,600.00.

PUBLIC HEARING FOR PROPOSED 2020-2021 BUDGET:

Upon motion by Mayor Pro-tem McCosh and second by Reid Washam the Public Hearing on the proposed budget was opened. The Town Administrator/Clerk presented a slide show on the FY20-21 proposed budget for the General and Water/Sewer Funds.

General Fund	\$ 891,100.00
Water & Sewer Fund	<u>\$ 812,000.00</u>
Total	\$1,703,100.00

The budget recommended that the Ad Valorem Tax Rate would remain the same at \$0.33 on each one hundred dollars (\$100.00) valuation of taxable property as listed for taxes as of January 1, 2020; and the \$5.00 Vehicle Tag Tax will remain unchanged for any vehicle resident in the Town of McAdenville. A five percent (5%) increase was recommended for the Water/Sewer rates to offset the increase from the Town's wholesale service provider.

The Mayor opened the floor and invited public comment. No public comment was received. Upon motion by Greg Richardson and second by Joe Rankin the public hearing period was closed.

ADOPTION OF BUDGET ORDINANCE FOR FISCAL YEAR 2020-2021:

Upon motion by Reid Washam and second by Carrie Bailey and unanimous vote, the Budget Ordinance for Fiscal Year 2020-2021 for the Town of McAdenville was approved and adopted in the amount of \$1,703,100.00. The ad valorem tax rate of \$0.33 cents per \$100 assessed valuation was established along with a Vehicle Tax of \$5.00 per year on any vehicle resident of the Town.

ADOPTION OF WATER/SEWER RATES AND FEE SCHEDULES FOR FY 2019-2020:

Upon motion by Mayor Pro-tem McCosh and second by Joe Rankin and unanimous vote, the Water/Sewer Rates and Fee Schedules for fiscal year 2020-2021 were approved and adopted as part of the budget. The Water/Sewer rates were increased by five percent (5%) and the Fee schedule remained unchanged from the previous FY19-20 Budget.

UDO TEXT AMENDMENT-TELECOMMUNICATION TOWERS AND FACILITIES:

A request for amendments to UDO Sections 8.4.22(D) and 8.4.22(I) Telecommunication Towers and Facilities was received from Hellman Yates & Tisdale, PA on April 24, 2020 on behalf of Crown Castle. A joint Public Hearing was conducted by council and the Planning Board on Thursday, May 28, 2020 to review and discuss said request and receive public comment. The Planning Board voted to recommend rejection of the request for text amendments to the UDO at their regular meeting following the joint Public Hearing in a four to two vote. Planning Board Chairman Kevin Lamp was present to present the Board's recommendation to Council.

Planning Board Recommendation: Chairman Lamp stated that Crown Castle was interested in moving the current cell tower to parcel #134442 on Hickory Grove Road which is owned by Mr. Pat Franks and houses two commercial businesses. The proposed site does not meet the current setback and yard placement requirements outlined in the Town's UDO which is why Crown Castle is requesting the text amendment. Crown Castle's Attorney has argued that the Town's UDO is outdated and not in line with development ordinances found in other NC municipalities. Chairman Lamp presented the follow two reason for the Planning Board's vote to reject Crown Castle's text amendment request.

1. While Crown Castle did explore another possible site, the Board was unconvinced that they had done its due diligence in investigating all possible sites including those that may have worked without changing the UDO.
2. While the representative for Crown Castle cited examples of NC ordinances that reflect the suggested changes, Board Member Dennis Terry cited several examples that are like the current ordinances. The board concluded that there is no compelling evidence that there is anything wrong with the ordinances as written.

