



**Stanley Town Council Special Meeting
Official Minutes
Monday, August 3, 2020**

The special meeting of the Stanley Town Council was held on Monday, August 3, 2020 via Zoom conference call. The following elected officials and staff were present:

Steven Denton, Mayor
Cathy Kirkland, Mayor Pro-Tem
Jimmy Ingold, Council Member
Kerry Hart, Council Member
Bud Pate, Council Member
Victoria Kiser, Council Member

Heath Jenkins, Town Manager
Olga Grishin, Town Clerk
Eric Withers, Fire Chief
Craig Roseberry, Public Works Director
Tug Deason, Recreation Director
Kevin Haney, Financial Director
Derek Summey, Police Chief
Shaun Gasparini, True Homes rep.
John Miller, Arbordale representative
Andrew Grant, Project Engineering Manager
Tim Sheehy, Meritage Homes Director

Call to Order:

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

Invocation:

Council Member Jimmy Ingold gave the invocation.

Pledge of Allegiance:

All citizens present recited the Pledge of Allegiance.

Approval of Agenda:

Mayor Denton asked if there was a motion to approve the agenda as presented. Mayor Pro-Tem Cathy Kirkland made a motion to approve the agenda as presented 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 approve the July 6, 2020 Regular Meeting Minutes. Council Member Kerry Hart made a motion to approve the minutes as presented, and Council Member Bud Pate seconded the motion. A vote was held, and the motion passed unanimously.

New Business:

A. Public Hearing:

- i. Parcel 213458 rezoning from R-20 to R-8 for the purpose of multifamily housing (Arbordale Project)

For the record: Notice of the Public Hearing was published, as well as first class mail notice was mailed to owners of the abutting parcels.

Mayor Denton asked for a motion to open a public hearing for Parcel 213458 rezoning from R-20 to R-8. Council Member Jimmy Ingold made a motion to open a public hearing and Mayor Pro-Tem Cathy Kirkland seconded the motion. A vote was held, and the motion passed unanimously.

Mayor opened up a floor for the presentation of Arbordale Phase 5 rezoning project.

Shaun Gasparini and John Miller made a presentation (presentation sliders are attached).

Council Member Kerry Hart asked for a verification from John Miller statement that students living in Arbordale area would attend Mount Holly Schools. Being that the neighborhood is in the city limits of Stanley, should the children not attend the Stanley's Schools.

Mr. Gasparini clarified that a subdivision was attached to the Kiser High School in Stanley.

Mayor Denton noted that the Council received citizen comments on a subject.

Council Member Kerry stated that she was not ready to make a decision just yet and asked for more time to review all the information presented.

Mayor Pro-Tem Cathy Kirkland agreed on allowing the Council to have more time look through the case (setbacks, schools).

Council Member Bud Pate agreed as well.

Council Member Victoria Kiser and Council Member Jimmy Ingold was ready to vote. They did not object to giving other council members time to review the project.

Mayor Denton concluded that since the majority of the Council had asked for more time, he was giving the Council a month to review the project and vote on it in September.

Mayor Denton asked for a motion to close a public hearing. Mayor Pro-Tem Cathy Kirkland made a motion to close a public hearing, and Council Member Bud Pate seconded the motion. A vote was held, and the motion passed unanimously.

**Rezoning from R-20 to R-8 parcels 175734, 175761, 175763, and portion of 175764, along NC 27 and Old Mt Holly Road (Meritage Homes Project)
For the record: Notice of the Public Hearing was published, as well as first class mail notice was mailed to owners of the abutting parcels.**

Mayor Denton asked for a motion to open a public hearing for Parcel 175734, 175761, 175763, and portion of 175764 rezoning from R-20 to R-8 . Mayor Pro-Tem Cathy Kirkland made a motion to open a public hearing, and Council Member Jimmy Ingold seconded the motion. A vote was held, and the motion passed unanimously.

