

GASTONIA CITY COUNCIL MEETING
AUGUST 16, 2016 – 6:00 P.M.
GASTON COUNTY COURTHOUSE PUBLIC FORUM ROOM – GASTONIA, NC

Mayor John Bridgeman called the meeting to order at 6:00 p.m. on Tuesday, August 16, 2016 in the Gaston County Public Forum Room, Gastonia, North Carolina. Councilman Kirlin opened the meeting with prayer and led the audience in the Pledge of Allegiance to the flag. Sherry H. Dunaway, City Clerk, recorded the minutes.

PRESENT: Mayor John D. Bridgeman
 Council Members: Robert Kellogg
 David R. Kirlin
 James Gallagher
 Todd Pierceall
 Porter L. McAteer
 David Humphries

City Manager: Edward C. Munn
 City Attorney: L. Ashley Smith

ADOPTION OF THE AGENDA

Councilman McAteer made a motion to adopt the Agenda as printed. Mayor Pro Tem Pierceall seconded the motion and Council approved it unanimously.

AWARDS, CEREMONIES AND PROMOTIONS

(1) Proclamation - Recognizing Charlton Torrence, Jr.

PRESENTATION: Mayor John Bridgeman
 Councilman Jim Gallagher

Mayor Bridgeman read and presented the proclamation to Mr. Charlton Torrence, Jr. Mayor Bridgeman thanked Mr. Torrence for his service to the community.

Councilman Gallagher recognized Mr. Torrence's contributions to the Schiele Museum, Planetarium and also the Bit of Hope Ranch. Councilman Gallagher thanked Mr. Torrence for all he has done for our Community.

Mr. Torrence stated he appreciates the honor and there are more people more worthy and they have done more than he, but he thanked everyone and expressed his appreciation for this honor.

Councilman Gallagher made the motion to approve the Proclamation. Councilman Kirlin seconded the motion and Council passed it unanimously.

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(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 25).

PRESENTATIONS

- (1) Plaque Presentation to Mrs. Donna McPhail in Appreciation of her Service on the Board of Adjustments-20 Years 1996-2016
Presentation: Councilman Jim Gallagher

Councilman Gallagher presented Ms. McPhail a plaque and key to the City of Gastonia in appreciation for twenty years of service to the City of Gastonia as a Board of Adjustment member.

Ms. McPhail stated we had a really good Board that is very fair. Ms. McPhail stated she enjoyed her work, it is volunteer work, and it is very rewarding and a pleasure to serve Gastonia. Ms. McPhail expressed her thankfulness for the opportunity to serve.

- (2) Plaque Presentation to Mr. Matt Bradshaw in Recognition of his Service as Historic District Commissioner 2015-2016
PRESENTATION: Councilman Jim Gallagher

Councilman Gallagher read the plaque that was to be presented to Mr. Bradshaw. Mr. Bradshaw was not in attendance.

- (3) NC State Parks Centennial Celebration “Earth’s Last Stand”
Crowders Mountain State Park, Sunday, October 30, 2016
PRESENTATION: Mr. Larry Hyde, Park Superintendent

Mayor Bridgeman recognized Mr. Larry Hyde, Park Superintendent, for this presentation.

Mr. Hyde stated that the NC State Park System is celebrating their 100th year anniversary this year along with the National Park Service. Mr. Hyde noted that each and every one of the state parks are having a centennial celebration, but Crowders Mountain is one of four parks that is having a signature or highlighted event. Mr. Hyde stated they are recreating an event that took place in 1971. Mr. Hyde distributed a news article from October 31, 1971. Mr. Hyde explained this article is from a protest march that started at Dixie Village shopping center. The Gaston Ecology club marched four miles to the base of Crowders Mountain protesting a plan to strip mine the Mountain. Mr. Hyde stated as a result of that effort along with a separate effort of the Gaston Conservation Society that encouraged the state to purchase the land, the park was created and the mountain was saved. Mr. Hyde stated that Crowders Mountain as well as King’s Pinnacle and all of the surrounding countryside has been preserved for the citizens of North Carolina forever. Mr. Hyde stated they will be recreating this march 45 years to the day, which is on a Sunday. Mr. Hyde also provided a handout which has been incorporated into the Exhibits. Mr. Hyde’s handout outlined the details of the event. Mr. Hyde invited and encouraged everyone to attend this event.