Request to Speak: The Mayor opened the floor to Crown Castle representatives Jonathan Yates, Tony Stewart and Steven Kennedy who had requested to speak on their proposed text amendment request. Attorney Yates thanked Council for their consideration of the proposed text amendment and apologized for any frustration that had been caused with the tower relocation process. He stated that Crown Castle's objective was to replicate the current tower on another site within a .25 mile radius to maintain the current level of service for AT&T and T-Mobile customers. He stressed that Crown Castle had done their due diligence in finding additional sites and that the only option was parcel #13442 on Hickory Grove Road which unfortunately would require minor modification to the text in the Town's UDO. Attorney Yates then introduced Crown Castle's site acquisition specialist, Tony Stewart, to provide details on the additional sites that were considered. Mr. Stewart reviewed all the sites in the .25 mile radius of the current tower site and provided an explanation on why they were eliminated. Crown Castle representative Steven Kennedy then presented a slide show presentation detailing the coverage bands provided with the current tower site, the new coverage bands with the proposed relocation site, and the coverage gaps if the tower is eliminated. Mr. Kennedy stated that AT&T and T-Mobile customers would have little to no coverage within McAdenville once the lease expires and the current cell tower is removed.

Mayor Robinette asked if there were federal regulations restricting the distance between cell towers. Steven Kennedy stated that there were restrictions but did not provide any additional information. Greg Richardson questioned if a micro tower concept could be used verses the proposed 200-foot monopole design. Steven Kennedy replied that the new site would need to mirror the specification of the existing tower to replicate the current level of service. Mayor Pro-tem McCosh stated that the Town did not want a loss of coverage but wanted to know why additional sites located in the TMU were not considered. Tony Stewart replied that the sites offered to them in the TMU were either in the flood plain or outside the .25 mile radius being considered. The Mayor Pro-tem then questioned why Crown Castle had waited till the last year of a 25-year lease to look for a new site. Tony Stewart replied that Crown Castle had been actively looking for a site for three years. He added that there was not a site in McAdenville within the zoning districts allowed by the UDO for cell tower placement that met the required setback and radio frequency elevations. Parcel #13442 on Hickory Grove Road was the only option and even this site required an amendment to the current UDO text.

Following additional discussion by Council. Mayor Pro-tem McCosh motioned to return the text amendment application to the Planning Board for further study and consideration. The motion was seconded by Greg Richardson with unanimous vote.

POLICE DEPARTMENT REPORT:

Captain Debbold, Cramerton Police Department, reviewed the monthly arrest and citation statistics. He added that Chief Adams was currently working on revised language for the street parking ordinance and was communicating with Councilwoman Bailey and Town Staff. Carrie Bailey thanked Captain Debbold for his service and for the information presented during the meeting.

Mayor Robinette excused Attorney Windham from the meeting at 7:23 PM.

COUNCIL GENERAL DISCUSSION:

Greg Richardson stated that he had some very good news. The McAdenville Woman’s Club has voted to donate \$5,000 toward the construction of the canoe/kayak launch along the greenway. Richardson added that the estimated cost for the launch was around \$22-\$24K and that additional funding sources were being explored.

Lesley Dellinger stated that the NC Governors Executive Order #142 prohibiting utility shut offs and late fees on past due balances has been extended through July 29, 2020. She added that the Town has waived \$1,808.55 in water/sewer fees since the original order was put in place in April. The Mayor asked if any assistance was going to be provided from the State to offset this loss of income. Ms. Dellinger stated that no programs have been approved at this time.

OPPORTUNITY FOR PUBLIC COMMENT:

The Mayor opened the floor for public comment. The Clerk confirmed that no comments had been submitted prior to the meeting and that no attendees were requesting to address Council by raising their hand or text submittal.

ADJOURN:

There being no further business to come before the board, the meeting adjourned at 7:33 PM upon motion of Reid Washam, second of Carrie Bailey and unanimous vote.

Jim Robinette, Mayor

Lesley Dellinger, Town Clerk

INTERLOCAL AGREEMENT

FOR ENFORCEMENT OF STATE FIRE CODE

This Agreement made on the last date set out below, by and between the Town of McAdenville, a municipal corporation having a charter granted by the State of North Carolina, hereafter referred to as "Municipality", and Gaston County, a corporate and political body and a subdivision of the State of North Carolina, hereafter referred to as "County"

WITNESSETH:

WHEREAS, Article 20 of Chapter 160A of the General Statutes of the State of North Carolina authorizes among other things the contractual exercise by one unit of local government for one or more other units of any administrative or governmental power, function, public enterprise, right, privilege, or immunity of local government; and,

