GASTONIA CITY COUNCIL MEETING
DECEMBER 2, 2014 – 6:00 P.M.
CITY COUNCIL CHAMBER – CITY HALL – GASTONIA, NC

Mayor Bridgeman called the meeting to order at 6:00 p.m. on December 2, 2014, in the City Council Chamber at City Hall, Gastonia, North Carolina. He asked that everyone remember Mr. David Hoyle, as he recovers from a stroke. Councilman Pierceall then opened the meeting with prayer and Mayor Bridgeman 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 Kirlin noted that there were a number of students in the audience who were here for Item #9, RECREATION ADVISORY COMMISSION REPORT. He requested that this item be heard immediately following the Consent Agenda.

Councilman Pierceall made a motion to move Item #9, RECREATION ADVISORY COMMISSION REPORT, to immediately following the Consent Agenda. Councilman Gallagher seconded the motion and Council approved it unanimously.

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

PUBLIC EXPRESSION

(1) Dr. John Garrett, 2985 Robinwood Road, Gastonia

Dr. Garrett stated that Mr. Bill Morris had passed away on November 29, 2014. He advised of Mr. Morris’ military service and of his 17 years as a volunteer at Gaston Memorial Hospital. He said he thought Mr. Morris’ passing should be acknowledged by the City Council.

Mayor Bridgeman thanked Dr. Garrett for his remarks and noted that there was an article in the newspaper about Mr. Morris’ life. He also advised that Dr. Siva, the first neurosurgeon in Gaston County, had passed away today.

CONSENT AGENDA

ITEM 1: BUDGET AMENDMENT #FY15-018 – $3,675
(Reference as contained in Exhibit Book 3 to Minute Book 104 at Page 13.)

ITEM 2: BUDGET AMENDMENT #FY15-019 – $149,000
(Reference as contained in Exhibit Book 3 to Minute Book 104 at Page 14.)

ITEM 3: BUDGET AMENDMENT #FY15-020 – $23,427
(Reference as contained in Exhibit Book 3 to Minute Book 104 at Page 15.)
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ITEM 4: RESOLUTION OPENING AND ACCEPTING CAUTHEN WAY AS A PUBLIC STREET
(Reference and Resolution as contained in Exhibit Book 3 to Minute Book 104 at Page 16.)

ITEM 5: MONTHLY FINANCIAL REPORT FOR OCTOBER, 2014
(Report as contained in Exhibit Book 3 to Minute Book 104 at Page 17.)

ITEM 6: FINAL RECORDING PLAT FOR ROBINSON OAKS SUBDIVISION, PHASE 1 MAP 2
(Reference and Plat as contained in Exhibit Book 3 to Minute Book 104 at Page 18.)

Council inquired with regard to the following:

ITEM 5: MONTHLY FINANCIAL REPORT FOR OCTOBER, 2014 – Ms. Melody Braddy, Director of Financial Services, addressed various questions of Mayor Pro Tem Craig regarding the Mayor/Council budget.

Councilman Pierceall made a motion to approve the Consent Agenda. Councilman Kimble seconded the motion and Council approved it unanimously.

RECREATION ADVISORY COMMISSION REPORT

Mayor Bridgeman recognized Councilman Kirlin, Chairman of the Recreation Advisory Commission, for the purpose of making the presentation.

Councilman Kirlin said the Recreation Advisory Commission (RAC) met on November 11, 2014, and discussed the following:

1) Presentation on Shooting Park – He advised that Mr. Steve Duncan presented to the RAC the preliminary plans for a new public shooting facility for Gastonia, which had previously been presented to Council. He recognized those in the audience who were present to show their support of shooting sports in Gaston County, noting that Gaston Christian School and East Gaston High School students and coaches were represented. He said after a good bit of discussion, the RAC voted 7-0 to support the concept of an expanded shooting park at a new location. Probably one of the most significant pieces of that puzzle will be the location. In concept it looks like there is great need, great potential, and great opportunity for a shooting facility. They will wait for further information from those involved in that.

2) Park Project Updates – Councilman Kirlin presented a brief update on the following park projects, as outlined in the Recreation Advisory Commission report contained in the exhibit book: Tennis courts at Ashbrook High School, Ferguson Park, and Phillips Center; Optimist Park Phase II, which is now complete; and Sims Park/Downtown Ballpark. He said the RAC accepted the discussion for informational purposes.

