

**TOWN OF HILDEBRAN
COUNCIL'S CHAMBER
ALBERT PARKHURST
MUNICIPAL COMPLEX**

**JULY 22, 2019
7:00 PM**

**REGULAR MEETING
MINUTES**

CALL TO ORDER	Mayor Hildebrand called the regular meeting of the Town Council to order at 7:05 p.m.
INVOCATION	Council observed an invocation.
PLEDGE OF ALLEGIANCE	Council Member York led the Pledge of Allegiance to the United States Flag.
COUNCIL PRESENT	The following members of the Board were present: Mayor Wendell Hildebrand and Council Members Ben Honeycutt, Theresa Messer, Mike Smith and Jody York. Council Member Cole Herrell arrived at 7:18 p.m.
STAFF PRESENT	The following staff members were present: Attorney Redmond Dill, Town Clerk Alice Sanders, Town Manager Logan Shook, Finance Officer Fredrick Rankins, Jr. and Town Planner Hunter Nestor.
CITIZENS & MEDIA PRESENT	See attached sheet.
APPROVAL OF AGENDA	Staff requested to amend the agenda to add "Consider Approval of Budget Amendment #01 to appropriate funds received from the Department of Commerce for the Façade Improvement Program in the Economic Development Department" under New Business. Council Member York made a motion to approve the agenda, as amended. All voted in favor.
APPROVAL OF MINUTES	Council Member Honeycutt made a motion to approve the June 24, 2019 Regular Meeting and Closed Session Minutes. All voted in favor.
PUBLIC COMMENTS	Cheyenne Lovelace addressed Council with concerns about traffic speeding in her neighborhood, Wilson Heights. She requested reducing the speed limit to 25mph and to erect signs that read No Outlet and/or Children at Play. If signs were not an option, she suggested a speed bump.
PUBLIC HEARINGS 2019 PROJECT HUSKY BUILDING REUSE APPLICATION AND	Mayor Hildebrand opened the public hearing at 7:10 p.m. The Town will provide a minimum 2.5% match for an estimated \$500,000 grant request from the Rural

ADOPTION OF
RESOLUTION

Economic Development Division, North Carolina Department of Commerce Building Reuse Program by Project Husky. The Town's portion is estimated to be \$12,500, based on one-half of a 5% local match of \$25,000 on an estimated \$500,000 maximum possible grant request.

There being no comments, Mayor Hildebrand closed the hearing at 7:11 p.m. Council Member York made a motion to approve the authorizing resolution for the Rural Economic Development Division, North Carolina Department of Commerce Building Reuse Program, 2019 Project Husky Building Reuse Application. All voted in favor. A copy of the resolution is hereby incorporated by reference and made a part of these minutes (Attachment A).

NCDOT STREET NAME
CHANGE (NEUVILLE AVE)
AND POSSIBLE ADOPTION
OF RESOLUTION

Mayor Hildebrand opened the public hearing at 7:11 p.m. SynergyLabs is expanding into Town limits and moving into the former Peds sock manufacturing building. The company intends to create 237 jobs. The Town received a letter from Richard Ticktin, President and CEO of SynergyLabs, requesting to rename Neuville Ave, where it's located, to Synergy Way.

Greg Skoog, President of MFX, stated that MFX resides on Nueville Ave. He stated that his concerns with the proposed name change involves proper notification and confusion with emergency personnel, GPS, mail carriers, employees, etc. He was against the name change and saw no value added to the Town by changing the street name. He requested Council to deny the request.

Jonathan Holman, Plant Manager at Zion Industries, stated that Zion Industries resides on Neuville Ave. He stated that his only concern with the suggested name change is cost to his company to redo printing and letterhead. He estimated his cost to make those changes to be \$6,500. He stated that if he was reimbursed by SynergyLabs for those costs, he was indifferent to the street name change.

Dinah Cruse, CFO and part owner of MFX, stated that MFX has been in its location since 2011. She stated that the Town did not offer any incentives to MFX and no one helps them support Neuville Ave during inclement weather. She stated that MFX has tons of printed material, promotional material and posts on social media that already has the current address listed. She stated that

changing the road name would be very expensive and time consuming for MFX and they did not have the time or money to make those changes. She stated it would be a significant change and an unnecessary burden that would bring no value.

Richard Ticktin, President and CEO of SynergyLabs, stated that his company is investing millions of dollars into upgrading the old Peds sock manufacturing building and will be adding hundreds of jobs in Hildebran. He stated that he would compensate both MFX and Zion Industries for any necessary printing costs associated with the street name change as well as help maintain the road during inclement weather.

There being no other comments, Mayor Hildebrand closed the public hearing at 7:28 p.m.

