



TOWN OF

GRANITE FALLS

North Carolina

Dr. Caryl B. Burns Mayor • Tracy Townsend Mayor Pro Tem • Jerry T. Church Town Manager
Council Members Ritch Bolick • Larry Knight • Jim Mackie • Mike Mackie • Martin D. Townsend

AGENDA

REGULAR TOWN COUNCIL MEETING

MONDAY, OCTOBER 16, 2023

4 SOUTH MAIN STREET

5:30 PM

- I. WELCOME - CALL TO ORDER MAYOR DR. CARYL B. BURNS
- II. INVOCATION COUNCILMEMBER LARRY KNIGHT
- III. PLEDGE OF ALLEGIANCE COUNCILMEMBER MARTIN TOWNSEND
- IV. CONFLICT OF INTEREST STATEMENT COUNCILMEMBER MIKE MACKIE

In accordance with the State Government Ethics Act, it is the duty of every Council member to avoid both conflicts of interest and the appearance of conflicts. Does any Council member have any known conflict of interest or appearance of conflicts with respect to any matters coming before the Council today? If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matters involved.

(N.C.G.S. 14-234, N.C.G.S. 160A-479.11, & N.C.G.S. 160D-109)

- V. RECOGNITION OF VISITORS
- VI. SPECIAL PRESENTATIONS/INTRODUCTIONS/RECOGNITIONS
 - A) Town Manager Jerry Church will introduce Human Resources Director Crystal Bollinger to the Council.
 - B) Dr. Don Phipps, Superintendent of the Caldwell County Schools, will present an update on the school system.
 - C) Dr. Mark Poarch, President of Caldwell Community College and Technical Institute, will present an update on the community college.

VII. APPROVAL OF AGENDA

VIII. CONSENT AGENDA

All items below are considered to be enacted by one motion. There will be no separate discussion or separate votes of the items listed under the Consent Agenda unless a Councilmember requests that an item or items be considered as a separate item of new business. When a Councilmember makes this request, the item(s) will be removed from the Consent Agenda and will be considered under agenda Section XII. New Business.

1) **APPROVAL OF MINUTES FROM THE SPECIAL TOWN COUNCIL MEETING HELD MONDAY, SEPTEMBER 11, 2023**

(See attachment #1.)

2) **APPROVAL OF MINUTES FROM THE SPECIAL TOWN COUNCIL MEETING HELD MONDAY, OCTOBER 2, 2023**

(See attachment #2.)

3) **ADOPT RESOLUTION DECLARING NOVEMBER 2023 AS PUBLIC SAFETY AND EMERGENCY SERVICE PROVIDERS APPRECIATION MONTH**

The Council is requested to adopt a resolution declaring November 2023 as Public Safety and Emergency Service Providers Appreciation Month. The resolution expresses gratitude to those agencies directly responsible for making the Town of Granite Falls a safer place to live and work.

(See attachment #3.)

4) **ADOPT PROCLAMATION RECOGNIZING OCTOBER 23 – OCTOBER 31, 2023, AS NATIONAL RED RIBBON WEEK**

The Council is requested to adopt a proclamation recognizing October 23 – 31, 2023 as National Red Ribbon Week. Red Ribbon Week is in honor of fallen DEA Special Agent and former Marine Enrique “Kiki” Camarena and his fight against drugs and the crimes of the drug cartels. Red Ribbon Week allows the Young Marines to continue to deliver Special Agent Camarena’s message of hope to millions of people every year. (See attachment #4.)

5) **ACCEPT ANNUAL REPORT – IDENTITY THEFT PREVENTION PROGRAM**

The Town Council previously adopted the Identity Theft Prevention Program that was required under the Federal Trade Commission’s (FTC) Red Flags Rule. The FTC delayed enforcement of the Red Flags Rule on several occasions with the final date of compliance being December 31, 2010. The Town implemented the rules effective November 1, 2008, and is submitting the required annual report for Council review. Additions to the annual report are highlighted in yellow. (See attachment #5.)