WHEREAS, the Municipality has adopted ordinances providing for the administration and enforcement of regulatory codes and county ordinances; and,

WHEREAS, such codes are commensurate with the regulatory codes and ordinances now in effect for Gaston County as enforced by the County; and,

WHEREAS, pursuant to N.C. Gen Stat. Chapter 160A, Article 20 upon official request of the governing body of any municipality within the County, the Gaston County Board of Commissioners may by agreement exercise enforcement powers within said municipality and upon such direction may do so until such time as the Municipal governing body withdraws its request; and,

NOW, THEREFORE, in consideration of the promises and the mutual covenants and agreements of the parties, the parties hereto agree as follows:

1. **Purpose.** The purpose of this Agreement is to provide for the transfer of jurisdiction to the County for inspection and enforcement responsibility for the codes and county ordinances listed in the attached Exhibit A, which is incorporated herein by reference.
2. **Term.** The term of this Agreement begins on the last date set out below and continues through June 30, 2021 and shall automatically renew each fiscal year thereafter, unless terminated as provided herein.
3. **Responsibilities.**
 - A. **Municipality.** The Municipality agrees to:
 - (1) Provide any pre-permit or pre-inspection reviews of any applicable Municipal ordinances or regulations;
 - (2) Provide written certification (where necessary) that any necessary plans are in accordance with Municipal regulations;
 - (3) Allow the County to retain any fees collected pursuant to enforcement of the N.C. Fire Prevention Code (Permit fees, review fees, etc.)
 - (4) Not hold County responsible for enforcement of any of Municipality's other ordinances or regulations, unless specifically contracted.
 - B. **County.** The County agrees to:
 - (1) Provide plan review necessary for issuance of permits under the Code;
 - (2) Issue required permits;

- (3) Conduct site inspections based on the NC Fire Prevention Code Inspection Schedule or other agreed upon frequency;
 - (4) Seek judicial or equitable enforcement of said codes or ordinances when necessary in the County's discretion.
4. **Geographic Jurisdiction.** The County shall have the authority to enforce the Code in the geographical jurisdiction stated in Exhibit A, which is attached hereto and incorporated by reference.
 5. **Personnel.** The County shall, in the County's discretion, employ and provide personnel sufficient to perform inspection duties for the Municipality.
 6. **Indemnity.** The Municipality, during the term of this Agreement, shall indemnify and save harmless the County from and against any and all claims, demands, and or causes arising out of enforcement by the County of Codes under the Agreement, with the exception of grossly negligent, willful or wanton conduct by the County.
 7. **Cost.** The cost of services provided by the County shall be as set forth in Exhibit A, which is attached hereto and incorporated by reference.
 8. **Termination.** The Municipality or County may terminate this Agreement upon a thirty (30) day written notice to the Manager or Mayor of the governing unit.
 9. **Amendment.** This Agreement may only be amended in writing upon the signature of both parties. No oral agreements shall have any effect.
 10. **Entire Agreement.** This Agreement is the only agreement between the parties and contains all the terms agreed upon, and replaces any previous agreements. This Agreement has no effect upon enforcement of codes or ordinances not specifically mentioned. If any part of this Agreement is held invalid such decision shall not render the document invalid.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate by themselves for their duly authorized offices of the day and year last set out below.

GASTON COUNTY

BY: _____

(Assistant) County Manager

Date

ATTEST:

Donna S. Buff, Clerk To The Board

MCADENVILLE

BY: _____

Signature

Date

Title: _____

ATTEST:

Clerk

EXHIBIT A

Town of McAdenville

- Codes:** Level I, II, & III fire prevention inspections, plan review, consultation, and other similar undertakings as established under the NC State Fire Prevention Code.
- Jurisdiction:** Incorporated area and extraterritorial jurisdiction (if applicable).
- Cost:** One Thousand, Three Hundred, and Fifty Dollars (\$1,350.00), for FYE 2021, in addition to any fees or fines collected.