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(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 26).

- (4) Recognition of Visiting Firefighters from Gotha, Germany
PRESENTATION: Chief Phil Welch, Fire Department

Mayor Bridgeman recognized Chief Phil Welch, Gastonia Fire Department for this presentation.

Chief Welch recognized Ms. Juliann Lehman for the presentation.

Ms. Lehman introduced the Sister Cities firefighters from Gotha, Germany. Ms. Lehman stated they have been training and doing everything that a firefighter does. Mr. Lehman stated on behalf of herself and the Sister City Board of Directors, she thanked Chief Welch for everything that he has done. Ms. Lehman thanked the firefighters, Sister City Staff and supporters and everyone that helped make this visit an experience.

Chief Welch stated it had been an honor and great experience to host these men and to get to know them. Chief Welch shared some information about the training they had received and some of the calls they were able to go on. Chief Welch stated they were also able to attend the State Fire Conference which was held in Charlotte this year and they made quite an impact there.

Chief Welch presented a photo to each Gotha visitor and stated it has been an honor to be with them and he thanked the Council and City for allowing the fire department to host them.

PUBLIC EXPRESSION

Mayor Bridgeman noted that no one had signed in to speak.

CONSENT AGENDA

ITEM 1: DONATION OF OUT OF SERVICE FIRE DEPARTMENT
TURNOUT GEAR TO HUNTER HUSS HIGH SCHOOL
(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 27).

ITEM 2: BUDGET AMENDMENT #17-006 \$38,106
TO RECOGNIZE A DONATION FROM PARKDALE, INC.
TO PURCHASE BULLET PROOF VESTS
(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 28).

ITEM 3: BUDGET AMENDMENT #17-008 \$75,000 AND
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,
CONGESTION MITIGATION AND AIR QUALITY, AMENDMENT
TO AGREEMENT FOR DESIGN AND CONSTRUCTION OF THE

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LINEBERGER/DOWNTOWN PEDESTRIAN CONNECTOR
(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 29).

ITEM 4: BUDGET AMENDMENT #17-009 \$34,991
RECOGNIZE ADDITIONAL REVENUE FROM HUD
(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 30).

ITEM 5: BUDGET AMENDMENT #17-010 \$40,000
MUNICIPAL INTERLOCAL FUNDING AGREEMENT
BETWEEN THE CITIES OF GASTONIA AND LOWELL
TO FUND A DOWNTOWN CORRIDOR STUDY IN THE
AMOUNT OF \$50,000 (\$40,000-80%, \$10,000-20%)
(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 31).

ITEM 6: FINAL RECORDING CATAWBA HILLS TOWNHOMES
PHASE 4 MAP 6
(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 32).

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

REGULAR AGENDA

PUBLIC HEARING – AMENDING THE UNIFIED
DEVELOPMENT ORDINANCE (UDO) (FILE #8586)
SUBJECT HEARING INVOLVES AN ORDINANCE AMENDING
TABLE 2.7-1-DEFINED TERMS, TABLE 7.1-1 – TABLE OF
USES AND ADDING A NEW SECTION 8.2.46 TATTOO STUDIOS
OF THE UNIFIED DEVELOPMENT ORDINANCE

PRESENTATION: Mr. Jason Thompson, AICP, Planning Director

Mayor Bridgeman declared the Public Hearing open and recognized Mr. Jason Thompson, ACIP, Planning Director, for this presentation.

Mr. Thompson stated this ordinance is a result of a directive to staff from the Council at the June 7, 2016 meeting when staff was asked to put together a potential ordinance amendment to the Unified Development Ordinance to permit tattoo establishments in the central business district in the downtown zoning district. Mr. Thompson presented the background and proposed text amendment as shown in the exhibits. Mr. Thompson did note that this proposed ordinance does nothing to impact those existing tattoo establishments either negatively or positively and that is because the way this was drafted, it establishes a new use definition specifically for the central

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business district tattoo studio. Mr. Thompson outlined the proposed performance criteria applying only to the downtown central district areas.

Mr. Thompson stated this went to the August 4th Planning Commission meeting and they voted unanimously 5-0 to recommend denial of the ordinance amendment.

Considerable discussion ensued.

Mayor Bridgeman recognized Mr. Dave H. Davis, who signed in to speak.