IX. TOWN ATTORNEY REPORT **NONE SCHEDULED**

X. PUBLIC COMMENT PERIOD

XI. PUBLIC HEARINGS **NONE SCHEDULED**

XII. NEW BUSINESS/ACTION ITEMS

1) **ZONING TEXT AMENDMENT #1-2023 – SWIMMING POOLS**

Town Planner Greg Wilson will cover the Granite Falls Planning Board meeting held on Tuesday, September 26, 2023, at 5:00 p.m. where the Planning Board considered Zoning Text Amendment #1-2023. Zoning Text Amendment #1-2023 would allow for placement of swimming pools in the side yard for single-family residential properties. Pools are currently allowed only in the rear yard. The proposed amendment would remove the side yard prohibition for pools (and tennis courts), but they would still be subject to the same setbacks standards that apply to all other accessory structures. (See attachment #6.)

The Planning Board voted unanimously to recommend that the Town Council approve Zoning Text Amendment #1-2023 as presented, with the following consistency statement as required by North Carolina General Statute §160D-604 & 605:

1. The adopted Granite Falls Land Use Plan does not specifically address the placement of accessory structures on residential property. Therefore, a determination cannot be made on the proposed Zoning Text Amendment relative to its consistency therewith.
2. The Zoning Text Amendment would be reasonable and in the public interest because it would allow development and use of residential property in a manner that would minimize negative impacts on adjacent properties.

Action requested: Call for a public (legislative) hearing on Zoning Text Amendment #1-2023 at the next Council meeting scheduled for Monday, November 6, 2023, at 5:30 p.m. in the Council Room.

2) ZONING TEXT AMENDMENT #2-2023 – PLANNED DEVELOPMENTS

Town Planner Greg Wilson will cover the Granite Falls Planning Board meeting held on Tuesday, September 26, 2023, at 5:00 p.m. where the Planning Board considered Zoning Text Amendment #2-2023. Zoning Text Amendment #2-2023 would update and expand the requirement and processes for Planned Developments. The proposed amendment would modify the minimum lot size required in some residential districts, expand requirements for sidewalks, and require neighborhood meetings to be conducted prior to submittal. (See attachment #7.)

The Planning Board voted unanimously to recommend that the Town Council approve Zoning Text Amendment #2-2023 as presented, with the following consistency statement as required by North Carolina General Statute §160D-604 & 605:

1. The proposed Zoning Text Amendment would be consistent with the Granite Falls Land Use Plan, which encourages a diversity of housing options, including mixed-use developments with both residential and commercial elements.
2. The Zoning Text Amendment would be reasonable and in the public interest because it takes additional steps to enhance compatibility with adjacent properties.

Action requested: Call for a public (legislative) hearing on Zoning Text Amendment #2-2023 at the next Council meeting scheduled for Monday, November 6, 2023, at 5:30 p.m. in the Council Room.

3) REVIEW PRELIMINARY ASSESSMENT ROLL AND CALL FOR PUBLIC HEARING

Council is requested to review the preliminary assessment roll of potential liens against owners of real property located in the Town of Granite Falls that have failed to pay invoices issued by the Town for services rendered by the Town to abate public nuisances on said real property. These abatement services consisted of mowing grass and/or removing refuse or solid waste and/or demolition of declared nuisance structures in accordance with Town ordinances. Note: The Assessment Roll attachment will be updated to reflect any payments by property owners and any additional liens through 10/16/2023. (See attachment #8.)

Action Requested: Review and call for a public hearing on the preliminary assessment roll at the Regular Town Council meeting scheduled for Monday, November 6, 2023, at 5:30 p.m.

4) FINANCIAL REPORT – FINANCE OFFICER ASHLEY PRESNELL

The Revenue and Expenditure report for the period ended September 30, 2023, is enclosed for the Council's review. This report represents 25% of the current 2023–2024 fiscal year budget. Also enclosed for Council review is the financial dashboard and analysis of the current year property tax revenue and the sales tax revenue versus the prior year and budgeted revenues. (See attachment #9.)

5) APPROVE CHANGE ORDER FOR INSTALLATION OF SPLASH PAD FEATURES AND EQUIPMENT AND APPROVE AMENDED CAPITAL PROJECT ORDINANCE FOR THE GRANITE FALLS RECREATION CENTER (GFRC) REDEVELOPMENT PARKS AND RECREATION TRUST FUND (PARTF) GRANT PROJECT

On July 17, 2023, the Council voted to award a contract to Aqua Underground, Marietta, GA (Aqua) for Two-hundred, six-thousand, five-hundred eighty dollars and forty-seven cents (\$206,580.47) for installation of the splash features and equipment. Aqua was the apparent low bidder for this part of the splash pad project. The Council also voted to authorize the Town Manger to sign all documents required to complete the splash pad project.

