



**Stanley Town Council Meeting
Official Minutes
Monday, September 10, 2018**

The regular monthly meeting of the Stanley Town Council was held on Monday, September 10, 2018 at Stanley Middle School. The following elected officials and staff were present:

Steven Denton, Mayor
Cathy Kirkland, Mayor Pro-Tem
Rob McMinn, Council Member
Kerry Hart, Council Member
Bud Pate, Council Member
Danny Sparrow, Council Member

Jim Windham, Town Attorney
Heath Jenkins, Town Manager
Tug Deason, Recreation Director
Olivia Smith, Finance Director
Will Keller, Fire Chief

Call to Order:

Mayor Denton called the meeting to order at 6:00 p.m.

Invocation:

Mayor Pro-Tem Cathy Kirkland gave the invocation.

Pledge of Allegiance:

All citizens present recited the Pledge of Allegiance.

Approval of Agenda:

Mayor Denton requested the addition of item K. under New Business, Resolution to Amend the Charter changing the Mayor's term from two to four years. Mayor Denton asked if there was a motion to approve the agenda. Council Member Danny Sparrow made a motion to accept the agenda and Council Member Kerry Hart seconded the motion. A vote was held and the motion passed unanimously.

Approval of Minutes:

Mayor Denton asked for a motion to accept the August 6, 2018 Regular Meeting Minutes. Council Member Rob McMinn made a motion to accept the minutes as presented and Council Member Bud Pate seconded the motion. A vote was held the motion passed unanimously.

New Business:

A. Proclamation Recognizing September 11, 2018 as a National Day of Service and Remembrance

Mayor Denton asked for a motion to approve the Proclamation. Council Member Kerry Hart made the motion. Council Member Danny Sparrow seconded the motion. A vote was held and the motion passed unanimously.

B. Adoption of Updated Retention Schedule and Amendments

Mayor Denton asked the Clerk to explain this request. Catherine Greder stated that the Town last updated the State retention schedule in 2009. There was a new schedule adopted by the state in 2012 and several amendments since that time. The Town proposes adopting the updated schedule to allow the Town to properly destroy old documents that are no longer necessary.

Council Member Sparrow asked if the Town would digitize the files.

Catherine Greder explained that not all of the documents that are going to be destroyed need to be digitized, as some are Accounts Payable or other records that are several decades old and no longer relevant.

Manager Jenkins elaborated that any records that would serve well in digital format could be digitized and made available online. The Town is already looking into services for completing this task.

Mayor Denton asked for a motion to adopt the retention schedule. Mayor Pro-Tem Cathy Kirkland made the motion. Council Member Kerry Hart seconded the motion. A vote was held and the motion passed unanimously.

C. Adoption of Ordinance Establishing Standards for Small Wireless Facilities

Mayor Denton asked Manager Jenkins to elaborate. Manager Jenkins explained that this ordinance is related to technology for cell phone usage. He stated that the wireless companies are advancing technology and this ordinance will provide guidelines for future technology installed in the right of ways.

Council member Danny Sparrow asked for clarification.

Manager Jenkins explained that the League has been following this closely and that the technology effects aesthetics of Towns. The League fought this with the state and scaled it back.

Council Member Danny Sparrow asked about the size, if it would be as big as 2-3 tables.

Manager Jenkins said it could be that big, they are boxes with the cells inside of them.

Catherine Greder explained that they are described to be the size of backpacks and the ordinance would protect the Town regarding where, how many and what they would look like.

Council Member Sparrow asked how the Town can encourage technology because it seems like the ordinance is discouraging.

Manager Jenkins stated that in the last session we saw an industry that wanted the ability to do whatever they want to do and this ordinance ensures the technology is applied in a manner that is acceptable to municipalities as well.

Council Member Sparrow asked if this was applicable to private property or just the right-of-way. Manager Jenkins stated that it is right-of-ways only. Catherine Greder explained that the discussion in the meeting with the wireless company expressed that this technology applies to intersections where people are likely using their phones, not if you want to install a wireless signal tower on your property.

Mayor Denton asked if there was a motion to approve. Mayor Pro-Tem Cathy Kirkland made a motion. Council Member Bud Pate seconded the motion. A vote was held and the motion passed unanimously.

D. Adoption of Ordinance for Use of Public Receptacles

Mayor Denton asked for a motion to adopt the Ordinance for Use of Public Receptacles. Council Member Rob McMinn made the motion. Council Member Hart seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton asked if there had been an issue with the new receptacles. Catherine Greder stated that there had been no issues yet, to her knowledge. Manager Jenkins agreed.

