

**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:

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