Andrew Grant and Tim Sheehy gave a presentation. The Site plan had been revised based on the feedback from the Planning Board, the Council, and the citizens. The concerns were addressed. Lots had changed substantially. They proposed up to 225 Single-Family for sale lots, which was down from 255 that was initially presented to the Planning Board. They also increased side setbacks to 10' feet. They increased the buffer setback along NC 27 from 50' feet to 93' feet to allow for additional landscaping to enhance the entrance into Stanley (full presentation is enclosed).

Mayor Pro-Tem Cathy Kirkland asked Mr. Grant if they would entirely fund the new pump station and if that would be done under the Town's Public Works Director's directions.

Mr. Grant confirmed that the new pump installation would be done under Public Works Director supervision.

Mayor Pro-Tem Cathy Kirkland appreciated the work that was done to accommodate citizen's concerns and adjust the plan accordingly.

Council Member Kerry Hart mentioned that she ventured out to some of the neighborhoods the Meritage Homes already constructed, and the houses, and the amenities looked terrific.

The houses were not on top of each other. Council Member Kerry Hart even toured their model home and got a lot of information. Council Member Kerry Hart strongly believed that the builder would bring a lot to the Town, and did not see any issues. Schools were not near the top of its capacity and would be to handle the incoming students.

Mayor Pro-Tem Cathy Kirkland added that she was getting some negative comments about the project, but, at the same time, was also getting positive feedback from citizens that wanted to see the Town grow and have more things to offer like restaurants, shops, etc. That is why the Town needed to have the population increase to get businesses' interest in the Town. And if we wanted to make improvements to the Town, we would need to increase our tax space.

Council Member Kerry Hart noted that this project would allow the Town to move forward with necessary changes to Fire and Police Departments because of adding more homes.

Council Member Jimmy Ingold asked if there was additional feedback from the Planning Board. The majority of feedback received by Council Member Ingold was to vote no to the rezoning.

Mr. Grant replied they considered the planning board feedback, and revised setbacks and lots widths.

Council Member Bud Pate wanted to know if the county's water and sewer system would handle the influx of houses.

Mr. Grant replied that they had reached out to the Public works, and they had submitted the capacity assurance request from the county sewage treatment plant. With the proximity to NC 27 they would be able to connect to the Town's mainline, and they would be able to extend that mainline to the Old Mount Holly Rd.

Mayor Denton noted that the Town received a number of citizen comments that the Council was made aware of.

Council Member Jimmy Ingold wanted more time to be given to the Council to vote on the project.

Council Member Kerry Hart added that during the last Planning Board meeting, she could not understand why Meritage Homes project was rejected while the very same project by Arbordale was unanimously approved. The reason could be simply because Arbordale project had already been started. By changing the setbacks to 10' feet, Meritage Homes met the requirements citizens had requested. Meanwhile, Arbordale did not make those revisions and still had less than 10" feet setbacks.

Mayor Denton added that The Town of Stanley had the highest tax rate in Gaston County among other communities. This was not something to be proud of. Turning down that type of responsible development would only keep the town's tax base revenue low. There were few things to consider. Looking at the US Census data, it showed how the local government was funded by the state and federal government. If you look at the population, it remained steady for the past few years, and it made the Town's revenues strained. This project was an opportunity to increase the number of homes in the community, thus the population number that helps drive that type of revenue.

Mayor Denton asked for a motion to close a public hearing. Mayor Pro-Tem Cathy Kirkland made a motion, and Council Member Bud Pate seconded the motion. A vote was held, and the motion passed unanimously.

Mayor Denton asked for a motion to approve rezoning from R-20 to R-8. Mayor Pro-Tem Cathy Kirkland made a motion, and Council Member Kerry Hart seconded the motion. The motion passed with affirmative votes cast by Council Members Bud Pate, Kerry Hart and Cathy Kirkland, and against votes cast by Council Members Victoria Kiser and Jimmy Ingold.