E. Resolution Supporting a NCDOT Bicycle and Pedestrian Planning Grant Application

Manager Jenkins explained that the Town pursued this grant last year and was not awarded. Last week, Manager Jenkins and Catherine Greder met with Auggie Wong and planned to put a new application together this year.

Mayor Denton asked for a motion to approve the resolution. Mayor Pro-Tem Cathy Kirkland made the motion. Council Member Danny Sparrow seconded the motion. A vote was held and the motion passed unanimously.

F. Nomination of John Miller for Reappointment on Stanley Planning Board and Board of Adjustments

Mayor Denton asked for a motion to nominate Mr. Miller. Council Member Rob McMinn made the motion. Council Member Bud Pate seconded the motion. A vote was held and the motion passed unanimously.

G. Nomination of Tony Froneberger for Reappointment on Stanley Planning Board and Board of Adjustments

Mayor Denton asked for a motion to nominate Mr. Froneberger. Council Member Bud Pate made the motion. Council Member Kerry Hart seconded the motion. A vote was held and the motion passed unanimously.

H. Budget Amendments

Manager Jenkins explained that the request for the budget amendments was to transfer previously allocated funds from a new SRO position that is no longer needed to other departments. He stated that the salary part of the one position is to be transferred back to the general government budget and to transfer the vehicle from the police department to the fire department.

Manager Jenkins explained that the fire department requested a vehicle in the budget and it was removed. He stated that he spoke with Chief Keller and the need is still there and will still be there at the upcoming budget. Manager Jenkins recommended the amendment for these reasons.

Mayor Denton clarified that three of the budget amendments all had to do with moving the vehicle from police to fire. He clarified that the fourth budget amendment is moving the salary from police to the general fund to cover salary and an allocation to the beautification committee.

Mayor Pro-Tem Cathy Kirkland asked why there was a change from Stanley providing all three SROs.

Manager Jenkins explained that the Town originally budgeted for two new SROs which would provide coverage for Kiser Elementary, Springfield Elementary and Stanley Middle School. Chief Summey had a discussion with Mr. Booker who stated that since the County funds the schools, he is going to honor the County's request to retain the SRO position at Stanley Middle School. Manager Jenkins stated that Chief Summey issued a response to an email from Chief Ramey of which he copied the

Council. Manager Jenkins explained that there was a disagreement between Chief Summey and Chief Ramey about what was said at the Town's budget workshops with regard to the County police. He stated that he believes there was some offense taken by the County. He stated that Chief Ramey's perception was that Chief Summey was belittling or speaking bad about the County police and that is not the case. He stated that Chief Summey drafted an eight-page memo responding to Chief Ramey's email.

Council Member Sparrow asked about the salary line of budget amendment four. He then stated that he was confused and understood where the money was being moved from and to.

Mayor Denton asked for a motion to approve the budget amendments. Mayor Pro-Tem Kirkland made the motion. Council Member McMinn seconded the motion. A vote was held and the motion passed unanimously.

I. Closure of Main Street for Country Fest

Mayor Denton asked if there was any discussion. There was none.

Mayor Denton asked for a motion to approve the road closure. Council Member Kerry Hart made the motion. Mayor Pro-Tem Cathy Kirkland seconded the motion. A vote was held and the motion passed unanimously.

J. Schedule Public Engagement Session for Zoning Ordinance Update

The Council scheduled the Public Engagement Session for Monday, September 24, 2018. The Clerk will follow up with a calendar invite regarding location and time. A notice will be published.

K. Call for Public Hearing – Change to Town Charter to change Mayor's term from two years to four years.

Mayor Denton read the entire resolution, below:

RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CHARTER OF THE TOWN OF STANLEY TO CHANGE FROM TWO-YEAR TO FOUR-YEAR FOR MAYOR AND SETTING THE DATE FOR A PUBLIC HEARING THERON

WHEREAS, pursuant to North Carolina General Statutes 160A-101 and 160A-102, the Town Council of the Town of Stanley, as set forth in Chapter 233, may adopt an ordinance to amend the Charter of the Town of Stanley to implement any of the optional forms set out in 160A-101;
and

WHEREAS, North Carolina General Statute 160A-102 requires that proposed Charter amendments first be submitted to a public hearing and that due notice thereof be published not less than ten (10) days prior to the date fixed for the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Stanley that:

1. The Town Council hereby intends to consider an ordinance amending the Charter of the Town of Stanley, to change from a two-year to a four-year term for the Mayor, as authorized by North Carolina General Statute 160A-101. It is proposed that at the regular municipal election to be held in 2019, and every four years thereafter, the Mayor shall be elected for a four-year term.
2. A public hearing on the proposed ordinance is hereby called at Stanley Middle School, 310 Hovis Road, Stanley, North Carolina at 6:00 p.m. on Monday, October 1, 2018.
3. Following the public hearing called hereby, the Town Council shall consider passage of the ordinance at its regular meeting on Monday, October 1, 2018.
4. The Town Clerk is hereby directed to cause to be published in the Gaston Gazette a proper notice of the public hearing called, which notice shall contain a summary of the proposed amendment.