3) Invitation – Staff invited the Commission members to the annual City Christmas barbecue, which will be held at Erwin Center on December 12, 2014.

(Report as contained in Exhibit Book 3 to Minute Book 104 at Page 19.)

AUDIT RESULTS AND ANNUAL FINANCIAL AUDIT REPORT FOR FISCAL YEAR ENDED JUNE 30, 2014

Mayor Bridgeman recognized Mr. Matt Braswell, Audit Manager, Martin Starnes & Associates, CPA’s, P.A., for the purpose of making the presentation.
Mr. Braswell presented and reviewed a PowerPoint presentation highlighting the audit results for fiscal year ending June 30, 2014. A copy of that PowerPoint presentation is contained in the exhibit book. He noted that they issued an unmodified clean opinion on the financial statement, which means that the audit indicated no compliance findings or questioned costs, and no matters involving the internal control over financial reporting and its operation that would be considered a material weakness. He commended City staff on their cooperation during this audit.

Mr. Braswell, Ms. Melody Braddy, Director of Financial Services, and Mr. Edward C. Munn, City Manager, addressed questions of Council.

Councilman Gallagher stated that he had requested that the City consider putting in place some type of procedures and safeguards in areas where cash is collected, and to follow that up with visits to those different areas. Ms. Braddy advised that a memorandum would be sent out tomorrow to each department requesting information on how much money they handle and what procedures and internal controls they have in place. She said they will then start one by one doing surprise audits of that cash.

Councilman Pierceall made a motion to approve the Financial Audit for Fiscal Year ended June 30, 2104. Councilman Kirlin seconded the motion and Council approved it unanimously.

(Reference as contained in Exhibit Book 3 to Minute Book 104 at Page 20.)

APPROVAL OF REDEVELOPMENT CONTRACT AND OPTION TO PURCHASE – ARTSPACE

Mayor Bridgeman recognized Mr. L. Ashley Smith, City Attorney, Mr. Edward C. Munn, City Manager, Mr. J. Philip Bombardier, Assistant City Manager, and Mr. Greg Handberg, Senior Vice President of Properties, Artspace, for the purpose of making the presentation.

Mr. Smith said at the August 5, 2014, City Council meeting, Council voted to negotiate an agreement with Artspace to sell the property at 177 West Franklin Boulevard, on the condition that Artspace develop the property to be at least a four-story project for work/live space for artists. There is a development proposal and contract with a great deal of detail included in the agenda. If Council chooses to approve that contract and the resolution authorizing the upset bid process, they will run an ad within five days of tonight’s meeting and that will commence a ten-day upset bid period. The price proposed for the purchase of the property is $150,000. The City obtained an appraisal in June that said the property was valued at $171,139.

Mr. Munn said he wanted to address the funds that the City would be receiving. Staff would recommend that those funds be reserved for parking improvements in the downtown. From time to time there are going to be land use changes. As downtown grows and changes, they will need to have money to replace parking that is lost as a result of that growth and change. If Council so agrees, they will put that money in a reserve account. That will be brought back to Council at a subsequent meeting after the funds are received.

Mr. Handberg advised that Artspace is a 501(c)(3) nonprofit real estate developer for the arts all around the country. He presented a PowerPoint presentation containing information on Artspace and on how and why an Artspace facility on the proposed property would be a fit for downtown Gastonia. He also displayed and reviewed a number of renderings of the proposed Artspace facility. A copy of the renderings and the PowerPoint presentation is contained in the exhibit book. He explained that since the predevelopment contract with the Community Foundation was executed in 2013, they have looked at other sites, have developed a preliminary development concept, and have been negotiating with City staff for this upset bid process and the site control. He said this is all important because there is a lot of work left to do that really can only happen after they get through this site control process. Site control is critical because on January 23, they need to submit an application to the North Carolina Housing Finance Agency for the bulk of financing that is going to be necessary to complete this project. It is also important so that they
have confidence in the continued architectural design and engineering work as they continue to work with banks, investors, and lawyers to put this project together and continue the capital campaign. If all goes according to plan they should begin construction in 2016, and the project should be completed and occupied in 2017. He thanked everyone who has assisted in moving this project forward. He then addressed questions of Council.

Mayor Bridgeman recognized Dr. Richard Rankin, President of the Community Foundation of Gaston County, who had asked to speak to this matter.