**Amendment to the Zoning Ordinance – CUP for modular/manufactured homes (ETJ, R-20) (Permitted Use Chart provided).
Notice of the Public Hearing was published**

Town Manager Jenkins explained that the Town's use chart was changed back in 2018, and the intention was to make the regulation within the town limits but the use chart would require to the CUP for ETJ as well. The Town had been getting a number of applications in ETJ asking to put manufactured or a modular home. The process would require BOA public hearing, and the Board was not set up for that. It was a little overreaching. Mr. Jenkins recommended The Council to consider to change the use charge back to regulating the city limits and leaving the ETJ the way it was before the changes in 2018.

Council Member Jimmy Ingold asked for a brief explanation of what the Town would be losing/gaining control of.

Town Manager Jenkins explained that the purpose of a 2-mile ETJ was incorporated in our Zoning Ordinance back when The Town of Stanley had control over the areas that we would eventually annex to the city. Most of the municipalities in Gaston County relinquished their ETJs entirely. The Town had been working with the County trying to relinquish part of it. The Council would need seriously consider relinquishing ETJ.

There were no comments from the public.

Mayor Denton asked for a motion to close a public hearing. Council Member Kerry Hart made a motion, and Council Member Bud Pate seconded the motion. A vote was held, and the motion passed unanimously.

Mayor Denton asked for a motion to proposed changes to the Zoning Ordinance – Permitted Use Chart. Council Member Jimmy Ingold made a motion, and Mayor Pro-Tem Cathy Kirkland seconded the motion. A vote was held, and the motion passed unanimously.

Approval of the Budget Amendment to purchase a new mower for the Streets Department

Manager Jenkins said that the Public Works department had two commercial grass mowers they used. Several months ago, Manager Jenkins and Department Head Roseberry looked at the prices to replace one of the mowers that started having mechanical problems. To fix the mower would cost around \$3,000.

Mayor Denton asked how many mowers did the department have.

Department head Roseberry answered that they would typically have two mowers, but they only had one right now, which is 3-year-old.

Mayor Denton asked how many years typically such mowers served.

Department Head Roseberry answered that typically every 5-6 years it would need to be replaced.

Council Member Jimmy Ingold asked if the two mowers would be used.

Department Head Roseberry answered yes.

Council Member Jimmy Ingold asked if the mower was a higher priority than a woodchipper.

Department Head Roseberry answered that he considered it a higher priority since they only had one in use.

Mayor Denton asked for a motion to approve a purchase of a new mower. Council Member Kerry Hart made a motion, and Council Member Victoria Kiser seconded the motion. A vote was held, and the motion passed unanimously.

Call for a public hearing in September for a street name change – Legion Dr name change to Pleasant Ln

Manager Jenkins elaborated on a topic saying that the reason for a street name change was the petitioner's concern about emergency services responded to the wrong block on the Legend Dr. All the details regarding the petition would be provided to the Council for the public hearing in September. It would need to be advertised for the public to comment on that.

Mayor Denton asked for a motion to call for a public hearing for a street name change. Council Member Jimmy Ingold made a motion, and Council Member Kerry Hart seconded the motion. A vote was held, and the motion passed unanimously.

Discussion – NLC Service Line Warranty Program (NCLM offer letter provided)

Manager Jenkins elaborated on the matter. NLC Service Line Warranty Program provides safety and livability protection to homeowners. Offered at no cost to League members, the NLC Service Line Warranty Program educates homeowners about their service line responsibilities and provides optional, affordable protection from unanticipated service line repair costs. Homeowners in participating municipalities are eligible to purchase low-cost repair service plans for broken or leaking outside water and sewer lines, covering up to \$8,500 per occurrence. Benefits to residents and municipalities include: educates homeowners and reduces local officials' frustration, no cost for North Carolina cities to participate, revenue share component to help drive dollars back to the city, affordable rates for residents, and increases citizen satisfaction.

Council Member Kiser wanted to clarify that this program was not a requirement.

