

**GASTONIA CITY COUNCIL MEETING**  
**AUGUST 19, 2014 – 6:00 P.M.**  
**GASTON COUNTY COURTHOUSE PUBLIC FORUM ROOM – GASTONIA, NC**

Mayor Bridgeman called the meeting to order at 6:00 p.m. on Tuesday, August 19, 2014, in the Gaston County Courthouse Public Forum Room, Gastonia, North Carolina. He then opened the meeting with prayer and led the audience in the pledge of allegiance to the flag. Ms. Virginia L. Creighton, City Clerk, recorded the minutes.

PRESENT: Mayor John D. Bridgeman  
Mayor Pro Tem Brenda B. Craig  
Council Members: Walter A. Kimble  
David R. Kirlin  
James Gallagher  
Todd Pierceall  
Porter L. McAteer  
City Manager Edward C. Munn  
City Attorney L. Ashley Smith

ABSENT: None

**ADOPTION OF THE AGENDA**

Councilman McAteer made a motion to adopt the agenda as printed. Councilman Gallagher seconded the motion and Council approved it unanimously.

**APPROVAL OF THE MINUTES – REGULAR COUNCIL MEETING – JULY 15, 2014**

Councilman McAteer made a motion to approve the minutes of the July 15, 2014, Regular Council meeting, as printed. Councilman Gallagher seconded the motion and Council approved it unanimously.

**AWARDS, CEREMONIES, AND PROMOTIONS COMMITTEE**

- (1) Plaque Presentation to Mr. David Kayler in Recognition of his Service on the Gastonia Planning Commission from 2012 – 2014

Councilman Pierceall, Member of the Awards, Ceremonies, and Promotions Committee, read and presented to Mr. David Kayler a plaque recognizing his service on the Gastonia Planning Commission from 2012 – 2014.

Mr. Kayler expressed appreciation for the opportunity to be of service to the City, and stated that he looked forward to being able to serve again in the future.

- (2) Plaque Presentation to Mr. Ernest Sumner in Recognition of his Service on the Historic District Commission from 2008 – 2014

Councilman Pierceall read and presented to Mr. Ernest Sumner a plaque recognizing his service on the Historic District Commission from 2008 – 2014.

Mr. Sumner thanked Council for allowing him to be of service to the City, and commended Council for all they do.

- (3) Plaque Presentation to Mr. John Howren, Jr., in Recognition of his Service on the Historic District Commission from 2011 – 2014

Councilman Pierceall read and presented to Mr. John Howren a plaque recognizing his service on the Historic District Commission from 2011 – 2014.

Mr. Howren thanked Council for their service, and for the opportunity to serve on this Commission.

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(4) Proclamation Recognizing the Achievements of Dr. Walter W. “Dub” Dickson and Expressing Appreciation for his Service to the Citizens of Gastonia, Gaston County, and North Carolina

Mayor Bridgeman read and presented to Dr. Walter W. “Dub” Dickson a Proclamation Recognizing his Achievements and Expressing Appreciation for his Service to the Citizens of Gastonia, Gaston County, and North Carolina.

Dr. Dickson received a standing ovation from those in attendance.

Dr. Dickson, who was accompanied by a number of family members, expressed appreciation for his family and friends, and thanked Council for this recognition.

(Proclamation as contained in Exhibit Book 1 to Minute Book 104 at Page 33.)

**PUBLIC EXPRESSION**

(1) Ms. Wilma Ratchford Craig, 315 Union New Hope Road, Gastonia

Ms. Craig said it is her understanding that a satellite annexation is being considered for relocating the shooting range now located near Rankin Lake. She cited various cost estimates and concerns regarding the relocation of the shooting range. She said they want the Gastonia City Council to remove or dismiss any and all plans to construct a gun park on the 314-acre tract off of Union Road. The citizens of the Union Road area oppose strongly a gun park on this site.

(2) Mr. Bobby Crank, 121 Wynnchester Road, Gastonia

Mr. Crank yielded his time to Dr. Edward Sadler, 2872 Scarboro Court, Gastonia.

Dr. Sadler stated that he was speaking on behalf of the Highland School alumni. He recognized the alumni present. He said they are here this evening to request that the City give strong consideration to prominently displaying signage on the street where Highland School was located. He also requested that at some point in time, consideration be given to placing signage identifying the location of the black business district as they knew it in the 1950’s and 1960’s.