RESOLUTION 2020-01

**RESOLUTION TO ADOPT THE
CLEVELAND GASTON LINCOLN REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, the Town of McAdenville is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

WHEREAS, the Town of McAdenville desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the McAdenville Town Council to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

WHEREAS, it is also the intent of the McAdenville Town Council to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting the Town of McAdenville; and

WHEREAS, The Town of McAdenville, in coordination with Cleveland, Gaston and Lincoln Counties and the participating municipalities within those Counties has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the Cleveland Gaston Lincoln Regional Hazard Mitigation Plan for legislative compliance and have approved the plan pending the completion of local adoption procedures;

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of McAdenville hereby:

1. Adopts the Cleveland Gaston Lincoln Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted this the 14th day of July, 2020.

McADENVILLE, NORTH CAROLINA

(Town Seal)

Jim Robinette, Mayor

Attest:

Lesley Dellinger, Town Clerk



FEMA

May 29, 2020

Mr. Steve McGugan
State Hazard Mitigation Officer
Assistant Director / Mitigation Section Chief
Division of Emergency Management
NC Department of Public Safety
1636 Gold Star Drive
Raleigh, NC 27607

Reference: Multi-jurisdictional Hazard Mitigation Plan: Cleveland Gaston Lincoln Regional

Dear Mr. McGugan:

We are pleased to inform you that the Cleveland Gaston Lincoln Regional Multi-jurisdictional Hazard Mitigation Plan Update is in compliance with the Federal hazard mitigation planning requirements resulting from the Disaster Mitigation Act of 2000, as contained in 44 CFR 201.6. The plan is approved for a period of five (5) years, to May 28, 2025.

This plan approval extends to the following participating jurisdictions that provided a copy of their resolutions adopting the plan:

- Cleveland County, Unincorporated
- Gaston County, Unincorporated

The approved participating jurisdictions are hereby eligible applicants through the State for the following mitigation grant programs administered by the Federal Emergency Management Agency (FEMA):

- Hazard Mitigation Grant Program (HMGP)
- Pre-Disaster Mitigation (PDM)
- Flood Mitigation Assistance (FMA)

National Flood Insurance Program (NFIP) participation is required for some programs.

We commend the participants in the Cleveland Gaston Lincoln Regional Multi-jurisdictional Hazard Mitigation Plan for development of a solid, workable plan that will guide hazard mitigation activities over the coming years. Please note, all requests for funding will be evaluated individually according to the specific eligibility and other requirements of the particular program under which the application is submitted. For example, a specific mitigation activity or project identified in the plan may not meet the eligibility requirements for FEMA funding, and even eligible mitigation activities are not automatically approved for FEMA funding under any of the aforementioned programs.

We strongly encourage each community to perform an annual review and assessment of the effectiveness of their hazard mitigation plan; however, a formal plan update is required at least every five (5) years. We also encourage each community to conduct a plan update process within one (1) year of being included within a Presidential Disaster Declaration or of the adoption of major modifications to their local

Comprehensive Land Use Plan or other plans that affect hazard mitigation or land use and development. When you prepare a comprehensive plan update, it must be resubmitted through the State as a "plan update" and is subject to a formal review and approval process by our office. If the plan is not updated prior to the required five (5) year update, please ensure that the Draft update is submitted at least six (6) months prior to expiration of this plan approval.

The State and the participants in the Cleveland Gaston Lincoln Regional Multi-jurisdictional Hazard Mitigation Plan should be commended for their close coordination and communications with our office in the review and subsequent approval of the plan. If you or the participants of Cleveland Gaston Lincoln Regional Multi-jurisdictional Hazard Mitigation Plan have any questions or need any additional information please do not hesitate to contact Jean Neptune, of the Hazard Mitigation Assistance Branch, at (770) 220-5474 or Edwardine S. Marrone, of my staff, at (404) 433-3968.

Sincerely,

A handwritten signature in blue ink that reads "Kristen M. Martinenza". The signature is written in a cursive, flowing style.

Kristen M. Martinenza, P.E., CFM
Branch Chief
Risk Analysis
FEMA Region IV

**McADENVILLE PLANNING BOARD
REGULAR MEETING MINUTES
VIA ZOOM WEBINAR
Thursday June 25, 6:00 P.M.**

PRESENT:

Chairman, Kevin Lamp; Vice Chairman, Dennis Terry, and Board Members: William Clark, Denise Palm-Beck, David Elkins, and Andy Westmoreland. Also present: Attorney Jim Windham and Town Administrator/Clerk, Lesley Dellinger. *ETJ Representative Ricky Floyd was absent.*

CALL TO ORDER:

Chairman Kevin Lamp called the meeting to order at 6:00 P.M.