Manager Jenkins confirmed that it was not mandatory, it was an option provided to the citizens in case they had any plumbing issues.

Mayor and the Council gave manager Jenkins instructions to gather more information on that and present it back to the Council.

Department Reports

Finance report was presented. There were no comments from the Council.

Mayor Denton confirmed with Finance Director Haney that local sales taxes were roughly \$58,000 under budget.

Public Works report was submitted. There were no questions to the Public Works Director.

Recreation Department report was submitted. No question for Recreation Department Director.

Fire Department report was submitted.

Council Member Kerry Hart thanked Fire Chief Withers for all the updates posted to keep the community informed.

Mayor Denton noted that he had a chance to review the Stanley Fire department comparison report with other Gaston County fire departments. Mayor Denton pointed out that Alexis town had a total budget of \$670,392. They had two departments providing coverage for Lincoln and Gaston County. And the Gaston County budget was \$257,000.

Mayor Denton asked if the figures pulled were from FY2019-2020.

Chief Withers clarified that the numbers were for FY 2020-2021.

Mayor Denton wanted a clarification stating that a number of Fire departments were funded through Gaston County by way of fire tax, and that they had a decrease in funding, for example, Crowders Mountains from \$800,000 to \$782,000.

Chief Withers explained that they had a tax reduction with their funding. To supplement that to go along with the tax reduction there was something that was called reserve.

Mayor Denton asked Chief Withers to verify that Alexis dropped from .095 to .079 and Community Fire department in Belmont dropped from 0.102 to 0.099.

Chief Withers explained that there was a cut that the commissioners conducted in every single fire department, and that caused the decrease.

Mayor Denton added that he had asked Chief Withers and Town Manager Jenkins to install a plan to establish a full-time fire department. The feedback was received from Council Member Pate, Hart, and Kirkland, and Ingold. Council Member Kiser did not have input to provide at that time.

Town Manager Jenkins, Council Member Pate, Hart, and Kirkland felt that the Town should start with hiring a full-time Fire Chief.

Council Member Jimmy Ingold felt there was a priority to hire a full-time engineer/ driver. The arguments towards this were that this way, there would be three men on the truck, and that the full-time Fire chief would only create a division between full-time and part-time employees.

Council Member Bud Pate raised a concern that current Fire Chief would be summoned to Charlotte in cases of an emergency arise, and that would leave the Town of Stanley with zero leadership.

Chief Withers explained that he would be in Stanley during such occurrences as long as he was not on duty at his full-time job in Charlotte. Michael Hullet and Ashley Price would be able to provide coverage.

Mayor Denton believed that all organizations should start with building strong leadership and later moving down to the entry-level employees. There was a need for a department head who would be solely accountable to the Town of Stanley. Chief Withers had done a fantastic job. He was highly-qualified and respected. It would be the Mayor's recommendation to the Council to offer this position to Chief Withers if he would be able to work out the logistics.

Mayor recommended starting with a full-time fire chief position this year, and possibly apply for a safer grant for next year for two fire department positions. This way, by the end of next year, the Town would have three full-time firemen in place, assuming that the Town would receive a grant for the fire truck as well. If not, the chief would decide on moving forward with the safer grant or finance the fire truck. Mayor Denton asked if the Council members had any comments.

Mayor Pro-Tem Kirkland pointed out that all other departments had a full-time leadership, and it would be nice to have the same for the Fire Department.

Member Ingold asked where we would get the person from.

Mayor Denton replied that if Chief Withers did not accept the position, the Town would put a posting making sure it would get the best-qualified candidate.

Council Member Kiser said that she was not opposed to hire a full-time Fire Chief. But the Town already had a chief, even though it was apart-time chief. It would be more reasonable to secure the full-time engineer position.

Council Member Ingold explained the definition of the engineer. The responsibilities of an engineer would be driving a truck to/from the calls, maintaining all the equipment on the truck, doing calculations on pumping the lines, establishing a water supply from the hydrant.