Mr. Dave H. Davis, stated he is the Business Administrator at First United Methodist Church at 190 E. Franklin Boulevard, Gastonia, N.C. Mr. Davis thanked the Council for the opportunity to address the Council. Mr. Davis read a brief statement from the Trustees of the Church that stated the Trustees of the First United Methodist Church respectively submit their opposition to any changes to the Unified Development Ordinance which would allow tattoo establishments in the central business district.

Mayor Pro Tem Pierceall made a motion to close the public hearing. Councilman Kellogg seconded the motion. Council approved closing the public hearing.

Mayor Pro Tem Pierceall made the motion to approve the ordinance as written. Mayor Pro Tem Pierceall distributed an information sheet with facts and figures about the tattoo industry as a whole and this has been incorporated into the exhibits. Mayor Pro Tem Pierceall stated the intent of this new entity in the UDO is to allow for a higher end establishment to operate in an area that was conclusive to their type of cliental. Mayor Pro Tem Pierceall presented the facts and figures about the tattoo industry and discussed the changes in attitudes toward tattoos.

Mayor Pro Tem stated this is a good opportunity for downtown and he again made the motion that we approve the ordinance as presented by staff. Councilman McAteer seconded the motion.

After further discussion, the Motion failed 2-5 with Mayor Pro Tem Pierceall and Councilman McAteer voting in favor of the Motion.

(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 33).

PUBLIC SAFETY COMMITTEE REPORT

Mayor Bridgeman recognized Councilman Jim Gallagher, Chairman, for this presentation.

Councilman Gallagher stated the Public Safety Committee met on August 9, 2016.

ITEM 1: ENHANCED POLICE DEPARTMENT EQUIPMENT – Staff presented the needs of the department and a funding plan, consisting of a fund donation and State Asset Forfeiture

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funding, to purchase enhancements to the police department's current equipment. A fund donation from Parkdale, Inc., in the amount of \$38,106.00 will be used to purchase the secondary vests. State Asset Forfeiture funding will be used to purchase the additional helmets and weapons.

Councilman Gallagher asked Chief Helton to present an update on the vest.

Chief Helton stated it is a protective, ballistic vest made to go over the uniform and your concealed vest, and it is for a time when you may have an active shooter and gunfire so it offers an extra level of protection. This would be something that will go out to all of our sworn officers at the department. Chief Helton noted it will be in their vehicles and available to them should they be in a situation where additional protection is needed.

Further discussion ensued.

Councilman Gallagher stated the Committee voted unanimously 3-0 to recommend approval to City Council.

Mr. Munn noted that this item from the Public Safety Committee meeting accomplishes three things. The City accepts the donation from Parkdale for the \$38,000.00 for the vests. It also approves purchasing helmets for all the police officers, and finally it approves the purchase of additional weapons as described in the agenda item

Mr. Carpenter clarified that those amounts are approximately \$110,000.00 together; \$75,000.00 for the weapons and a little over \$33,000.00 for the helmets.

Councilman Gallagher made the motion to approve what was discussed at the Public Safety Committee meeting. Councilman Kellogg seconded the motion and Council approved it unanimously.

(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 34).

RECREATION ADVISORY COMMISSION REPORT

Mayor Bridgeman recognized Councilman David Kirlin, Chairman for this presentation.

Councilman Kirlin stated this meeting was held on August 9th and the following items were discussed

ITEM 1: CITIZEN PRESENTATION/CRICKET – Mr. Aamir Abbasi and Mr. Nick Mehta made a presentation on the popularity of the cricket sport. The group requested one of the Soccer fields at Martha Rivers Park be converted for multi-use as a cricket field by adding a pitch. Staff advised they have been helping several cricket groups over the past 4-5 years to find

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a suitable facility in Gaston County for the larger field with no success and would like the opportunity to work with the cricket group, Gaston County Parks and Recreation and other recreation departments to locate all potential locations for a dedicated smaller size cricket ground.

Councilman Kirlin made the motion that the RAC recommends to City Council that city staff work with the cricket group and other agencies within the county to identify all potential sites for dedicated cricket ground. Councilman Humphries seconded the motion and Council approved it unanimously.

ITEM 2: CITIZEN PRESENTATION/PHILLIPS CENTER PROPOSAL – Councilman Kirlin recognized Chuck Dellinger for this presentation.