Mr. Crank and Mr. Jim Biggers displayed a photograph showing the location of the old Highland School and a photograph of a marker similar to what they would like to see in this location.

Mayor Pro Tem Craig made a motion to direct staff to work with the Highland High alumni and come back to Council with a rendering of the historic marker. Councilman Kimble seconded the motion and Council approved it unanimously.

(3) Ms. Loretta L. Gill, 3122 Knollwood Drive, Gastonia

Ms. Gill said she would reiterate Dr. Sadler’s comments, and would add that when the Highland School alumni return to Gastonia, they have nothing to show their families with regard to where they received their academic foundation. They are thankful that Council has found this to be a worthwhile project.

(4) Mr. Dean Auten, 717 Lampwick Court, Gastonia

Mr. Auten said he was representing homeowners, landowners, and the parents and students of Forestview High School and W.A. Bess Elementary School. He noted that he had a petition urging the City Council to remove from consideration a new gun range and shooting complex on a 314-acre tract of land north of Union New Hope Road. (This petition was not presented to the Council.) He cited a number of concerns with locating such a facility at this location. He said they do not want or need a gun range, as he does not think the current range is overcrowded. He urged everyone to voice their opposition to this proposed facility.

(5) Mr. Micah Wilson, 619 Hillcrest Avenue, Gastonia

Mr. Wilson said he was here tonight representing Hunter Huss High School. He read a letter that the new Hunter Huss football coach, Mr. Jamar McKoy, plans to send to local businesses inviting them to sponsor the football team. He explained that a small group of individuals started a program call “Dawg Pound”, which to date has about 40 members and has raised a little over

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\$10,000. He highlighted some of the aesthetic improvements that this group has made to the school and advised of some of the improvements they hope to make in the future. He expressed concern about the situations that some of these students have to face. He said the community needs to make sure that these students are taken care of and that they do not fall through the cracks. They are asking that people get involved with Hunter Huss, start attending their games, and make a difference in our City and in our future leaders.

(6) Mr. Ben Brackett, 1209 Oakwood Avenue, Gastonia

Mr. Brackett advised that he and several others were involved with the building of the range at Rankin Lake. He suggested that if the City wanted to build a world-class shooting facility, that could be done on the City-owned property at Pasour Mountain. The mountain would be a perfect natural backstop. He said the local National Guard Engineering Unit has to train every weekend. They could build the range, and the only cost for that would be what the Guard unit would normally be paid for drill weekend. The taxpayers would only have to pay to build a place for people to sit and observe, and pay for landscaping and building materials. He thinks it would be a boon for Gaston County to have a world-class shooting facility.

(7) Dr. Bill Kelly, 1725 South New Hope Road, Gastonia

Dr. Kelly said he has been working with the group that is trying to develop plans for a shooting park. This group has been working long and hard for over a year. He read a letter that he had prepared to send to the Gaston Gazette, in which he stated the need for a new shooting facility and the groups vision for such a facility. The letter further stated that a shooting center would be a huge draw that could host large tournaments, that would draw people from surrounding counties daily, and that would make a profit.

He noted a number of projects that had been met with opposition in the past, and had not come to fruition. He said they cannot let a handful of people run the City and the County, and not allow us to grow and be prosperous, because a road or some noise is going to be close to their house. The people who have spoken tonight live close to one of the proposed locations for the range, but many sites are being considered. He then refuted a number of statements made by other speakers.

**CONSENT AGENDA**

ITEM 1: ACCEPTANCE OF THE DRINKING WATER STATE REVOLVING FUND (DWSRF) LOAN PROGRAM PLANNING LOAN ASSOCIATED WITH THE WATER TREATMENT PLANT UPGRADE AND EXPANSION PROJECT / RESOLUTION ACCEPTING A PLANNING LOAN FOR THE WATER TREATMENT PLANT UPGRADE AND EXPANSION PROJECT  
(Reference and Resolution as contained in Exhibit Book 1 to Minute Book 104 at Page 34.)

After a brief discussion, Councilman McAteer made a motion to approve the Consent Agenda. Councilman Pierceall seconded the motion and Council approved it unanimously.