ADJUSTMENTS & APPROVAL OF AGENDA:

By motion of David Elkins, second by Andy Westmoreland, and unanimous vote the June Agenda was approved as submitted.

APPROVAL OF MINUTES:

Minutes from the May 28, 2020 meeting were approved with motion by Denise Palm-Beck, second by David Elkins and unanimous vote.

APPROVAL OF FY20/21 MEETING SCHEDULE:

The regular meeting schedule beginning July 2020 through June 2021 was approved by motion of Andy Westmoreland, second by William Clark and unanimous vote.

Vice Chairman, Dennis Terry, joined the meeting at 6:09 PM.

UDO TEXT AMENDMENT DISCUSSION:

The Planning Board's decision to not recommend the text change application received from Crown Castle was presented to Town Council at their regular meeting on Tuesday, June 9, 2020 by Planning Board Chairman Kevin Lamp. Chairman Lamp stated that the Board denied the text amendment requested because Crown Castle did not demonstrated their due diligence in investigating all possible sites in Town, and failed to substantial their claim that the current UDO was outdated and dissimilar in wording from most municipalities. After considering the Planning Boards recommendation, the McAdenville Town Council voted to return the proposed text amendments requested by Crown Castle to section 8.4.22 (D) & (I) of the McAdenville UDO to the Planning Board for further study and consideration.

The Planning Board Chairman, Kevin Lamp, contacted Crown Castle's Attorney requesting additional information on all the sites in McAdenville that had been considered for relocation of the cell tower and what criteria was used to eliminate the sites. He also asked Town staff to review additional ordinances regulating telecommunication towers in local municipalities. The requested information was received from Crown Castle on Monday June 22 and distributed to the board members for review. Town Staff provided five (5) telecommunication tower ordinances from Gaston County municipalities to the Board for comparison.

Chairman Lamp confirmed that the Planning Board members had reviewed the new information provided by Crown Castle and opened discussion on the proposed text amendments. He stated that he believed the new documentation proved that Crown Castle had done their due diligence when looking for a site to relocate the current tower and that the Frank's property was the only viable option. He added that amending the UDO text to allow a cell tower on the Frank's property was in the best interest of the public. A document outlining alternate wording for Section 8.4.22 (D) & (I) which was drafted by town staff was presented for review. Vice Chairman Terry stated that Crown Castle's argument for the text change was that the Town's ordinance was outdated and not in line with other jurisdictions, which had been disproved by researching and comparing the Town's ordinance language to five other Gaston County ordinance. David Elkins added that he believed the Town's UDO document was doing what it was intended to do by preventing the placement of cell towers in areas that were predominately residential in nature.

Chairman Lamp requested that representatives from Crown Castle be allowed to join the panel for a brief Q&A session. Attorney Jonathan Yates, Steven Kennedy, and Tony Stewart joined the panel. Attorney Yates thanked the Board for their additional consideration of the requested text amendments. He then stated that he did not feel that our ordinance fit the needs of a Town the size of McAdenville since it was modeled after Gaston County's UDO. William Clark asked if a distributed antenna design would work for McAdenville. Mr. Kennedy stated that coverage and capacity is the issue within McAdenville and that a small cell concept would not work in our situation. William Clark then asked why Crown Castle waited so long to present the current site when they were aware for 5 years that the lease on the current location was ending. Mr. Stewart stated that Crown Castle representatives had looked for a potential site for 10-12 months prior to him being contracted to assist with site location. He added that he investigated every site option and that there was nothing available within a .25 mile radius that would fit the requirements outlined in our UDO. William Clark stated that he felt that Crown Castle's decision to move forward with the Frank's property was financially motivated. Attorney Yates replied that every successful company must consider the monetary impact of business decisions but unfortunately Crown Castle did not have any financial options to weight in this matter since the Frank's property was the only option. No additional questions were presented by the Board and the Crown Castle representatives were removed from the panel.

