

**TOWN OF MCADENVILLE MINUTES
SEPTEMBER 8, 2020**

The McAdenville Town Council met in Regular Session on Tuesday, September 8, 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 Chief Adams, 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 September Agenda was approved as submitted by motion of Mayor Pro-tem McCosh, second by Reid Washam with unanimous vote.

CONCENT AGENDA:

The items of the Consent Agenda were unanimously approved by motion of Greg Richardson and second by Mayor Pro-tem McCosh:

- a) **Approval of Minutes:** Regular Meeting of August 11, 2020.
- b) **Approval of Ordinance 2020-003 Budget Amendment for FY2020-2021:** Amendment increasing the Water and Sewer Fund expenditures from \$812,000 to \$1,132,494. This increase was realized due to a delay in the receipt of funding from the Department of Water Infrastructure for McAdenville's loan for Phase II of the South Fork Sewer Project. SRL amount \$320,494.00.
- c) **Approval of WithersRavenel Agreement for Grant Writing Services:** Contract authorizing WithersRavenel to prepare the Water and Sewer MFR Grant applications on behalf of the Town for the Fall 2020 funding cycle. The cost of this service will be covered with a successful grant application.
- d) **Approval of Resolution 2020-02 Grant application for NC DWI Merger Regionalization Feasibility Grant Program (MFR) for Sewer Collection System:** A successful award will provide up to \$50K in funding for development of a feasibility study to evaluate the potential of a regional *wastewater treatment solution*.
- e) **Approval of Resolution 2020-03 Grant application for NC DWI Merger Regionalization Feasibility Grant Program (MFR) for Water System:** A successful award will provide up to \$50K in funding for development of a feasibility study to evaluate the potential of a regional *water treatment solution*.
- f) **Approval of Agreement for the Sub-Grant of CARES Act Grant Funding:** NC counties are receiving funding for local governments as part of the Coronavirus Relief Fund (CRF) established under the federal CARES Act. This funding may only be used to cover costs that are necessary expenditures incurred due to the COVID-19 health emergency, were not accounted for in the budget most recently approved as of March 27, 2020, and were incurred during the period that begin on March 1, 2020 and ends on December 30, 2020. McAdenville submitted the required paperwork and has

qualified for \$10,253 in reimbursable grants monies for eligible expenses through the Gaston County CARES Act Grant Award.

REQUEST TO SPEAK:

McAdenville Resident, Colin Thompson, thanked Council for the opportunity to speak regarding his opposition to a proposed ordinance prohibiting use of golf carts inside the Town limits. Mr. Thompson had prepared a slide show presentation outlining an alternate plan to the proposed ordinance change to Section 6-41 of the McAdenville Town Code. The presentation highlighted the reasons why golf carts could be a positive for Town residents, and if allowed could create additional revenue for the Town through yearly registration fees. He added that Council's concerns related to liability issues with the carts could be alleviated by mirroring the liability waiver used in Cramerton. Mr. Thompson provided a petition with twenty-nine signatures and stated that he feels there is enough support for allowing golf carts in McAdenville for Council to reconsider their current position.

Councilman Richardson stated that the revision to Section 6-41 of the Town Code is simply a reiteration of the existing NC State law and is being considered to provide additional clarity regarding the current rules for operation of golf carts on public roads in McAdenville. He added that the Town has not passed an ordinance allowing golf carts in McAdenville therefore operating one within the Town limits is currently illegal as defined in G.S. 20-4.01 (12b).

UDO TEXT AMENDMENT – TELECOMMUNICATION TOWERS AND FACILITIES:

The Mayor stated that he had denied the request from Crown Castle's Attorney for a continuation on their request for Text Amendments to UDO Sections 8.4.22(D) and 8.4.22(I) allowing the relocation of a cell tower from Lakeview Drive to parcel #134442 on Hickory Grove Road. He denied the request for continuation because he felt Crown Castle had presented all the relevant information needed for Council to make a decision. Attorney Jim Windham provided the following overview of the text amendment process to date:

Background Information: 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. At the June 9, 2020 regular meeting 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. 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. Crown Castle's Text Amendment application was slated for consideration and voting at Council's regular meeting on July 14, 2020 but was postponed at Crown Castle's request to the August meeting. A second postponement request was received from Crown Castle to continue the vote to the September Agenda. A third request for continuation was received from Crown Castle's Attorney on August 21, 2020 but the request was denied by the Mayor.