**PUBLIC HEARING – AMENDMENT TO UNIFIED DEVELOPMENT ORDINANCE**

Subject hearing involves considering an ordinance amending the Unified Development Ordinance (UDO) Section 13.38, to amend the formula for determining the amount of the cash-in-lieu of land payment for recreational facilities, or in the alternative, to delete Subsection B of Section 13.38 in its entirety. (The Gastonia Planning Commission voted 5-2 to repeal the Park and Recreation fee.)

Mayor Bridgeman declared the public hearing to be open and recognized Mr. Jason Thompson, Planning Director, for the purpose of making the presentation.

Mr. Thompson said during recent months there has been considerable discussion regarding the City's existing Park and Recreation fee. The issue has been discussed formally by both the Council's Facilities/Management Committee and the Gastonia Planning Commission. Updates from those discussions have been provided to the City Council. Most recently, the Council voted at its June 3, 2014, meeting to direct staff to bring forward an ordinance that would repeal this

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entire section of the City Code, thereby eliminating the Park and Recreation fee. Further, at its June 17, 2014, meeting, Council directed staff to bring forward an ordinance that would serve as an option for consideration which would alter the structure of the program but not repeal it outright. Included as part of the agenda tonight is an Option A, which would be the ordinance to repeal the Park and Recreation fee, and an Option B, which would alter the structure of the program in essence to put a \$200 floor and \$400 ceiling on the fee per dwelling unit.

He said staff does not recommend repealing the program outright; rather, they recommend that the structure be altered as set forth in Option B. He noted that Mr. Thorne Martin, Assistant City Engineer, Mr. Chuck Dellinger, Director of Parks and Cultural Services, and Gastonia Planning Commissioners Fleeman, Bradshaw, and Stewart, were present to address questions.

Considerable discussion ensued.

Mayor Bridgeman recognized Mr. Gerald Sosebee, who had signed up to speak to this matter.

Mr. Sosebee, 1852 Kendrick Road, Gastonia, stated that the only individuals paying this Park and Recreation fee are those purchasing new homes, which he feels is the unfair and inequitable part of this ordinance.

Mayor Bridgeman then recognized Mr. Jerry Fleeman, Member of the Gastonia Planning Commission, for the purpose of speaking to this matter.

Mr. Fleeman, speaking as a builder, highlighted some of the issues that he has with the Park and Recreation fee, and then noted some of the discussion held at the Planning Commission meeting regarding this matter. He advised that nobody on the Planning Commission is against parks and recreation, they just think there is a better and more equitable method to pay for it.

Mr. Sosebee and Mr. Fleeman addressed various questions of Council.

Councilman Pierceall made a motion to approve Option A, which would delete Subsection B of Section 13.38 of the Unified Development Ordinance in its entirety. Councilman Kimble seconded the motion and Council approved it by a vote of 4-3 (Councilman Kirlin, Councilman Gallagher, and Mayor Pro Tem Craig cast the dissenting votes).

(Per General Statute 160A-75, a second reading of this Ordinance amendment will be required due to the motion being approved by less than a 2/3 majority vote.)

Councilman Kimble suggested that staff continue working with the Gastonia Building and Development Task Force to try to find a common ground in this area.

(Reference as contained in Exhibit Book 1 to Minute Book 104 at Page 35.)

**PUBLIC HEARING – ADJUSTMENTS TO THE GASTONIA 2025 COMPREHENSIVE  
PLAN**

Subject hearing involves considering amending the Development Strategies Map at the intersection of Lowell-Bethesda Road and Cramerton Road, and revising the Future Land Use Map on the south side of the intersection of Robinwood Road and Kendrick Road, and along Glenwood Drive between Dunham Road and Maplewood Drive, and on the south side of North New Hope Road between Ballard Street and Oak Hollow Road, and on the north side of Armstrong Park Road between New Hope Road and Kirby Avenue, and on the north side of Hoffman Road between Catawba Spring Parkway and Gaston Day School Road. (The Gastonia Planning Commission voted unanimously to approve the adjustments to the Gastonia 2025 Comprehensive Plan.)

Mayor Bridgeman declared the public hearing to be open and recognized Mr. Jason Thompson, Planning Director, for the purpose of making the presentation.