Dr. Rankin expressed appreciation to the City for its help throughout this process. He said the Community Foundation is more excited and more committed than ever to the success of the Artspace project. They are excited about what it means for artists and affordable housing for artists, but the Community Foundation’s primary hope always has been that this would lead to the revitalization of downtown Gastonia. As they look at this project, the Loray Mill project, and the possibility of the Grizzlies project, they see a corridor of a bright future for Gastonia. The Community Foundation probably has about another $1,000,000 that they are going to have to raise and they will be successful. They thank this Council for its past support and hope that this contract and resolution for the upset bid process will be approved.

After considerable discussion Mayor Pro Tem Craig made a motion to declare the property at 177 West Franklin Boulevard as surplus, approve the Resolution Authorizing the Upset Bid Process, and approve the Development Agreement in substantially the form indicated in the agenda subject to minor modification as approved by the City Manager and City Attorney. Councilman Pierceall seconded the motion and Council approved it by a vote of 5-2 (Councilman Kimble and Councilman McAteer cast the dissenting votes).

Councilman McAteer said he wanted it noted that he supports Artspace, but he is opposed to proposed location.

(Reference and Resolution as contained in Exhibit Book 3 to Minute Book 104 at Page 21. Contract on file through City Clerk’s office.)

WARD BOUNDARY ADJUSTMENTS

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

Mr. Munn said North Carolina General Statutes provide that the City Council has the authority to revise its ward boundaries periodically to correct population imbalances that may be caused by annexations or census data. Because all members of the Council are elected at large, the Council is authorized to make changes but is not required to do so. He advised that the Council revised ward boundaries in 1997 and 2001 so that the populations would be fairly equal in size.

He said the 2010 census population for Gastonia was 71,741. It is probably about 73,000 now. The numbers they are looking at are a rough estimate of how many people live in each particular ward. Using the 2010 census figures, the average population for each ward would be 11,957. The two maps included in the agenda were prepared by the Planning Department as options for consideration. Both options would bring the number of citizens living in each ward closer to the average of 11,957. If Council wishes to adjust the boundaries before the next election, they need to do that well in advance of that elections. If directed by Council, staff will advertise the proposed changes for a public hearing and vote at the December 16, 2014, City Council meeting.

After some discussion Mayor Pro Tem Craig made a motion to table this discussion until after the next general election in November, 2015. Councilman Pierceall seconded the motion.

Councilman McAteer made a substitute motion to approve the new ward boundaries as defined in Option 2. Councilman Kirlin seconded the motion. The vote on the substitute motion was 3-4 (Mayor Bridgeman, Councilman Gallagher, Councilman Pierceall, and Mayor Pro Tem Craig cast the dissenting votes).
Council approved the motion to table this discussion until after the next general election in November, 2015, by a vote of 4-3 (Councilman Kimble, Councilman Kirlin, and Councilman McAteer cast the dissenting votes).

(Reference as contained in Exhibit Book 3 to Minute Book 104 at Page 22.)

CITY ATTORNEY’S REPORT

Mr. L. Ashley Smith, City Attorney, had no report.

CITY MANAGER’S REPORT

Mr. Edward C. Munn, City Manager, reported the following:

- It appears that there are tenants to fill the Standard Building, one of which is the Girl Scouts. The Girl Scouts are looking at a seven-year lease for their offices and retail store. They are requesting permission to park their cookie trailer in the parking lot during February and early March. There is a place to park that trailer where it would not interfere with any parking spaces. They also have a provision that within the next seven years if the City needs to move the trailer around they can do so. He would like to get general approval of the Council. Council expressed no objection.

  Mayor Pro Tem Craig asked that there be a conversation with the downtown merchants regarding the trailer being parked in that lot. Mr. Munn said staff would advise the merchants.

- This Friday he will be meeting with Gaston County municipal managers and the County Manager to discuss the tax revaluation, which has to be completed by the end of December. Early estimates are maybe a 5% decrease for Gastonia.

- Staff will be working with the Mayor and Council to schedule a Strategic Planning Work Session sometime in late January or early February.

- Tickets to the City employee barbecue on December 12, have been distributed to the Mayor and Council.

- The Christmas Parade Safety Meeting is taking place tonight at the Gastonia Police Department. Ms. Regina Phillips, Deputy City Clerk, will be contacting Council with all the specifics. Council can pick up their parade signs tonight.

- They are testing the streaming of the Council meeting tonight. Mr. Todd Carpenter, Chief Information Officer, advised that overall it was working well. He explained the minor issues that they were experiencing.