Mayor Denton asked if it would be possible to find a chief who possessed all the qualifications.

Council Member Ingold replied that the Town would have difficulty finding a chief who agreed to do a 24-hour shift. Typically, they worked day shift doing administrative work.

Council Member Kiser noted that the Town already had two assistant chiefs in addition to the Fire Chief.

Fire Chief Withers asked the Council to do an analysis and a need assessment. He could get in contact with experts in Gaston County who could assist with that task.

Mayor Denton asked for a motion to give Manager Jenkins an authority to hire a full-time Fire Chief. Mayor Pro-Tem Kirkland made a motion, and Council Member Pate seconded the motion. The roll call was made. Council Members in favor: Cathy Kirkland, Bud Pate, Kerry Hart. Two Council Members opposed: Victoria Kiser and Jimmy Ingold.

Police report was submitted. No comments were made.

Manager Jenkins provided a report on ongoing and current activities that staff had been working on over the past thirty to sixty days.

Mayor Denton moved on to the council comments. He presented that the Council had discussed to do budget amendments to cover different department needs at the last council meeting. The Fire Department was increasing the fire call pay from \$6,000 to \$10,000, and adding \$43, 436 to the budget to cover a part-time 24-hour staffing. Another need was for the Police Department. The Council discussed a purchase of body cams for \$24,000. Community organization had stepped up and offered to cover the cost. The department was in need of taser guns with a roughly cost of \$10,000 and increased the start pay of the officers at \$18.00/hour. The Public Works Department would need a new wood chipper in the amount of \$45,000. Mayor Denton asked if the Council had any questions regarding the amendments.

The Council did not have any comments at that time.

Police Chief Summey mentioned to the Council that with the \$18.00 start pay increase, there would be a pay inequality that would affect three current officers in the department. The starting pay would be higher than of those members who worked for the department for years.

Mayor Denton requested Chief Summey to provide the pay amount of those officers.

Chief Summey said the pay was under \$17.00.

Mayor Denton asked Chief Summey ways to correct the situation.

Chief Summey proposed to meet with Manager Jenkins and Finance Director Haney to discuss pay adjustment, taking into account the officer's experience and training.

Mayor Denton verified that the Police Department was three officers short.

Manager Jenkins agreed on the arguments provided.

Council Member Kerry Hart added that the Town would not want to lose more officers because of the low pay, especially if they had the experience.

Mayor Denton summarized that the amendment would be made to increase the start pay and to revisit the current officer's pay later.

Mayor Denton gave directives to Manager Jenkins to sit down with Chief Summey to discuss the current employees' pay and make a recommendation to the Council.

Council Member Jimmy Ingold requested an exact number of an increase for three positions.

Manager Jenkins replied it would be provided to him after proper calculations. Every time the adjustment was made for an hourly wage, it affected not only the hourly wage but the benefits as well.

Mayor Denton asked for a motion to make budget amendments. Council Member Kerry Hart made the motion. Mayor Pro-Tem Cathy Kirkland seconded the motion. The vote was cast, and the motion passed unanimously.

Council Member Kerry Hart asked how quickly the Fire Department would get their staff to 24-hour coverage.

Chief Withers replied that they had implemented two schedules: one was the current schedule and the one that was voted on tonight. Tomorrow morning it would be flipped to the 24-hour staffing.

Mayor Denton addressed Council Jimmy Ingold and asked if he still wanted to volunteer to serve on the planning board committee.

Council Member Jimmy Ingold declined the proposition, saying he had too many jobs and did not have sufficient time to give.

Council Member Jimmy Ingold requested the Council be diligent in their research on the subject of hiring a full-time chief for the Fire Department.

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

Continued on next page

Respectfully Submitted:

Steven Denton – Mayor

(OFFICIAL TOWN SEAL)

Heath Jenkins – Town Manager

Olga Grishin - Town Clerk