Adopted this 10th day of September, 2018.

Mayor Denton asked for a motion to call for the public hearing at the October 1, 2018 meeting. Council Member Kerry Hart made the motion. Council Member Rob McMinn seconded the motion. A vote was held and the motion passed unanimously.

Special Presentations:

None

Citizen Comments:

Mayor Denton asked if there were any citizen comments.

Kelly Summey, 343 Hoyles Creek Rd – Ms. Summey stated that she was coming to the Council about something that happened over the summer. Ms. Summey stated that her son Bryson was privileged to play on the 8U All-Star team and went undefeated at the state tournament and on to the world series in Lumberton. Ms. Summey stated that there were two weeks in between the tournaments to fundraise. A hot dog sale, car wash and GoFundMe, as well as donations from businesses and citizens. Ms. Summey stated that it was understood the money was to be divided between the boys. She stated that it was about \$800 per child. She stated that there are three boys that come from split homes. She stated that there were no issues with any of the other split homes splitting that \$800. She stated that Commissioner Chad Brown and his ex-wife as well as another couple that is in the middle of a custody battle also split the

\$800. Ms. Summey stated that Chief Summey deceived her. She asked him for the money and Chief Summey told her to get the money from his girlfriend at the time. Ms. Summey stated that his girlfriend gave her \$400 at the world series. She stated that after the world series, when she asked Chief Summey for her post-separation support he told her the money that she was given at the world series was for her post-separation support. She stated that there are text messages in which he denies her the money. She stated that she is a single parent, and a home-schooling parent and not currently employed and therefore \$400 is a big deal. She asked for the Council to let her know what she can do to improve the process. She stated that she has asked for the money and there is not much else she can do and that is why she is before the Council. She stated that it was a privilege to have her son play on the baseball team. She asked if anyone had questions or wanted to see the text messages.

Danny Sparrow asked how the other players received their portion.

Recreation Director, Tug Deason stated that each child received \$803. The night it was given out, Kelly had gotten confused on directions. Derek Summey received the envelope to split with Kelly. Tug stated that he was under the impression he would split it with Kelly, but that it is not really his business. He stated that in this situation he is familiar, but he may not be familiar with other's situations. Tug was under the impression that the money had been split with Kelly.

Mayor Denton asked if the money had been collected by the Recreation Department. Tug explained that technically it was not collected for the recreation department, but they did handle and divide the money.

Council Member Danny Sparrow asked if it was agreed that they would get \$803 per player and if Ms. Summey agreed to split it with Chief Summey.

Ms. Summey stated that she thought she received her money from the fundraising, but when she asked Chief Summey for her post-separation money, which he is court-ordered to provide and always writes a check for, he told her that she got her post-separation support at the world series. She stated his text messages to her state that he is withholding the other funds from her because he thinks she owes him money for something else. Ms. Summey stated that Chief Summey is the head coach of this team and that she has never heard of any other parents having difficulty splitting the fundraiser money. She stated that he is also the Police Chief of this Town.

Council Member McMinn stated "Technically you think that the Police Chief of this Town stole \$400 from you and you have evidence to back it up and can probably go to the County and press charges against him".

Ms. Summey stated that she is not trying to be a bitter ex-wife, she is trying to be civil. She stated that she believes if this happened to someone else, they would be upset too. She believes if this

happened to someone else on the team that Derek Summey would be upset about it but in this case he is the one withholding.

Mayor Denton thanked Ms. Summey and stated that he or Manager Jenkins would follow up with her.

Ms. Summey excused herself from the meeting, stating that her son was currently playing in a baseball game at the park and she was going to leave the meeting.

