

Village of Misenheimer
Council Meeting - Community Building
June 26, 2017

Council Present:	Michael “Frizbee” Herron, Mayor Jeff Watson, Mayor Pro Tem Micah Edquist, Finance Officer Peter Edquist	Staff:	Anita Blair, Administrator/Clerk Erik McGinnis, Chief of Police
		Visitors:	Mac McCarley – Village Counsel Lane Peeler – PB & BOA Member & Resident

Council Member Absent: Mike Burrage

1. Call to Order: Mayor Herron called the meeting to order at 6:00 pm.

2. Moment of Silence: Mayor Herron requested that a moment of silence be observed.

3. Ethics Statement: Blair read the Ethics Statement asking if any Council members present may have any potential conflict(s) of interest or any known or perceived conflict(s) of interest related to the meeting Agenda presented. None were noted.

4. Introduction of Staff & Visitors: Visitors as noted above were welcomed to the meeting.

5. Approval of 06/26/17 Council Meeting Agenda: M. Edquist made a Motion to approve the Agenda as presented noting a spelling correction was needed on Lane Peeler’s name on page two. Watson seconded the Motion and it was approved by a 4 /0 vote.

6. Approval of 05/08/17 Council Minutes: M. Edquist made a Motion to approve the 05/08/17 Council Minutes as presented. Watson seconded the Motion and it was approved 4/0.

7. Consideration of Voluntary Annexation Petition

Presentation of Petition – Mayor Herron presented the “Voluntary Annexation Petition” from Michael Wangler located at the physical address of 48780 US 52 Highway North, Misenheimer, NC.

Public Hearing – Mayor Herron declared the Public Hearing open. Hearing no public comment, Mayor Herron closed the Public Hearing.

Council Action – P. Edquist moved to approve the request from Michael Wangler to voluntarily annex into the Village of Misenheimer. M. Edquist seconded the Motion. Anita Blair, Clerk of the Village of Misenheimer, certified that she had reviewed the Petition for Voluntary Annexation submitted by Michael Wangler for the Wangler Property, generally referred to as 48780 US Highway 52 North, and found the Petition to be sufficient in all respects as required by North Carolina law. The Motion passed 4/0.

8. Consideration of Proposed FY 17/18 Budget Ordinance

Presentation of Budget Ordinance – M. Edquist presented the proposed budget ordinance highlighting that \$50,000 has been budgeted for the Gladstone Building Restoration and \$40,000 for participation with Gray Stone and Pfeiffer University to alleviate the Merner Terrace traffic problem. He also noted that the Pfeiffer University Police Services contract was renewed with an increase of \$25,000. Additional money from this contract has been budgeted for tuition remission for Village employees. In addition, he noted merit based raises were budgeted for all employees and were slightly higher due to increases not given in the previous year.

Public Hearing – Mayor Herron declared the Public Hearing open. Hearing no public comment, the Public Hearing was closed.

Council Action – P. Edquist moved to approve the Budget Ordinance, Budget Memorandum, and Pay Plan. M. Edquist seconded the Motion and it was approved 4/0.

9. Consideration of Amendment to Zoning Ordinance – Government Signs

Presentation of Definition - Mayor Herron presented the recommendation from the Planning Board to allow Governmental Signs in all zoning districts. Recommended specifications for Governmental Signs are: Maximum 6 feet tall, maximum 3 per property, and area of signs 8 square feet, in R zones, 32 square feet in all other zones.

Public Hearing – Mayor Herron opened the Public Hearing. Hearing no public comment, the Public Hearing was closed.

Council Action – Watson made a Motion to approve the Governmental Sign definition and specifications presented. M. Edquist seconded the Motion and it was approved 4/0.

10. Consideration of Rezoning Hwy 52 and Glenmore Properties

Presentation of Properties – Mayor Herron presented the following zoning considerations:

48723 US Hwy 52 North, Misenheimer, NC 28109 -

Currently zoned: Central Business (CB)

Rezoning Consideration to: Highway Business (HB) or Manufacturing-Light Industrial (M1)

49690 Glenmore Road, Misenheimer, NC 28109

Currently zoned: Manufacturing-Light Industrial (M1)

Rezoning Consideration to: Highway Business (HB)

Mayor Herron noted that the above zoning considerations resulted from a previous Council meeting while considering recommendations from the Planning Board regarding Free Standing Signs. He noted that action could not be taken on this matter until the Planning Board has considered the requests and made a recommendation.

Public Hearing – Mayor Herron declared the Public Hearing open.

