



TOWN OF  
**GRANITE FALLS**  
*North Carolina*

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

**AGENDA**  
**ORGANIZATIONAL TOWN COUNCIL MEETING**  
**MONDAY, DECEMBER 6, 2021**  
**4 SOUTH MAIN STREET**  
**6:00 PM**

**Per Center for Disease Control guidance, and per Town policy, unvaccinated attendees at the Council meeting and those who have not been fully vaccinated should wear face coverings and should socially distance from others in attendance who are not members of the same household.**

- I. WELCOME - CALL TO ORDER** **MAYOR BARRY HAYES**
- II. INVOCATION** **COUNCILMEMBER LARRY KNIGHT**
- III. PLEDGE OF ALLEGIANCE** **MAYOR BARRY HAYES**
- IV. RECOGNITION OF VISITORS**
- V. SPECIAL PRESENTATIONS/INTRODUCTIONS/RECOGNITIONS**
- VI. OATH OF OFFICE**
- A. Mayor Barry Hayes shall administer the oath of office to Mayor-elect Dr. Caryl B. Burns who was elected during the municipal election held Tuesday, November 2, 2021.
- B. Mayor Dr. Caryl B. Burns shall administer the oath of office to the following individuals who were elected during the municipal election held Tuesday, November 2, 2021.
- Town Councilmember Larry A. Knight  
Town Councilmember Martin D. Townsend  
Town Councilmember-elect Ritch Bolick
- VII. SELECTION OF MAYOR TEMPORE**
- Under NC General Statute 160A-70 at the organizational meeting, the council shall elect from among its members a mayor tempore to serve at the council's pleasure. A council member who serves as mayor tempore shall be entitled to vote on all matters and shall be considered a council member for all purposes, including the determination of whether a quorum is present. In the mayor's absence the council may confer on the mayor pro tempore any of the mayor's powers and duties.

**VIII. APPROVAL OF AGENDA**

**IX. APPROVAL OF MINUTES FROM THE SPECIAL TOWN COUNCIL MEETING HELD MONDAY, NOVEMBER 15, 2021.**

**X. TOWN ATTORNEY REPORT**

**BRUCE CANNON**

**XI. PUBLIC COMMENT PERIOD**

**XII. PUBLIC HEARINGS**

**1. PUBLIC (LEGISLATIVE) HEARING ON REZONING PETITION #3-2021 – 142 DUKE STREET**

The Council shall hold a public (legislative) hearing on Rezoning Petition #3-2021. An application for a Zoning Map Amendment (#3-2021) has been submitted by Thomas Klein for his property located at 142 Duke Street. The 1.62-acre vacant property is currently zoned M-1, General Manufacturing and the request is to rezone the property to R-8, Medium-High Density Residential. The Council called for the public hearing at the November 15, 2021 Council meeting following the presentation by Town Planner Greg Wilson. At the public hearing, all residents of the Town and other interested parties must be allowed to speak. The rezoning would become effective immediately. (See attachment #1.)

**The public hearing has been duly noticed by posting a sign on the subject property, publishing a notice in the News Topic and by direct mail to adjacent property owners per the requirements set forth in G.S. §160D-602.**

**2. PUBLIC (LEGISLATIVE) HEARING ON ZONING TEXT AMENDMENT #5-2021 – SPECIAL USES**

The Council shall hold a public (legislative) hearing on Zoning Text Amendment #5-2021 which was submitted by Jones Matthews and would allow for reduced setbacks for detached canopies (carports) and would also make the dimensional standards for accessory structures uniform across all residential districts. The Council called for the public hearing at the November 15, 2021 Council meeting following the presentation by Town Planner Greg Wilson. At the public hearing, all residents of the Town and other interested parties must be allowed to speak. The text amendment would become effective immediately. (See attachment #2.)

**Notice of the public hearing was duly provided in the *News Topic* as required by law.**

**3. PUBLIC (LEGISLATIVE) HEARING ON THE UPDATED TOWN OF GRANITE FALLS LAND USE PLAN**

The Council shall hold a public (legislative) hearing on the updated Town of Granite Falls Land Use Plan (Plan). The Council called for the public hearing at the November 15, 2021 Council meeting following the presentation by John E. Wear, Assistant Community & Regional Planning Director for the Western Piedmont Council of Governments. At the public hearing, all residents of the Town and other interested parties must be allowed to speak. The updated Plan would become effective immediately. (See attachment #3.)