David Remsburger – stated that he is the owner of Morgan’s Ice Cream in Town. He stated that he is coming to the Council because of recent issues over his signs. He stated that he has been in the Town for sixteen years and only recently the Town has started to enforce an ordinance that has been in place for years. Mr. Remsburger stated that for sixteen years his signs have been up and no one said anything about it. He stated that now that someone has complained it is a problem. He stated that he could name five businesses that are in violation of the ordinance now. He stated that his argument is that the ordinance is unnecessary. He stated that the government, schools and sports teams are allowed to put up signs. He stated that he got fined for his banners because he is violating the ordinance. He stated that people then try to find a way around the ordinance. He stated he met with the Mayor and one of the biggest arguments is if the Town lets him do it, they have to let the other business owners do it. Mr. Remsburger stated that if that were the case the other businesses would have their signs out, but they don’t. He stated that his business is an impulse business and signs have worked for him. He stated that the issue has created a hindrance for him. He stated that he has not been to a Town meeting in fifteen years. He stated that he changed the signs he used after the last meeting he attended. He stated that according to the ordinance, he could put plain red, yellow and green flags every ten feet because it does not have any wording on it. He stated that he could get the fake balloons that car dealerships in Gastonia have. He stated that people will always try to come up with a new idea to get around the ordinance. He stated that he and one other business are the only violators in fifteen years. He stated that he does not come to the Town for what he can get from the Town, he comes for what he can give to the Town. He stated that he has employed five or six people for the last fifteen years. He stated that he tries to train leaders and teach them as much about his business as he knows.

Danny Sparrow thanked Mr. Remsburger for being a business owner in Stanley and stated that he very much enjoys Morgan’s ice cream and shakes. He asked Mr. Remsburger if with all of the technology he may be better to advertise on Google. Mr. Remsburger stated that signs have worked better for him because no one goes online to look for ice cream. He stated that out-of-town people are a big part of his business because of Stanley Total Living Center. He stated that if those visitors do not know where he is, then they do not know where he is. Mr. Remsburger stated that he advertises in the recreation program and in the yearbooks to give back to the community, but his most effective advertising is signs. He stated that he has noticed a dramatic drop in business since he has taken the signs down. He stated that when he puts up a peach

milkshake sign, he sells far more peach milkshakes. He stated that right now he has a sign up for banana splits and sells far more in a day than he would otherwise average. He stated that signs do make a difference.

Council Member Bud Pate asked about the signs in the right-of-way and the proper place to put a sign. Manager Jenkins stated that there are certain limitations in the ordinance that allows for signs but does not permit them in the right-of-way. Manager Jenkins stated that a sign ordinance is intended to strike a balance between business owners promoting their business and the Town looking aesthetically pleasing. He stated that there is of course a difference in opinion over this. Council Member Bud Pate stated that he thinks the police should monitor the signs as part of their duties and all of a sudden, we come down on one man. Mr. Remsburger stated that the ordinance only permits one sign. He stated that he borders two roads.

Catherine Greder stated that the Town did receive complaints. She stated that there were seventeen signs at the time of the notice. She stated that she has enforced it with other businesses, in fact with another shopping center today. She stated that she made a list of businesses the other day and there were over 120 businesses and if each of those were allowed to have two, or four, or five, that is a lot of signs.

Mr. Remsburger stated that he had experienced an issue with the size of the signs before, then that they must be more than ten feet off the road, now that the banners are not allowed and then that the flag signs were not allowed. He stated that he did not mean to be smart about it, but if he wanted to he could put twenty blank flags outside of the shop. He stated that it did not become an issue until just recently. He stated that it is not true that everyone is going to put out as many signs as him or they would have been doing it before. He stated that he has selected Stanley to do business and it is challenging when Town's say that they want business and when the business wants to promote itself, the Town implements rules. He stated that he is not the only one violating the ordinance.

Council Member Pate stated that if he has been here fifteen years, everyone knows where he is anyway. He stated that Mr. Remsburger has done that.

Mr. Remsburger stated that he did that with signs.

Mayor Denton thanked Mr. Remsburger.

Mayor Denton asked if there were any other citizen comments. There were none.

Department Reports:

Finance Department: Mayor Denton explained that the financials were provided. There were no questions.

Public Works: Mr. Roseberry was not present. No report was provided.

Recreation: Mr. Deason stated that he would like to address the issue between Ms. Summey and Chief Summey. He stated that he was under the impression she received that money. He stated that he worked really hard to raise \$9,000 for that team. He stated that the money went to the team, it just didn't get to one of them. He stated that it does not make them a bad organization. He stated that he tries to run a legitimate program here and he would have liked to know about this ahead of time. He stated that he is going to address it with Chief Summey as a coach in his program. Mayor Denton asked if Chief Summey's fiancé gave Ms. Summey the money. Mr. Deason stated that each kid would have received \$833, he took \$30 off the top of each child because the team wanted to purchase something special for each child. He stated that he notified all of the parents where to come to pick up the envelopes with the money. He stated every parent was there except Kelly. He stated he talked to her and told her he was going to give Chief Summey the money and Kelly agreed. He stated that Kelly approached him at the world series that she did not have her money and he approached Chief Summey and he said he paid her. Mr. Deason stated that stuff like this upsets him. Council Member McMinn stated that he does not think this is a poor reflection of the recreation department. Council Member McMinn stated that he thought it would be more appropriate for the Manager to follow up with Chief Summey. Council Member Pate stated this seems like a legal issue and not a Council issue.