Mr. Thompson said before Council are six adjustments to the Gastonia 2025 Comprehensive Plan. Five of those adjustments are related to previous land use decisions or rezonings that have taken place before the Planning Commission, the City Council, or both. The sixth adjustment is related to ongoing discussions that staff has had with a property owner. This is related to an area on the Future Land Use Map currently indicated as residential. After looking at the context of

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this particular area near the intersection of Hoffman Road and Gaston Day School Road, staff and the property owner feel that it is appropriate and reasonable to make an adjustment there from residential to commercial. Maps for all of these adjustments are included in the agenda.

Mr. Thompson then addressed questions of Council.

Mayor Bridgeman noted that no one had signed up to speak to this matter.

Councilman Kimble made a motion to approve the adjustments to the Gastonia 2025 Comprehensive Plan as presented. Councilman Pierceall seconded the motion and Council approved it unanimously.

(Reference as contained in Exhibit Book 1 to Minute Book 104 at Page 36.)

**PUBLIC HEARING – AMENDMENT TO UNIFIED DEVELOPMENT ORDINANCE**

Subject hearing involves considering an ordinance amending the Unified Development Ordinance (UDO) Section 5.11, to delete the requirement for recording conditional use permits with the Gaston County Register of Deeds, and Section 5.16.4, to delete the requirement for a site plan as part of a conditional rezoning request, and Table 7.1-1, to adjust the zoning districts in which various uses are allowed, and Table 7.3-1, to adjust the lot standards for the RS-8 zoning district, and Section 7.4, to eliminate a conflict in the Code regarding corner lot setbacks, and Section 7.6.7, to eliminate the requirement for a citizen volunteer on the Design Review Committee, and Section 7.12, to create design standards for the urban mixed use zoning district, and Section 8, to amend the standards for daycare centers, and Section 8.1.10, to amend the open space requirements for multi-family developments, and Section 8.2.36, to adjust the standards for tire sales, and Section 9.4.2, to clarify fence design standards, and Section 9.7, to clarify sight distance triangle requirements, and Section 9.9, to remove doghouses as a listed accessory structure, and Section 10.1, to delete parking requirements for uses in the urban mixed use district and central business district. (The Gastonia Planning Commission voted unanimously to approve the Ordinance Amendment.)

Mayor Bridgeman declared the public hearing to be open and recognized Mr. Drew Pearson, Land Use & Zoning Administrator, for the purpose of making the presentation.

Mr. Pearson said staff is requesting Council approval of a group of amendments that set out to accomplish several objectives. Many of the amendments aim to make the application of the UDO friendlier for Gastonia citizens and the development community. Several of the amendments will actually clean up some conflicts between different ordinance sections that have been discovered with staff's usage of the UDO. Many of the amendments focus on the Urban Mixed Use Zoning District, which is primarily located along the Franklin Boulevard corridor on either side of the Central Business District. These amendments aim to promote the adaptive reuse of existing building structures, expand some of the land uses allowed within the District, and provide greater flexibility for staff when working with developers. Many of these properties are older and when they are found to be in that condition, it is more challenging when it comes to laying out new development of those properties.

Mayor Bridgeman asked if anyone wished to speak to this matter.

Mr. Jerry Fleeman, Member of the Gastonia Planning Commission, explained that these were excellent amendments that would make it easier to develop property.

Councilman Gallagher made a motion to approve the Amendments to the Unified Development Ordinance as presented and as outlined in the memorandum contained in the exhibit book. Councilman Kimble seconded the motion and Council approved it unanimously.

(Reference and Ordinance as contained in Exhibit Book 1 to Minute Book 104 at Page 37.)

**GASTONIA CONFERENCE CENTER – MANAGEMENT OPERATIONS OPTIONS**

Mayor Bridgeman recognized Mr. Edward C. Munn, City Manager, for the purpose of making the presentation.

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Mr. Munn said at its July 15, 2014, meeting, Council discussed whether or not to amend the existing contract that the City has with the Wilderman Group, known as the Gastonia CC, LLC. There were a number of proposed changes that staff had recommended. Council considered that, and then referred this back to staff with the following recommendations: To further renegotiate terms and conditions of a new agreement with the Wilderman Group (including, but not limited to, considerations of the management fee, the contract term, and incentive provisions); to provide Council with short- and long-term options; and to report back to the Mayor and Council at tonight's meeting.