Mr. Dellinger stated Ms. Debbie Whiteside, Executive Director of the Hassan Whiteside Foundation made a proposal to provide funding for upgrades and renovations to Phillips Center. Mr. Dellinger noted that Hassan grew up playing basketball from a very young age at Phillips Center, went to Marshall University, then went to the NBA, played overseas for three years and now plays for the Miami Heat in the NBA. He stated Ms. Whiteside shared her son's vision of providing the youth of this community a place to be proud of. Mr. Dellinger stated they made a proposal to provide funding for the upgrades and renovations to Phillips Center and also talked about forming a partnership with the City to provide to provide clinics and camps for the summer for the youth of the Gastonia. Mr. Dellinger added that Ms. Whiteside respectfully requested that either the facility or a piece of the facility, incorporate Hassan Whiteside's name as a part of this effort. Mr. Dellinger stated this partnership could be great for the community along with his involvement as a good ambassador from Gastonia. Mr. Dellinger stated that Hassan loves the area and it would be a great asset to our fleet. Mr. Dellinger noted it would be the first wooden gym floor and Phillips Center could be what Martha Rivers is to baseball and soccer, Mr. Dellinger stated the RAC recommended 7-0 that city staff and city management work with the Hassan Whiteside Foundation in providing renovations and upgrades to the Phillips Community Center and in forming a long-term partnership.

After further discussion, Councilman Kirlin made the motion as presented by the RAC that city staff and city management work with the Hassan Whiteside Foundation in the efforts of providing renovations and upgrades to the Phillips Community Center and in forming a long term partnership. Councilman Gallagher seconded the motion.

Further discussion ensued. Council voted unanimously to approve the motion.

ITEM 3: PROJECT UPDATES; - Dr. Kirlin stated this item is for informational purposes only and are included in the RAC report in your exhibits.

- 1) Smyre Park Playground Addition
- 2) I.C. Falls Park Playground Addition
- 3) Erwin Park Spray Ground/Splash Pad

(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 35).

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**TWO RIVERS DRINKING WATER QUALITY UPDATE
AND PROGRESS REPORT ON WATER TREATMENT
PLANT UPGRADE PROJECT**

Mayor Bridgeman recognized Mr. Ed Cross, Division Manager, Water Supply & Treatment, for this presentation.

Mr. Cross presented a handout that has been incorporated into the exhibits. Mr. Cross discussed the water testing procedures. Mr. Cross stated the city's drinking water quality is above average and has received the Gold Star Award for the past 14 years from the EPA and State. Mr. Cross also noted this award was implemented fourteen years ago and the City has exceeded their testing expectations. Gastonia is only one of two counties to receive this award for all fourteen years.

Mr. Cross presented a progress report on the water treatment plant upgrades for informational purposes with photos which have also been incorporated into the exhibits.

Mr. Cross answered various questions of Council. .

(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 36).

(ADDENDUM TO THE AGENDA)
FRANKLIN BOULEVARD CORRIDOR STUDY
COX ROAD, I-85, REDBUD DRIVE/MAIN STREET
LOWELL, NC-7

Mayor Bridgeman recognized Mr. Rusty Bost, P.E., Director of Engineering for this presentation.

Mr. Bost stated the Transportation Committee met August 15th and the final study for the Cox Road, Franklin area was presented to them. Mr. Bost noted it is being submitted tonight because staff would like to move quickly to get these projects submitted to DOT to be included in the preliminary design for the I-85 widening and the I-85 corridor is critical to the flow of traffic in that area. Mr. Bost reviewed the report and maps that have been incorporated into the agenda.

Mr. Bost stated the Transportation Committee approved the study. It is recommended that Council approve the Franklin Boulevard corridor access and alternative development mobility strategy and that the recommended projects be forwarded to NCDOT for inclusion in the I-85 widening project.

Mayor Pro Tem Pierceall made the motion to approve as presented by staff. Councilman Kirlin seconded the motion and Council approved it unanimously.

(Reference as contained in Exhibit Book 1 to Minute Book 106 at Page 37).

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CITY ATTORNEY’S REPORT

Mayor Bridgeman recommended Mr. Ashley L. Smith, City Attorney for this report.