  Discussion ensued on future plans for the streaming and/or broadcasting of Council meetings, and on where Council meetings would be held. It was suggested that Council further discuss the various options when cost estimates are available.

- Staff received plans for the YMCA on Robinwood Road. He believes the public hearing before the Gastonia Planning Commission for the conditional rezoning of the property will be held in January. Discussion ensued on the YMCA’s plans for West Gastonia. Mr. Munn said he thinks the City would prefer to have them stay in the heart of the City and do their expansion downtown. He believes that with the submittal of their plans, they are going to build on Robinwood Road. Mr. Tony Sigmon, Gaston County YMCA Chief Executive Officer, indicated that if the City were to get involved with a downtown baseball park, the property that the YMCA owns might be provided to the City, and that there could possibly be a small urban YMCA in that baseball complex. Mr. Sigmon also indicated that they would work with the Boys and Girls Club in some fashion.
• He advised that the Police Department had created a pamphlet explaining what to do when pulled over by the police. It is part of an effort to be proactive in terms of communicating with our neighborhoods and making sure that Gastonia has good community policing efforts. They will be working with various groups to distribute the pamphlets. It was noted that the pamphlets would be used in driver’s education classes and would be distributed through the Community Watch groups.

CITY COUNCIL REPORTS

Councilman Pierceall – He advised that this past Sunday he attended the Gaston County Toys For Tots Motorcycle Ride. He noted that there was a large turnout for that event.

He said a meeting was held with the downtown merchants. He thinks there were four merchants represented. This was the core group that is trying to establish a merchants’ association. They wanted to get advice and clarification on some things. They had questions about zoning and ordinances. That meeting was more organizational and for clarification. An invitation has been extended to this same group to attend the Central City Revitalization and Housing Committee meeting on December 10, 2014. They are going to open up that meeting to the merchants so that they can somewhat continue that conversation. Mr. Munn added that some of the conversation was about the building owners. A lot of what can be done downtown has to do with what the building owners want to do, and how the City can work with them to turn these vacant buildings into occupied buildings. He also thinks there needs to be a meeting with the building owners and merchants together. He advised that Ms. Pat Johnson, Keep Gastonia Beautiful (KGB) Administrator, has indicated that the KGB group is motivated to form a subcommittee to lend their support and ideas, and to try to ducktail on what everyone else is trying to do downtown.

Councilman Pierceall said he would like to make sure that next year KGB has enough money to buy a new, larger Christmas tree for the tree lighting at the Pavilion. Various ideas regarding the purchase of a new tree were discussed.

Councilman Pierceall asked if staff had an update on the North Scruggs Street area NET project, which he had requested at the last Council meeting. Mr. Munn advised that Mr. Larry Wood, Assistant City Manager, was working on that and it should be available by the end of this week.

Councilman Gallagher – He thanked Councilman McAteer for the copy of the announcement of his daughter and son-in-law’s marriage, which recently appeared in the newspaper. He noted that he and his wife spent Thanksgiving with them in New Jersey.

He said the Christmas decorations downtown look great. He asked if staff was able to get a cost estimate on putting up some decorations on Cox Road. Mr. Munn provided some cost figures on the decorations that are downtown.

Councilman Kirlin – He said there has been some conversation through Keep Gastonia Beautiful (KGB) regarding the possibility of expanding the tree lighting ceremony to include something like a German Christmas market. This would expand that event into the evening a little bit more. Councilman Pierceall said he thinks it would be great to start the day off with the Christmas parade and end the day with the tree lighting and market. He would love to see the Jaycees and KGB work together and come up with one date where all that can be done.

Councilman Kirlin said he will not be able to attend the next Central City Revitalization and Housing Committee meeting, but he would like to offer something that has been tried in the past, and that is to decorate the windows in the vacant downtown buildings. With the permission of the building owners, they could work with the high schools to have the art students paint those windows to look like various types of vibrant businesses. Mr. Munn expressed concern about the upkeep of those painted windows. Councilman Kirlin said the printed art materials are becoming less and less expensive. They could basically wrap those buildings. They may want to discuss allocating some dollars for that kind of effort at their Strategic Planning Work Session.
Councilman Pierceall said this group of downtown merchants has already discussed that. They are wanting to take it a step further to not only dress up the windows but to seek donations and actually do some dressing up of the buildings themselves, such as painting, brick and mortar repair, etc. They are actually willing to put in the manpower and cover some of the expense.