He said overall the Conference Center is doing well. There was a deficit of \$303,000 the first year, and that is now down to \$185,000. The Conference Center continues to show positive progress in sales, revenues, marketing, usage by new customers/attendees, and substantial repeat business. The monthly financials, sales, and projects going forward continue to look positive. The work that is ongoing with the staff at the Conference Center has been positive. Whatever option or combination of options selected by the Council for managing the operations of the Conference Center, their foremost principle will be to provide excellent service to the customers and to be sure that any operational changes made are seamless to the customer.

He reviewed the following options, the details of which are outlined in the exhibit book:

- Option 1: Renegotiations with the Wilderman Group.
- Option 1A: Further negotiations with the Wilderman Group and possible buy-out of the non-compete clause related to their internal contract with their Conference Center employee.
- Option 2: Transition agreement with Stellar Platinum.
- Option 3: Other private sector management companies.
- Option 4: City operated facility.
- Option 5: Formal request for qualifications (RFQ) process.
- Option 5A: Consultant study followed by formal RFQ process.

Mr. Munn and Mr. Fred Julius, President of Stellar Platinum, addressed questions of Council.

Councilman McAteer made a motion to contract with Stellar Platinum for one year. Councilman Gallagher seconded the motion.

Mr. L. Ashley Smith, City Attorney, noted that that would not commence until November 10, 2014, or sooner if agreed by the Wilderman Group.

Councilman Pierceall noted that he did not see where Stellar Platinum had indicated that they would sign a contract for a year. Mr. Smith asked Councilman McAteer if he would be open to amending his motion to say that the City would enter into negotiations with Stellar Platinum to manage the Conference Center for one year.

Councilman McAteer made an amended motion to enter into negotiations with Stellar Platinum to manage the Gastonia Conference Center for one year. Councilman Gallagher seconded the amended motion.

Councilman Kimble then requested that Option 5A be added to the motion.

Councilman McAteer made an amended motion to enter into negotiations with Stellar Platinum to manage the Gastonia Conference Center for one year and to add Option 5A, Consultant study followed by Formal Request for Qualifications (RFQ) Process. Councilman Gallagher seconded the amended motion.

Councilman Kirlin expressed concern regarding the discussion that was taking place, and suggested that Council decide tonight whether they do or do not want to renew the Wilderman contract and then continue this discussion at the Council committee level.

After further discussion, Councilman Pierceall made a motion to call the question. Councilman Gallagher seconded the motion and Council approved it unanimously.

Councilman Pierceall asked for a clarification on the motion. It was stated that they would be voting on a form of Option 2 and on Option 5A.

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The vote on the motion was 6-1 (Councilman Kirlin cast the dissenting vote).

(Reference as contained in Exhibit Book 1 to Minute Book 104 at Page 38.)

**CITY ATTORNEY'S REPORT**

Mr. L. Ashley Smith, City Attorney, advised that the lawsuit of James Stroud versus the City of Gastonia had been dismissed.

**CITY MANAGER'S REPORT**

Mr. Edward C. Munn, City Manager, advised that Council is invited to attend a groundbreaking for the Stanley Sewer Interconnect Project on August 20, 2014, at 6:00 p.m., at the Lola Street Wastewater Treatment Plant. He said this project will connect all the waste flow from the Town of Stanley to the City of Gastonia's utility. This is a good example of local governments working cooperatively for the benefit of their respective ratepayers.

He said Councilman Kimble asked that he report on a 4,600-gallon sewer spill that the City had on August 13. That spill went into Duhart Creek. The City has about 500 miles of sewer lines and those lines vary in age. He explained that this particular line covers the entire basin where the hospital is located, as well as the rest homes and all the businesses along Cox Road. He said so far they have found a good bit of blockage, things like towels and such that might be associated with rest homes, hospitals, etc. Another part of it is that the line itself was sized some years ago. They will be taking a look at that. The third aspect is the condition of the line. A portion of that line was reconditioned 10 to 15 years ago. There is another portion that has not been reconditioned. They will be closing a street at Remount Road to do some work to try to determine the full extent of that. They are midway through that process.