Councilman M. Edquist temporarily removed himself from Council to speak as the Public. He noted that he owns both properties that are being considered for rezoning. His desire would be for both properties to have like zoning and preferably dual zoning of HB and M1 on the Glenmore Property. Village Counsel, Mac McCarley, stated that it was permissible to have side by side (split tract) dual zoning but not dual zoning on top of each other. M. Edquist stated that upon studying the Zoning Ordinance he realized that his self-storage units were not in compliance of M-1 zoning on his Glenmore property although it had been approved through all proper zoning channels. Warehousing is allowed on M-1, but self-storage is not. Rather than rezoning the Glenmore property, M. Edquist felt that allowing self-storage on M-1 property was a better solution. Village Counsel, Mac McCarley, stated there are two ways to fix the problem – 1) rezone the property to HB where self-storage units are allowed or 2) allow self-storage units on M-1 property.

Mayor Herron continued the Public Hearing until the next regular Council Meeting to be held July 10, 2017.

Council Action – P. Edquist moved to refer the matter to the Planning Board to consider potential rezoning or a text amendment to allow self storage on M-1 zoned properties. Watson seconded the Motion and it was approved 3/0 with M. Edquist recusing himself from the vote.

Further Action was deferred until the next Council meeting to be held July 10, 2017.

11. Consideration of Zoning Ordinance Amendment Regarding Free Standing (Pole) Signs

Presentation of Amendment – Mayor Herron presented the recommendation of allowing Free Standing (Pole) Signs in zoning districts M-1 and HB by permit only with a maximum sign height of 5 feet, 1 sign per zoning area, and maximum area of sign 18 square feet.

Public Hearing - Mayor Herron Opened the Public Hearing. Hearing no public comment, the Public Hearing was closed.

Council Action – P. Edquist moved to allow free standing signs in zoning districts M1 and HB by permit only accepting specifications recommended by the Planning Board as noted above. Watson seconded the Motion and it was approved 4/0.

M. Edquist noted that he found a discrepancy regarding Sign, On Premise and Off Premise definition. The definitions are exactly the same. A Motion was heard from P. Edquist to correct the Off Premise definition to read: “A sign that directs attention to a business, commodity, or service, conducted, sold, or offered off the premises on which the sign is erected.” Watson seconded the Motion and it was approved 4/0.

12. **Public Comment Period** – No public comments were heard.

13. FY Unaudited Financial Status

Unaudited Financial Status at 05/31/17 (11 months into FY 16/17): The bank statement balances as of 05/31/17 were reported as follows:

- General Fund \$ 553,966
- Powell Bill Fund \$ 62,441
- Carolina Thread Trail \$ 8,128 (Grant #2) Trail Acquisition Grant (Village, Richfield & New London)
- Carolina Thread Trail \$ 0 (Grant #3) Trail Construction Grant (Village & Richfield)

Unaudited Financial Status at 6/26/17

As of 6/26/17, the general fund balance was \$ 597,829. The total restricted and unrestricted net general fund balance impact excluding roughly \$4,100 in outstanding bills for June, 2017 was \$44,804.

FY 16/17 Budget Amendments

M. Edquist presented the following Motion to amend the budget for FY 16/17:

To decrease Zoning By \$2000, decrease Public Safety by \$1000 and to increase Cultural/Recreational by \$250 to cover increased Cultural/Recreational Fund expenditures for the Stanly County Arts Council, and to increase General Govt Expenses by \$2750 for additional Legal expenses, Bike/Ped Grant Fund Match, and Traffic Impact Analysis on Merner Terrace.

Watson seconded the Motion and it was approved 4/0.

Carolina Thread Trail (CTT)

- **FY 16/17 Budget Amendment to Carry Over CTT Fund Balance to FY 17/18**

A budget amendment was presented to carry over the CTT Fund Balance to FY 17/18. P. Edquist made a Motion to amend the General Fund and the Carolina Thread Trail Grant Fund # 2 to carry over the fund balance of \$8,128.64 plus interest as of June 30, 2017 in to FY 17/18 starting on July 1, 2017. M. Edquist seconded the Motion and it was approved 4/0.

- **Interlocal Agreement between Village, Richfield & New London re: Property Acquisition**

M. Edquist made a Motion to extend the Interlocal Agreement between the Village, Richfield & New London re: Prop Acquisitions for an additional year. P. Edquist seconded the Motion and it was approved 4/0.

14. Approve FY 17/18 Contracts

The following contracts were presented for approval for FY 17/18.