There were issues with entering into a contract with Aqua and the Town negotiated with Lail Builders, Hickory, NC, (Lail) to include the installation of the splash pad features as an addition to their scope of work for Two-hundred, ten-thousand, five-hundred eight-six dollars and no cents (\$210,586.00). Lail has already completed the site preparation for the splash pad and was awarded the contract for the addition to the ADA compliant walking path at the Recreation Center.

The splash pad change order increases the total cost of the project by \$4,006. If the Council approves the change order, the Council will need to approve an amended budget for the GFRC Redevelopment PARTF Grant Project. The amended budget increases the total amount of the project by \$4,006.00 to reflect the increased cost of the installation of the splash pad equipment. (See attachment #10.)

Action requested: The Council is requested to approve the change order to Lail Builders for \$210,586.00 and to approve the amended PARTF Grant Project budget as presented.

6) DETERMINE LOCATION AND COST OF ADA COMPLIANT WALKING PATH SIDEWALK AT THE SHUFORD RECREATION CENTER

On July 17, 2023, the Council voted to award the contract to Lail Builders, Hickory, NC (Lail) for One hundred, fifty-two thousand dollars and no cents (\$152,000.00) for site preparation and construction of ADA compliant walking path at the Shuford Recreation Center. The Council also authorized the Town Manager to sign all documents required to complete the ADA walking path project. When Lail was completing the preliminary engineering testing for the selected site of the walking path adjacent to the Field #3 retaining wall, the structural engineer determined that this location for the walking path would most likely negatively impact the integrity of the retaining wall over time.

Parks and Recreation Director Chad Raby will give a presentation on alternate locations and costs for the ADA compliant walking path. The Town Engineer, McGill & Associates has been negotiating costs with Lail based on the proposed new locations. The Council will be requested to select an alternate location for the sidewalk. It should be noted that the Town Manager has not entered into a binding contractual arrangement with Lail for this project. We anticipate that the total cost of this project will remain at \$152,000.00. (See attachment #11.)

7) BUDGET AMENDMENT # 2024-4 FOR SERVPRO BUILDING REUSE GRANT

The Council previously approved, applied for, and accepted a Building Reuse Grant from the North Carolina Department of Commerce (NC DOC) Rural Economic Development Division (REDD) for renovations to the building purchased by SERVPRO at 121 Falls Avenue. SERVPRO planned to spend approximately \$700,000 to renovate the existing building. The maximum amount of the grant was \$200,000 based on SERVPRO creating 25 new jobs. The Town was protected from having to repay any of the unearned grant funds drawn down by SERVPRO by obtaining a Deed of Trust against the 121 Falls Avenue property.

SERVPRO invested \$700,000 in the property but was not able to create the 25 jobs during the two-year grant period due to COVID and the overall shortage of available workers in the area. SERVPRO stopped applying for the grant funds once the ownership group determined that they would not be able to create the 25 jobs required. The Town had drawn down \$164,680.31 from NC DOC for SERVPRO and SERVPRO had created two new jobs which means that SERVPRO has to repay \$148,680.31 by December 1, 2023, to the Town. The Town has to repay this amount to the NC DOC. (See attachment #12.)

Action Requested: The Council is requested to approve Budget Amendment # 2024-4 which authorizes the Town to “claw back” the \$148,680.31 from SERVPRO and remit these funds to NC DOC REDD.

8) APPROVE REVISED EMPLOYEE JOB GRADES, CLASSIFICATIONS AND PAY RANGES FOR FISCAL 2023-2024

Town Manager Jerry Church recommends that the Council approve the attached schedule revising employee job grades, classifications and pay ranges for the FY year 2023-2024. Town Manager Church updated the schedule to change the title of Finance Director to Assistant Town Manager/Finance Director and to add the Special Projects Manager as an approved position. The FY 2024 revised headcount budget increases from 70 to 71. (See attachment #13.)