**Notice of the public hearing was duly provided in the *News Topic* as required by law.**

**4. PUBLIC (LEGISLATIVE) HEARING ON ZONING TEXT AMENDMENT #6-2021 – PENALTIES FOR VIOLATION**

The Council shall hold a public (legislative) hearing on Zoning Text Amendment #6-2021 – Penalties for Violation which is based on recently adopted State Law (SL 2021-138) that disallows the imposition of criminal penalties for violation of a development regulation. The Town would still be allowed to pursue civil penalties for violations. The Council called for the public hearing at the November 15, 2021 Council meeting following the presentation by Town Planner Greg Wilson. At the public hearing, all residents of the Town and other interested parties must be allowed to speak. The text amendment would become effective immediately. (See attachment #4.)

**Notice of the public hearing was duly provided in the *News Topic* as required by law.**

**5. PUBLIC (LEGISLATIVE) HEARING ON SUBDIVISION TEXT AMENDMENT #2-2021 – PENALTIES FOR VIOLATION**

The Council shall hold a public (legislative) hearing on Subdivision Text Amendment #2-2021 – Penalties for Violation which is based on recently adopted State Law (SL 2021-138) that disallows the imposition of criminal penalties for violation of a development regulation. The Town would still be allowed to pursue civil penalties for violations. The Council called for the public hearing at the November 15, 2021 Council meeting following the presentation by Town Planner Greg Wilson. At the public hearing, all residents of the Town and other interested parties must be allowed to speak. The text amendment would become effective immediately. (See attachment #5.)

**Notice of the public hearing was duly provided in the *News Topic* as required by law.**

**XIII. NEW BUSINESS/ACTION ITEMS**

**1. REZONING PETITION #3-2021 – 142 DUKE STREET**

Council shall consider Rezoning Petition #3-2021 for approximately 1.62 acres of property located at 142 Duke Street. The property is currently zoned M-1, General Manufacturing and the request is to rezone the property to R-8, Medium-High Density Residential. (See attachment #1 for Ordinance #362.)

**A Council Member may consider the following sample motion script to simplify the State requirements:**

**“I make a motion to (Approve or Deny) Rezoning Petition #3-2021, Rezoning Ordinance #362, and to approve the corresponding Statement of Consistency & Reasonableness contained in the agenda packet.”**

\*Any additions or deletions to either of the sample motion scripts must be noted within the motion\*

**2. UPDATE TO THE TOWN OF GRANITE FALLS ZONING REGULATIONS – ZONING TEXT AMENDMENT #5-2021**

Council shall consider the update to the Town of Granite Falls Zoning Regulations. (See attachment #2 for Ordinance #363.)

**A Council Member may consider the following sample motion script to simplify the State requirements:**

**“I make a motion to (Approve or Deny) Zoning Text Amendment #5-2021, Ordinance #363, and to approve the corresponding Statement of Consistency & Reasonableness contained in the agenda packet.”**

\*Any additions or deletions to either of the sample motion scripts must be noted within the motion\*

**3. UPDATED TOWN OF GRANITE FALLS LAND USE PLAN**

Council shall consider the updated Town of Granite Falls Land Use Plan. (See attachment #3.)

**4. UPDATE TO THE TOWN OF GRANITE FALLS ZONING REGULATIONS – ZONING TEXT AMENDMENT #6-2021**

Council shall consider the update to the Town of Granite Falls Zoning Regulations. (See attachment #4 for Ordinance #364.)

**A Council Member may consider the following sample motion script to simplify the State requirements:**

**“I make a motion to (Approve or Deny) Zoning Text Amendment #6-2021, Ordinance #364, and to approve the corresponding Statement of Consistency & Reasonableness contained in the agenda packet.”**

\*Any additions or deletions to either of the sample motion scripts must be noted within the motion\*

**5. UPDATE TO THE TOWN OF GRANITE FALLS SUBDIVISION REGULATIONS – SUBDIVISION TEXT AMENDMENT #2-2021**

Council shall consider the update to the Town of Granite Falls Subdivision Regulations. (See attachment #5 for Ordinance #365.)

**A Council Member may consider the following sample motion script to simplify the State requirements:**

**“I make a motion to (Approve or Deny) Subdivision Text Amendment #2-2021, Ordinance #365, and to approve the corresponding Statement of Consistency & Reasonableness contained in the agenda packet.”**

\*Any additions or deletions to either of the sample motion scripts must be noted within the motion\*

**6. COUNCIL COMMITTEE APPOINTMENTS**

Mayor Dr. Caryl B. Burns has made the Council committee appointments for 2021-2023. (See attachment #6.)