Mayor Pro-tem McCosh stated that the Planning Board had held three (3) Q&A sessions with the representative from Crown Castle related to the text amendment and that he supported their recommendation to deny the request. The Mayor stated that he did not support the text amendment due to the close proximity of the proposed site to the residential home located at 148

Hickory Grove Road; adding that the set back from the home's front porch to the base of the cell tower would be less than 45 feet. Joe Rankin agreed that he supported the Planning Boards recommendation and that Crown Castle failed to produce enough evidence to warrant the text change. Following discussion, motion to deny Crown Castle's request for Text Amendments to UDO Section 8.4.22(D) and 8.4.22(I) was made by Joe Rankin, seconded by Greg Richardson with unanimously vote.

PRV CONTRACT AMENDMENT CONSIDERATION:

Lesley Dellinger stated that BW Service Solutions was awarded the PRV replacement contract at the May 12, 2020 regular meeting in the amount of \$74,775.00. The project scope included a temporary bypass system which would allow water service to remain on while the new PRV was being installed. BW Solutions has indicated the Town can realize around \$20,000 in savings to the total project cost by not installing the temporary bypass. Staff has consulted with Mike Bynum, TRU Engineer and PRV Replacement Project Manager, and he supports the change in scope but stressed that it does come with a level of risk. Lesley added that the new PRV has dual sides to assist with future repairs and that the bypass being considered for elimination is only to provide water service during the installation. The current schedule has the installation taking place overnight beginning Sunday October 11th and repair time is estimated to be less than six hours. Mayor Pro-tem McCosh asked how the Town planned to notify residents of the water outage. Staff stated that letters would be mailed to the affected residents and businesses along Wesleyan Drive and Forest Heights neighborhood, and that McAdenville Village residents would be notified via email and their neighborhood Facebook page. Reid Washam stated that he feels that appropriate planning and engineering were present throughout this project and that the repair can be completed within the specified timeframe. He motioned to amend the BW Service Solutions contract to remove the bypass from the scope of work. The motion was seconded by Mayor Pro-tem McCosh and approved with unanimous vote.

POLICE DEPARTMENT REPORT:

Chief Adams offered to review, and answer questions related to the CPD monthly report. No questions were presented by Council.

COUNCIL GENERAL DISCUSSION:

Mayor Pro-Tem McCosh stated that since Lakeview Extension was paved the amount of traffic entering the Village neighborhood via the culvert bridge has increased. He requested that Council consider adding speed bumps along Lakeview to discourage cut through traffic and reduce travel speeds. Councilman Richardson stated that the Town has a policy for the installation of speed bumps which was posted on the website. He added that a special assessment may be leveraged to offset the cost to the Town. Mayor Pro-tem McCosh requested that discussion on this item be placed on the October agenda.

Town Staff stated that the NC Rural Water Associated had invited McAdenville to participate in an acquisition, merger, or partnership case study funded through the USDA. There would be zero cost to the Town and the case study results and final report would be presented to Town Council upon completion.

OPPORTUNITY FOR PUBLIC COMMENT:

James Murphy, 329 Church Street, spoke in favor of the Town adopting a golf cart ordinance that would match neighboring municipalities like Cramerton and Belmont. He added that he did

not believe that operating a golf cart on a public roadway presented any more dangers than walking or riding a bike.

Mitchell Robinson, 514 Academy Street, stated that he does not support an ordinance allowing standard golf carts on public roadways in McAdenville and that he agreed with Council's decision on LSV's three years ago and still does. He added that the petition presented earlier in the meeting did not show support throughout Town but was isolated to one small section of the Village neighborhood.

ADJOURN:

There being no further business to come before the board, the meeting adjourned at 6:50 PM upon motion of Reid Washam, second by Carrie Bailey and unanimous vote.

Jim Robinette, Mayor

Lesley Dellinger, Town Clerk