Chairman Lamp stated that the Town's Attorney, Jim Windham, was present and asked if the Board had any questions for him to address. William Clark inquired if Crown Castle could sue the Town if the text amendments allowing placement of a cell tower on the Frank's property were not approved. Attorney Windham stated that litigation was a possibility. He added that the Board needed to keep in mind that the information provided to date was compiled by experts hired by Crown Castle. If litigation were to come into play, the Town would need to retain experts to research and present information on its behalf.

There being no additional discussion, Chairman Lamp called for motions on the proposed text amendments to section 8.4.22 (D) & (I) submitted by Crown Castle and Town Staff.

Denise Palm-Beck motioned that the text amendment language submitted by Crown Castle allowing the relocation of the cell tower to the Frank's property be the Board's recommendation to Town Council. The motion was seconded by William Clark and was unanimously denied. Vice Chairman Terry stated that he voted against the motion because the petitioner did not present sufficient evidence

for the text change. Chairman Lamp stated that he voted against the motion because the presented language did not serve the best interest of the Town.

A second motion was made by Andy Westmoreland that the alternate text amendment language submitted by town staff allowing relocation of the cell tower to the Frank's property be the Board's recommendation to Town Council. This motion was seconded by William Clark and denied in a 5 to 1 vote. The board members presented the following reasons for their approval or rejection of the motion:

- Andy Westmoreland – Voted NO because the text amendment did not provide adequate setback protection to existing residential properties.
- Dennis Terry – Voted NO because sufficient evidence was not presented by the Crown Castle representatives warranting a change.
- David Elkins – Voted NO because the language did not serve the best interest of the Town.
- William Clark – Voted NO because the current text is in line with the language found in other municipalities within Gaston County.
- Dennis Palm-Beck – Voted NO because sufficient evidence was not presented to warrant a change.
- Kevin Lamp – Voted YES because 1) the tower is needed to provide coverage as per RF engineer, 2) coverage requirements dictate minimum of 185 ft Tower, 3) Crown Castle provided documentation on the additional sites investigated with the disqualifying data, 4) UDO as written precludes any towers within the coverage area and needs to be updated to fit the Town's current situation, and 5) there are negative real world implications for a "no" vote that is poorly reasoned.

BOARD GENERAL DISCUSSION:

No additional matters were presented by the board or staff for discussion.

NEXT SCHEDULED MEETING: Thursday July 23, 2020 at 6:00 PM if agenda items are present.

ADJOURN:

With no further business to come before the Board, motion to adjourn at 8:05 PM was made David Elkins, seconded by Andy Westmoreland, and unanimously passed.

Kevin Lamp, Chairman

Lesley Dellinger, Town Clerk



CRAMERTON POLICE DEPARTMENT
MONTHLY REPORT: June, 2020

McADENVILLE CONTRACT

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTALS
ARREST TOTALS	3	9	4	4	1	3							24
Adult	3	9	4	4	1	3							24
Juvenile	0	0	0	0	0	0							0
Felony	2	3	2	3	0	2							12
Misdemeanor	0	5	1	1	1	0							8
DWI ARRESTS	0	2	0	0	1	0							3
CALLS FOR SERVICE	134	185	164	179	143	175							980
CASE TOTALS	9	6	1	4	3	5							28
Felony	7	3	1	3	0	3							17
Misdemeanor	2	3	0	1	3	1							10
DRUG INVESTIGATIONS	2	3	1	2	1	2							11
TRAFFIC CITATIONS	31	29	17	0	8	17							102
License Vios.	10	10	7	0	6	10							43
Registration Vios.	17	17	7	0	1	5							47
Restraint Vios.	0	0	0	0	0	0							0
Speeding Vios.	4	2	3	0	1	1							11
Sign/Signal Vios.	0	0	0	0	0	1							1
Other Traffic	0	0	0	0	0	0							0
TRAFFIC CRASHES	1	4	1	1	2	0							9
Damage	1	3	0	1	0	0							5
Injury	0	1	1	0	2	0							4