Mr. Ticktin offered to pay for all costs associated with printed materials to both MFX and Zion Industries. He also offered to provide a staff person for a week or two to MFX to assist them with the street name change. Ms. Cruse and Mr. Skoog did not agree to his offer. Mr. Holman was in agreement for the expense reimbursement.

Council took no action and it was the consensus to postpone this topic until the August meeting.

**OLD BUSINESS
ZTA 2019-4 ADDRESSING
THE KEEPING OF
DOMESTIC PETS AND
OTHER ANIMALS IN
RESIDENTIAL ZONING
DISTRICT**

Mayor Hildebrand stated that at the July regular meeting, Council discussed and voted on ZTA 2019-4 addressing the keeping of domestic pets and other animals in the residential zoning district. At that meeting, Planner Nestor stated that the Town has been receiving complaints on animals from our Code Enforcement Officer for both domestic pets and other animals (chickens, horses, etc.). The proposed ZTA would regulate the keeping of animals and address those complaints. The Planning Board and staff recommended amendments to the Zoning Ordinance that will add Animal Keeping as an accessory use in the Residential Districts. The new language will permit chickens and other fowl in residential districts, if all requirements are met. In addition, the amendment will address the keeping of domestic pets. The amendment will limit the number of chickens per property owner to ten (10) with no male rooster(s). In addition, the amendment will limit the number of domestic pets per property owner to six (6). Mayor Hildebrand stated that

the vote at the June meeting to accept ZTA 2019-4 was 3 to 2 in favor of the motion. Statute 160A-75 states that no ordinance may be finally adopted on the date on which it is introduced except by affirmative vote equal to or greater than two thirds of all the actual membership of the Council (or a super majority). Therefore, the motion to approve the ZTA at the June meeting did not pass. As a result, ZTA 2019-4 is being brought before Council for a second reading, where a simple majority is required to adopt the ordinance. Council Member Herrell made a motion to approve ZTA 2019-4, as presented. Council Members Herrell, Smith and York voted in favor. Council Members Honeycutt and Messer were opposed. The motion passed. A copy of the ZTA is hereby incorporated by reference and made a part of these minutes (Attachment B).

**CONSIDER REVISIONS TO
FY 19-20 FACILITIES
RENTAL FEES**

Staff requested two changes to the FY 19-20 facilities rental fees concerning the gym rentals. The first change is to revise the wording from \$50 a day for off season rates to \$50 for two or more hours. This change would allow for the potential to rent the gym by more than one person a day. The second change is to stipulate that the \$50 for two or more hours during the off season is only for basketball play. This change will allow for staff to charge more when the mats are needed to be placed down. Mats eliminate the availability to rent the gym for three days. Council Member Herrell made a motion to approve the suggested changes and to revise the facilities rental fees schedule, as presented. All voted in favor. A copy of the fee schedule is hereby incorporated by reference and made a part of these minutes (Attachment C).

**UPDATE REGARDING
HIRING A REALTOR FOR
THE TWO VACANT
OFFICES AT THE ALBERT
PARKHURST MUNICIPAL
COMPLEX**

At the July regular meeting, Mayor Hildebrand stated that he wanted to address Council concerning hiring a realtor to help find a renter for the two (2) vacant offices in the Albert Parkhurst Municipal Complex building. In addition, he would like to explore the possibility of a renter offering to renovate portions of the 3rd floor with the Town renovating other parts of the 3rd floor. Since the meeting, Clerk Sanders stated that she had phoned several realtors and the majority never returned her call. There were two realtors that stated the amount of time and money it would take them to rent the spaces would not be feasible for them. One realtor suggested the Town advertise the space on Loopnet Costar.

Town Manager Shook stated that he wanted to ask what the objective of the realtor would be and to ask if Council

had considered what approved uses would be allowed for those rooms. He stated that he had spoken to personnel at the small business center and some suggestions they gave for possible renters were other local governments, the USDA, etc.

Council Member Honeycutt stated that he would like for the Town to continue advertising before hiring a realtor and suggested advertising on the digital signs.

Mr. Shook suggested that Council review and approve a list of acceptable uses before advertising the rooms. In addition, he suggested that the Town should provide a list of all utilities the Town would be providing in the rental fee. Council was in agreement and staff will provide a suggested list for Council to review at the August meeting.

DISCUSSION REGARDING
THE TOWN TAKING OVER
PRIVATE ROADS AND
DEVELOPING A POLICY

Mayor Hildebrand stated that Council had requested staff to review the process for the Town to take over a portion of Clarence Towery Cir, a private road, and the roads in Miller Creek Subdivision. Staff contacted Todd Poteet with West Consultants and was informed that all streets should be up to NCDOT standards before the Town considered taking them over.

Mayor Hildebrand stated that he had met with a couple from Miller Creek Subdivision previously and after research, it was determined that the developer of the subdivision is required to keep up the roads.