Mr. Smith stated Stratford Oaks is the last land acquisition for the South New Hope Road widening project that was filed previously. Mr. Smith noted there were 54 property owners and we deposited \$26,200.00 to the Clerk of the Court which was the estimated value of the property that we needed to acquire to widen the road in the vicinity of that property. Mr. Smith stated we had 54 property owners and we received 51 signatures on a consent judgment. Mr. Smith stated of the remaining three, two more say they are going to come in and sign and that leaves one LLC who never responded and we are going to take a default judgment against the LLC. Mr. Smith stated he would like a motion to approve the Consent Judgment of the 53 landowners.

Councilman Kirlin so moved. Councilman Kellogg seconded the motion and Council approved it unanimously.

CITY MANAGER’S REPORT

Mayor Bridgeman recognized Mr. Ed Munn, City Manager, for this report.

Mr. Munn stated the state of North Carolina did a great job paving Ozark noting it was done in the evening and went very well. Mr. Munn stated the Feasibility Study for the sports facility is being worked on noting there are surveys going out to discern the financial feasibility and the market ability of that type of facility. Mr. Munn stated that the results would be back next week from the reaccreditation for the fire department and this report will be given to the Public Safety Committee at their next meeting.

CITY COUNCIL REPORTS

Councilman Humphries – He stated he had no report but did have a question about the status of the Market Feasibility Study for employees.

Mr. Munn stated we are moving forward and it should be completed by the end of October.

Mr. Carpenter, Assistant City Manager, stated it is ongoing and it is a Classification and Compensation Study. Mr. Carpenter stated that we have been working to get our classifications and job descriptions reviewed and graded correctly and once that is complete we will be moving into the compensation. Mr. Carpenter noted they were targeting the end of October, but it could go a little longer.

Councilman Humphries reminded everyone to keep our first responders and military people and families in our prayers.

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Councilman McAteer – stated he had a check (copy) for \$250,000.00 made out to the City of Gastonia from the ABC System which he presented to the Mayor. Councilman McAteer noted the City is guaranteed \$400,000.00 each year that goes into the budget. Councilman McAteer stated the auditors determine the working capital, and then any amount that exceeds that has to come to the City. He noted that is an extra \$250,000.00 that the ABC system is presenting to the City of Gastonia to be put in the General Fund.

Mayor Pro Tem Pierceall – nothing to report at this time.

Councilman Gallagher – brought up the Domestic Violence training this is coming up on August 26th.

Chief Helton stated there would be a presentation to bring awareness to domestic violence. Chief Helton noted that the police department has been very proactive in looking for ways to address this issue and you have to have a community awareness of the problem. Chief Helton stated they are looking at ways to better prosecute people involved, reviewing their pretrial release and looking at ways to do better investigations to make sure that the victims are taken care of and the proper resources are provided. This is being offered to law enforcement officers across the county and it is free of charge and we are hosting the training.

Councilman Gallagher stated he attended Councilman Kellogg's Town Hall meeting on how to make Gastonia hop. He noted that Robert did a great job and it was very informative.

Councilman Kirlin – stated he had no report but requested an update from Mr. Carpenter about where we are with Wellness 360 Roadmap progress.

Mr. Carpenter stated there is a meeting scheduled September 21st to present to the Bids and Insurance Committee the findings from the Wellness committee. Mr. Carpenter stated at the same meeting they would be talking about some specifics about insurance.

Councilman Kellogg – stated he wanted to say that he thinks Gastonia is already hip. He stated he wanted to thank Rachel Bagley and City staff, police and everyone that helped the merchants with the Pokémon event on Saturday. The crowd estimate was around 2,000 people and it was a great event.

Mayor Bridgeman – stated Friday night he and Nan went to present Proclamations to some local golfers, born and raised here. The golf coaches were Coach Nick Clinard, University at Auburn, Mr. Bill Craig's son, Brian Craig, University of Kentucky. Dallas Mayor Rick Coleman made the presentation to Clemson golf coach Harold Varner.

He also attended Highland's 50th High School Reunion celebration on Saturday and it was a great time.

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He attended the Stabilus plant today for a luncheon and to preview a machine which was a ten million dollar investment. He told them that the City appreciates their business here in our City.

ADJOURNMENT

Councilman Gallagher made a motion to adjourn at 8:21 p.m.

Mayor John D. Bridgeman

L. Ashley Smith, City Attorney

Sherry H. Dunaway, City Clerk

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