Councilman Kirlin asked for an update on Nathan Kirby’s project. Mr. Munn said a couple of weeks ago, Mr. Kirby advised the City Attorney that he did get his financing. There is not as much activity as they thought there would have been by now. Earlier in the year, Mr. Kirby indicated that he needed to get all of this done by the end of the year in order to get the tax credits. Clearly that is not going to happen. He does not know Mr. Kirby’s current projection for completing this project, but he will try to get that information.

Councilman Kimble – He said he and his wife spent Thanksgiving in Las Vegas. They visited a place called Opportunity Village, which is a little village where developmentally handicapped adults work. They had a Christmas Village where there were over 100 trees which were bought and decorated by different businesses. Something like that could possibly fit in our downtown.

Last night, he was fortunate to go to the Speedway Children’s Charities event. They gave out over $2,000,000 to children’s charities throughout the country.

At the end of the last City Council meeting, he passed out a pamphlet on Centralina Career Headlight. He briefly explained that Career Headlight is designed to help individuals identify careers that match their skills and interest. He said if anyone needs more of those pamphlets, he can get as many as they would like.

Mayor Bridgeman – He advised that this afternoon, Miss Gastonia of 1976, Ms. Sharon Decker, resigned her position as Secretary of the North Carolina Department of Commerce.

He said he has been questioned pretty diligently about a fence that has been requested near the Gastonia Optimist Club Park. He asked for additional information on that request. Mr. Munn advised of the new and existing plantings and fenced around this park. He said on the south side there is a church facility. The City put in plantings that will grow together as a buffer. The owner of that church property has requested that the City continue the vertical railing fence along their property line. The concern that they have is that people from the park will be walking onto the church property. The cost to do that would be about $5,000.

Mayor Bridgeman said that would be setting a precedent. It has been his experience that if somebody has something that they do not think is good for their property, they put up a fence themselves. His first impression is that the City may have somewhat added to the value of that property. The building on the property in question is an empty metal building. It is the City Manager’s call, but he has a real problem with the City putting up that fence. He was also told that the fence was not big enough to keep people from walking around it, so it really serves no purpose. Mr. Munn said it would be easy for anyone to walk onto the church property straight off the sidewalk.

Mayor Bridgeman asked if it was true that the City put up cameras to see if people were walking onto that property, and that over two months’ time, not one person did so. Mr. Bombardier said they did put up cameras for security reasons, but they did not monitor them nor did they have somebody go back and review the tapes. That would be very time consuming. He noted that the videotapes could be reviewed if something were to happen. Additional discussion ensued.

Councilman Kimble said he is a proponent of the fence. He thinks that when there are young children, specifically in a playground/park setting, it is good to have the property line delineated. He advised that President Obama was going to be prospectively making grant money available for body cameras for law enforcement agencies. Discussion ensued on other City parks that do not have fences and on whether a fence in this particular location would be needed to protect the children.
Mayor Pro Tem Craig explained that several months ago, Councilman McAteer came to her and said that he had a request from Mr. Tracy Philbeck to put up that fence, and asked her if that was something that could come out of the park money. She said she told him that she did not think it would be appropriate to put up that fence with public money that was raised for the park. She suggested that they install the cameras for 60 days. Mr. Philbeck was in agreement with that. It is her understanding that they did not see any children on that property in those 60 days. More recently, there has been another conversation about the fence. She disagrees with putting up that fence. If it is going to be put up, it would have to be paid for with taxpayers’ money.

Councilman Pierceall said he agrees that putting up this fence would be setting a precedent. It is his understanding that when this project first started, this property owner offered to sell that property to the City, but he was asking for way too much money. Since he did not find a buyer, he is now saying that the park is interfering with his property. Mayor Pro Tem Craig advised that they had asked $80,000 for that property.

Mayor Bridgeman said he totally disagrees with putting a fence along that property line, unless it was in the original plan. He will find out if somebody has looked at those videotapes and then report back to Council.

Councilman Gallagher questioned whether some fencing could be put up in front of the large drainage culvert near that park in order to keep children out of there. Mr. Bombardier said they have those culverts all over the City. The problem is as soon as you put up a fence or some other type of barrier, it becomes a trash collector when it rains. All the trash will build up against that barrier and block the entrance or exit to the culvert, which causes flooding issues.

MEETING ADJOURNED

Mayor Bridgeman adjourned the meeting at 8:20 p.m.

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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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