It was the consensus of Council for staff to contact West Consultants for a quote to scope and evaluate Clarence Towery Cir to determine if the road was up to NCDOT standards.

DISCUSSION REGARDING
DEVELOPING A POLICY
CONCERNING REQUESTS
TO RENAME STREETS

Mr. Shook suggested that Council establish a policy to address renaming streets in the future to include a timeframe that a street rename must be in place. It was the consensus of Council for staff to provide a proposed policy for Council review and adoption at the August meeting.

NEW BUSINESS
ORDER OF COLLECTION
TO THE TAX COLLECTORS
AND FINAL
SETTLEMENTS FOR FY 18-
19

Danny Isenhour, Burke County Tax Collector, provided a tax settlement for the FY 2018/2019 property taxes, including registered motor vehicles, for approval. Alice Sanders, Tax Collector, provided a tax settlement for delinquent property taxes for tax years 2004-2017, not including registered motor vehicles, for approval. Council

Member Herrell made a motion to approve the settlements, as presented. All voted in favor. A copy of the tax settlements are hereby incorporated by reference and made a part of these minutes (Attachment D and E).

Council Member Honeycutt made a motion to approve the Order for the Tax Collector (Danny Isenhour) to collect property taxes and registered motor vehicle taxes for 2019 as well as the Order for the Tax Collector (Alice Sanders) to collect property taxes for 2017 and all prior years (not including registered motor vehicles). All voted in favor. A copy of the orders are hereby incorporated by reference and made a part of these minutes (Attachment F and G).

**DISCUSSION REGARDING
PURCHASE OF NEW
DEPUTY VEHICLE**

Deputy Towery stated that the current deputy vehicle has 90,000 miles on it and it is time for a new vehicle. He stated that the current vehicle, a Ford Taurus, is no longer being made. Burke County currently purchases either the Ford Explorer or Dodge Charger for its deputies. He stated that the Explorer is better equipped and has more capabilities. The Town has been setting aside funds each budget year for the purchase of the vehicle.

Council Member Smith made a motion to purchase a new deputy vehicle and directed staff to work with Burke County to ensure the vehicle will be equipped to the Sheriff's requirement. All voted in favor.

JUNE FACILITIES REPORT

The June facilities report was presented for review.

**JUNE DELINQUENT TAX
REPORT**

Tax Collector Sanders reviewed the June tax report. A copy of the report is hereby incorporated by reference and made a part of these minutes (Attachment H).

JUNE DEPUTY REPORT

The June Deputy report was provided for review.

COMMITTEE REPORTS

Transportation Advisory Committee (TAC) and Technical Coordinating Committee (TCC) – Council Member Herrell made a motion to appoint Town Manager Shook to the TCC committee. All voted in favor. Mr. Shook explained that he can only serve on the TCC committee and cannot vote. Only members of Council who are appointed to the TAC can vote.

WPCOG Policy Board – Council Member Honeycutt stated that the WPCOG was awarded a \$200,000 grant by the NC Housing Authority to provide urgent repair to 27 homes throughout Alexander, Burke and Caldwell

counties. The Board also adopted a disbursement policy, voted to allow double wide mobile homes to be eligible for rehab grants, and approved a resolution to support a statewide initiative to reestablish passenger bus and rail service in western NC from Asheville to Salisbury to also include Morganton, Valdese and Hickory.

Burke Economic Development Representative – No report.

Recreation and Tourism Committee – No report.

Water Resource Committee – No report.

VEDIC – Karen Robinson reported that VEDIC will have its annual meeting and Mr. Shook will be attending.

Library Board – Mayor Hildebrand reported that new and renewed library cards, foot traffic and ebook check outs are up. It was announced that the recent Friends of the Library book sale held at the Hildebran library brought in over \$800.

CONSIDER APPROVAL OF
BUDGET AMENDMENT #01
FOR FY 19/20

Finance Officer Rankins presented budget amendment #01 for FY 19/20. Council Member York made a motion to approve budget amendment #01 for FY 19/20 to appropriate funds previously received from the Department of Commerce for the Façade Improvement Program in the Economic Development Department. All voted in favor. A copy of the budget amendment is hereby incorporated by reference and made a part of these minutes (Attachment I).

OTHER BUSINESS

None.

ANNOUNCEMENTS

None.

CLOSED SESSION

Council Member Smith made a motion at 8:09 p.m. to recess to closed session pursuant to NC General Statute 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee and/or 143-318.11(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between

the attorney and the public body, which privilege is hereby acknowledged. All voted in favor.

Council Member Honeycutt made a motion to return to open session at 8:30 p.m. All voted in favor.

ADJOURN

All business being concluded, Council Member Messer made a motion at 8:30 p.m. to adjourn. All voted in favor.

I attest these are the approved minutes of the Board.

Alice Sanders, Town Clerk

Wendell Hildebrand, Mayor