**7. OFFICIAL RESULTS OF ELECTION**

The Caldwell County Board of Elections has submitted the official results of the Granite Falls' election held on Tuesday, November 2, 2021. (See attachment #7.)

**8. FINANCIAL REPORT**

The financial dashboard for the five months ended November 30, 2021 is enclosed for the Council’s review. This report represents 42% of the current 2021 - 2022 fiscal year budget. Also enclosed for Council review is an analysis of current year sales tax revenue and current property tax revenue versus prior year and budgeted revenues. (See attachment #8.)

**9. CONSIDER APPOINTMENT OF TAX COLLECTOR**

The Town of Granite Falls Tax Collector resigned to pursue other interests. Upon this resignation, Town Manager Jerry Church appointed Deputy Finance Director Ashley Presnell to serve as Tax Collector until someone is permanently hired for this position. Council is requested to ratify the Town Manager’s decision.

**10. CONSIDER CHANGES TO THE COUNCIL MEETING SCHEDULE**

Council is requested to cancel the regular Council meeting scheduled for Monday, January 3, 2022. Council is requested to call for a special meeting on Monday, January 10, 2022 at 6:00 p.m. in the Council Room.

**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:

Christmas	Thursday, Friday, & Monday December 23 <sup>rd</sup> , 24 <sup>th</sup> , & 27 <sup>th</sup>
New Year’s Day	Friday, December 31 <sup>st</sup>
Dr. Martin Luther King, Jr. Day	Monday, January 17, 2022

The Police and Fire Departments and the Water and Wastewater Facilities will be on duty as scheduled and those employees scheduled to work these holidays receive alternate time off with pay. Republic Services will pick up garbage and recycling on their regular schedule except for Christmas Day.

**XIV. OTHER BUSINESS NOT LISTED**

**XV. 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 January 2023. Revisions since the last calendar are highlighted in yellow.
2. The School of Government at UNC-Chapel Hill (SOG) is offering the Essentials of Government for newly elected officials and for re-elected or veteran officials. Both classes also include the required ethics training for newly elected or re-elected officials. The Town of Granite Falls has one newly elected official and three re-elected officials. The required training is available on-line or in-person and the Town Manager is working with these officials to get them registered for the required training classes.

Note: Members of the Town Council may attend events referenced in 1) & 2) above 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.

## **XVI. COUNCIL COMMITTEE REPORTS**

1. WPCOG Policy Board
2. Caldwell County Railroad Policy Board
3. Sales Tax Reinvestment Committee
4. Catawba River Study Committee
5. Metropolitan Planning Organization (MPO) and Technical Coordinating
6. Caldwell County Economic Development Commission (EDC)
7. Corporate Circle – sponsored by Caldwell Chamber of Commerce
8. NC Municipal Power Agency # 1 Board of Commissioners
9. Caldwell County Manager’s bi-monthly meeting
10. ElectriCities Grassroots Committee
11. Caldwell County’s Green Commission

## **XVII. CLOSED SESSION**

Under N.C. General Statute 143-318.11 (3) the Council shall hold a closed session 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.

## **INFORMATION ITEMS:**

1. The Granite Falls Recreation Advisory Board will not meet in December.
2. The Granite Falls Merchants’ Association will not meet in December.
3. The Granite Falls History Committee will not meet in December. On Sunday, December 12<sup>th</sup> from 2:00 to 4:00 p.m., the History Committee will hold a reception for the artists who currently have works on exhibit at the History and Transportation Museum.
4. The Granite Falls Planning Board will not meet in December.
5. The Granite Falls Board of Adjustment will not meet in December.
6. The WPCOG MPO/RPO will meet Wednesday, December 15<sup>th</sup> at 1:00 p.m. at the WPCOG.
7. The Granite Falls ABC Board will meet Monday, December 13<sup>th</sup> at 5:30 p.m. at the ABC Store.

In accordance with Title II of the Americans with Disabilities Act, neither the Town of Granite Falls, nor the Granite Falls ABC Board, discriminates on the basis of 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.

**Reminder: The next Town Council Meeting is a special meeting on Monday, January 10, 2022, at 6:00 p.m. in the Council Room.**