- **NCLM Workers Compensation** – M. Edquist moved to approve. Watson seconded the Motion. Motion was approved 4/0.
- **NCLM Property/Liability/Auto/Crime** - M. Edquist moved to approve. Watson seconded the Motion. Motion was approved 4/0.
- **Audit Contract for 6/30/17 with Maxton McDowell, CPA Motion** - P. Edquist moved to approve. Watson seconded the Motion. Motion was approved 4/0.
- **Pfeiffer University Police Services** - M. Edquist moved to approve. P. Edquist seconded the Motion. Motion was approved 4/0.
- **LEO Separation Allowance Contract** – P. Edquist moved to approve. M. Edquist seconded the Motion. Motion was approved 4/0.

15. Presentation of Tuition Remission Personnel Policy – Mayor Herron reported that Pfeiffer University increased the yearly contract amount to compensate for discontinuing tuition remission as part of the Police Contract. A “Tuition Remission Policy” was presented for approval. M. Edquist moved to approve the “Tuition Remission Policy” as presented. Watson seconded the Motion and it was approved 4/0.

16. Appoint Planning Board (PB) & Board of Adjustment (BOA) Members for 3 year terms

Vacancy #1 PB & BOA – Jeff Watson’s terms to expire 6/30/17 – Approved at the 5/8/17 Council Meeting

Vacancy #2 PB Alternate – Judy Hammill’s term to expire 6/30/17 – A Motion by Watson was heard to appoint P. Edquist as the Planning Board, Alternate. M. Edquist seconded the Motion and it was approved 4/0.

Vacancy #3 BOA – Lane Peeler’s term to expire 6/30/17 - Approved at the 5/8/17 Council Meeting

Blair reported that Ahren Burrage has been unable to attend the Planning Board and Board of Adjustment meetings since his appointment in July, 2016. Watson made a Motion to declare a vacancy on the Planning Board and Board of Adjustment. P. Edquist seconded the Motion and it was approved 4/0. Chief McGinnis reported that Regina Simmons, Director of Resident Life at Pfeiffer University, would be a good candidate and was willing to serve. Council wished to defer the appointment until they could meet her. McGinnis will invite her to attend the next Council meeting on July 10, 2017.

17. Police Report – May, 2017: Chief McGinnis reported that traffic has increased due to beach traffic, various camps on campus and orientation. There was one arrest and two drug charges.

18. Pfeiffer University/Gray Stone Traffic Study Update - According to an email from Helen Nance at Gray Stone, the Traffic Impact Analysis is 50% complete.

19. Bicycle-Pedestrian Planning Grant – Steering Committee Update – Blair reported that she, Carolyn Capps from Richfield, and Susan Almond from New London would all be involved on the Steering Committee along with Dana Stoogenke with RRRPO, Chief Erik McGinnis, Mayor Herron, Mike Riemann, Regina Simmons, all from Misenheimer, Lee Allen from New London, Jim Misenheimer and possibly Jay Patel from Richfield were willing to serve on the Steering Committee.

20. Pfeiffer Place Update - Chief McGinnis reported the yards of both properties identified as Nuisance Properties have been mowed, porches cleaned off, and bushes have been trimmed. He will continue to monitor and report to Council.

21. Historic Gladstone Soil Evaluation Update – M. Edquist reported that the soil at the Gladstone Property did not perk; therefore, the plan for public restrooms will not come to fruition unless sewer becomes available. He stated that Council needs to re-envision the property. M. Edquist noted that portable toilets were still an option for events at the property.

M. Edquist presented a potential “Scope of Work” for Council to review and consider at a future meeting. His recommendation was to start with a roofing contractor.

22. Reserve Fall BBQ Date and Caterer – Bud’s Bodacious BBQ is available on October 21, 2017 and can provide an old-fashioned pig picking. P. Edquist made a Motion to secure Bud’s to provide an old-fashioned pig picking for the Community BBQ on October 21st. Watson seconded the Motion and it was approved 4/0.

23. Other Business – Chief McGinnis reported that he and Mayor Herron met with Carolyn Capps, Mayor Terry Deese, and Jim Misenheimer of Richfield per their request to discuss the possibility of Misenheimer supplying their police protection needs. They want to fund one officer averaging 42 hours per week with a one year commitment starting in FY 18/19. They eventually want to work toward a full-time police presence. Chief McGinnis reported there are a lot of variable that should be considered. Numbers will be compiled for Council to review and discuss before presenting to Richfield.

Council was receptive to bicycles as a means of Police Patrol on the Pfeiffer University Campus.

24. Adjournment: The meeting adjourned at 8:12 pm.

The next Council Meeting is scheduled for Monday, July 10, 2017 at 6PM at the Community Building.

Mayor Michael “Frizbee” Herron

Date

Anita Blair, Administrator/Clerk

Date