Councilman Kimble asked if they feel they can prevent spills in the future and if they can receive any remuneration from those who caused the blockage. Mr. Munn said if you are in the sewer business you are going to have spills. Pump stations will fail, very heavy rains are an issue, and sometimes the pipes separate at the seams. Gastonia is the only City in the State that has the Stewardship Standard. They do a very good job in terms of the quality of wastewater and water treatment. As soon as they see a problem, they try to fix it. If they can determine that a particular business, industry, or individual did something to cause the blockage, they can sometimes go back and submit an insurance claim.

**CITY COUNCIL REPORTS**

Mayor Pro Tem Craig – Mayor Bridgeman noted that last week, Mayor Pro Tem Craig celebrated a birthday.

Mayor Pro Tem Craig wished Mayor Bridgeman a happy birthday on August 21.

She asked if the Lynhaven Road project would be complete by the time the schools open. Mr. Rusty Bost, Director of Engineering/City Engineer, said they were on track to open that road in time for the beginning of the school year, but the recent heavy rains caused some damage to the project. He does not think they are going to make it in time for the school year. They are communicating with the schools to make sure they are aware of the situation. He believes they are within weeks of completing that project.

Mayor Pro Tem Craig suggested that they have police officers out there directing traffic until that project is complete.

Councilman Pierceall – He wished Mayor Bridgeman and Mayor Pro Tem Craig a happy birthday.

He noted that Mr. Paul Jakubczak, Director of Enterprise Services, would be starting a new job in Florida. He thanked Mr. Jakubczak for the job he has done and wished him the best.

Councilman Gallagher – He thanked Mr. Micah Wilson for the presentation he did tonight, and commended the newly formed group, "Dawg Pound", on the work that they have done at Hunter Huss. He encouraged everyone to attend the Hunter Huss football game this Friday.

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He said right after this meeting, he will be heading up north to pick up his daughter. His mother is having a bridal shower for his daughter in New Jersey on Thursday.

Councilman Kirlin – He wished Mr. Paul Jakubczak the best of luck in his new venture.

He asked if they could possibly get an update on Urban Archery at the next City Council meeting. He also asked if information could be provided to Council with regard to the study for the skeet and trap range. Councilman Pierceall said he did not know that there was anything to report to Council with regard to the skeet and trap range. Thus far, there has basically been information gathering by several group members. Nothing has been decided on the land or whether it is actually going to be built. There has not been one decision made at this point. They all know that it eventually needs to be separated from Rankin Lake, but just how, when, and where has not been answered at all.

Councilman Kimble – He said he had just attended the quarterly Centralina Council of Governments meeting, at which there was a large display of alternative fuel vehicles. A hot button topic has been the buses and how they can save money. One thing that came up was whether alternative fuel vehicles were viable. He got a great report in the short term that they would not really save a lot with CNG powered buses. He spoke with some of the vendors who had their vehicles on display and started to make an appointment to have them come here. They advised him that they had met with Debby Key, Division Manager of Fleet Services, a week earlier and had provided her with all the information. Ms. Key needs to be commended for that.

He said Gastonia Nissan is having a “Fill the Frontier” Gaston County School Supply Drive until the end of this month. If anyone would like to donate, they can take school supplies and place them in the bed of the Frontier located in the showroom.

Gastonia Chrysler Jeep Dodge had a blood drive and received 15 pints of blood.

He met with a representative of Patrick McHenry’s office regarding any available security grants for our airport. They are looking into that, and when he gets any word back he will report that to Council.

He wished Mayor Bridgeman a happy birthday.

Mayor Bridgeman – He said last night he and Councilman Kimble attended a meeting at the Bradley Center, in the wake of the Ferguson, Missouri officer-involved shooting. It was very informative. There will be another meeting on September 18, if anyone would like to attend.

He asked if they would be recognizing the award that the Police Department received. Mr. Munn said they would do that at the next televised Council meeting.

**MEETING ADJOURNED**

At 9:07 p.m., Councilman Gallagher made a motion to adjourn. Councilman Kimble seconded the motion and Council approved it unanimously.

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Mayor John D. Bridgeman

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L. Ashley Smith, City Attorney

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Virginia L. Creighton, City Clerk

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