Action Requested: Council is requested to approve the revised employee job grades, classifications, pay ranges, and headcount budget for FY 2023-2024.

9) REPORT ON GRANITE FALLS MERCHANTS’ ASSOCIATION FESTIVAL ON MAIN

Council member Mike Mackie, who also serves as President of the Granite Falls Merchants’ Association (GFMA), will give a report on the 13th annual GFMA Festival on Main, which was held Saturday, September 16, 2023.

10) EVENTS SCHEDULE

The Council shall review the schedule of events for the balance of calendar year 2023.

Veterans Day Ceremony - 10:00 a.m. Thurs., 11/09/2023 - Rec. Center

Light Up Granite Falls Tree Decorating Contest - 3:30 p.m. Mon., 11/20/2023 - Downtown

Festival on the Square Tree Lighting Ceremony - 6:15 p.m. Mon., 11/20/2023 - Downtown

Impact by Rotary Club Granite Falls Christmas Parade - Noon, Sat., 12/02/2022 - Downtown

11) TOWN HOLIDAY SCHEDULE

The Town of Granite Falls Administrative Office, the Recreation Center, and the Public Works and Electric Departments will be closed in observance of the following holidays:

Veterans Day	Friday, November 10 th
Thanksgiving	Thursday, November 23 rd & Friday, November 24 th
Christmas	Monday, Tuesday, & Wednesday, December 25 th , 26 th , & 27 th

New Year’s Day Monday, January 1st
Dr. Martin Luther King, Jr. Monday, January 15th

The Police and Fire Departments and the Water and Wastewater Facilities will be on duty as scheduled and those employees on shift scheduled to work the holiday receive pay for the holiday. The employees that are not on shift that have to work the holiday receive alternate time off with pay. Republic Services will pick up garbage and recycling on their regular schedule except for Christmas Day.

XIII. MANAGER UPDATE

Town Manager Jerry Church shall update the Council on the following:

1. Enclosed with your Agenda package is a calendar of events through the end of October 2024.
2. Martin Starnes & Associates, CPAs, P.A., will give the audit presentation at the next Council meeting November 6, 2023, at 5:30 p.m. in the Council Chambers.

Note: Members of the Town Council may attend events that are, or are not, sponsored by the Town but there will be no Council business conducted at any of these events in instances where a quorum of the Council may be present.

XIV. COUNCIL COMMITTEE REPORTS

1. WPCOG Policy Board
2. Caldwell County Railroad Policy Board
3. Metropolitan Planning Organization (MPO) and Technical Coordinating Committee
4. Caldwell County Economic Development Advisory Commission (EDAC)
5. NC Municipal Power Agency # 1 Board of Commissioners
6. Caldwell County Managers’ bi-monthly meeting

XV. INFORMATION ITEMS/REPORTS

1. The Recreation Advisory Board will meet Tuesday, December 12th at 6:30 p.m. at the Recreation Center.
2. The Merchants’ Association will meet Monday, October 23rd at Noon at the Town Office.
3. The History Committee will meet on Tuesday, October 17th at 2:00 p.m. at the History Museum.
4. The Planning Board will meet on Tuesday, October 24th at 5:00 p.m. in the Council Room.
5. The Board of Adjustment will meet on Wednesday, November 8th at 5:00 p.m. in the Council Room.
6. The WPCOG MPO/RPO will meet on Wednesday, October 25th at 1:00 p.m. at the WPCOG.
7. The ABC Board will meet on Monday, November 6th at 5:30 p.m. at the ABC Store.

XVI. CLOSED SESSION

NONE SCHEDULED

XVII. OTHER BUSINESS

XVIII. ADJOURN

Reminder: The next Town Council Meeting is a regular meeting on Monday, November 6, 2023, at 5:30 p.m. in the Council Chambers.

In accordance with Title II of the Americans with Disabilities Act, neither the Town of Granite Falls, nor the Granite Falls ABC Board, discriminates based on disability in conducting its meetings. Individuals with disabilities who require auxiliary aids or services or other accommodations for effective communication and participating in a meeting may contact the Town Clerk at (828) 396-3131. Requests should be made at least 72 hours prior to the meeting.