Mr. Windham stated that the Council needs to move on and that this is becoming more of a personnel matter. Mayor Denton asked Manager Jenkins to follow up with Ms. Summey.

Fire: Chief Keller thanked the Council for their support in the Fire Department application for the AFG grant. The department was awarded \$164,387 for air packs. Mayor Denton asked if Congressman McHenry's office would still be doing a press conference. Manager Jenkins stated he would follow up.

Police: Chief Summey was not present. No report was provided.

Manager's Report: Manager Jenkins discussed his written report.

He stated that Project "Alfa" on the DSM building is continuing.

He stated that the Town met with the NCLM to request insurance on the Hacker property.

He discussed his participation in the Charlotte Aviation Academy, a project funded through an enterprise account.

Manager Jenkins stated that he and Mayor Denton have attended the Get Ready Gaston Forum. He discussed the elaborate project at the River District and how it will impact the transportation system.

Manager Jenkins stated that someone also spoke about regional growth and its impact on the County.

Manager Jenkins stated that he attended the GO Steering Committee meeting last week and discussed efforts to include Stanley throughout the month of October.

Manager Jenkins stated that he attended the regional manager's meeting in Concord. He stated that they discussed challenges and economic development in their respective communities. He stated that some areas are experiencing more growth than they can handle.

Manager Jenkins provided an update on the CDBG grant.

Manager Jenkins explained that the staff will work with Auggie on the NCDOT grant application.

Manager Jenkins stated that he and the Public Works Director heard a presentation from Fortiline regarding radio-read meters.

Manager Jenkins stated that he also is working with the Public Works Director on software for that department to aid with work orders.

Manager Jenkins explained that the Town has resolved the issue with a smell near Phase II of the sewer project. He stated that this solved the problem. He stated that there was limited cost and the Town will replace charcoal filters as they age.

Manager Jenkins explained the rest of his report was information for the Council to review at their leisure.

Council Comments: Council Member Kerry Hart asked if there was any news on the additional homes in Bennington Woods. Manager Jenkins and Catherine Greder both stated they had not heard from the developer since shortly after the approval.

Mayor Denton asked if Auggie could come back and provide an update to the Council. Manager Jenkins stated he was sure Auggie would have no problem doing so.

Mayor Denton stated that he would like the Council to schedule a retreat for budget planning around January. Manager Jenkins stated that the sooner the Council can look at some dates for this, the better.

Council Member McMinn stated that a house on S Buckoak was partially demolished and is a danger. Manager Jenkins stated the staff would investigate the issue.

Council Member McMinn asked for an update on sidewalk grants that had been previously mentioned, but not recently discussed. Manager Jenkins stated that he had submitted a request through the Community Foundation and they would make an announcement by the end of the month. He stated that there were two parts to this application: a sidewalk from the park to Highway 27 and also paving of the overflow parking lot. He stated that he discussed this with Auggie Wong and connectivity for pedestrians would be something that we focus on in the future.


Council Member Pate asked about Powell Bill funds. Manager Jenkins stated that we use those for resurfacing, but they could be used for sidewalks. Council Member Pate stated that the front yards of the homes on Main Street are small and a sidewalk would take a large portion of them. Manager Jenkins stated that the plan would review such issues and look for a resolution. Manager Jenkins stated that the park needs better connection to the rest of the Town and Creekwalk also needs to be connected to the sidewalk on S Main Street. He stated that the Town has also been invited to a meeting in Mount Holly regarding sidewalk planning.

Council Member McMinn made a motion to go into closed session for Personnel Matters. Council Member Pate seconded the motion. A vote was held and the motion passed unanimously.


Adjournment:

Mayor Denton asked for a motion to adjourn. Mayor Pro-Tem Cathy Kirkland made the motion. Council Member Danny Sparrow seconded the motion. A vote was held and the motion passed unanimously.

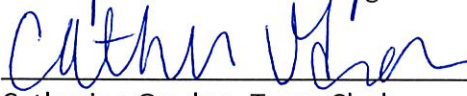
Respectfully Submitted:



Steven Denton – Mayor



Heath Jenkins – Town Manager



Catherine Greder - Town Clerk

