

**TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL MEETING
MONDAY, MAY 9, 2016
6:00 PM**

MINUTES

1A.

CALL TO ORDER

Mayor Steve Sciascia called the meeting to order and the Town Clerk conducted the roll call.

PRESENT: Mayor Steve Sciascia, Councilmen Chad Baucom, Jeff Phillips, Rick Russo, Ron Smith, Christopher Barfield, John Booth, Councilwoman Benita Conrad

1B.

INVOCATION

Pastor John Parker of Covenant Church Harrisburg conducted the invocation.

1C.

PLEDGE OF ALLEGIANCE

1D.

SPECIAL PRESENTATIONS

- 1. National Public Works Week Month Proclamation**
- 2. National Nursing Home Week Proclamation**
- 3. American Legion Poppy Day Proclamation**
- 4. Eagle Scout Project – Brandon Romeo – Harrisburg Park Fitness Station**

Total cost of the project expected to be no more than \$2,500. Working on fundraising ideas. Would like to hold a spaghetti dinner at the high school among other things. Information will be posted on the Town's website.

MOTION:

Councilman Baucom made a motion to approve the proposed Eagle Scout project by Brandon Romeo with a second from Councilman Russo. **The motion passed 7-0.**

- 5. Cabarrus Arts Council request for support – Noelle Scott**
- 6. Scott Cole – NCDOT Updates.**

- Harrisburg to Charlotte Railroad Improvements – McLean Road in Charlotte will close for 30 days beginning May 16. Back Creek Church Road will also have to close for a short time at some point but it is a temporary closing.
- Pharr Mill Road Grade Separation – The Department is in the process of abandoning a portion of Old Pharr Mill from Mulberry to Speed Rail to the Town per the Town's request, expected to be approved by NCBOT in June.
- Roberta Road Grade Separation – School Circle will have to be closed for 30 days to complete the tie in to Roberta Road Extension beginning May 23, 2016. The bridge deck has been poured and the contractor will form and pour approach slabs and work on barrier rail and parapet wall. It is anticipated that the bridge will be completed and ready for traffic by Mid-July, hopefully sooner. Drainage issues along Hickory Ridge Road are currently being redesigned and should be ready soon. Another small drainage revision along Hickory Ridge and one on Stallings Road will begin in the next 2 weeks.
- Caldwell Road Grade Separation – Curb and gutter to be added at Builders First Source driveway. The contractor will begin work this week, depending on weather. The contractor will construct a

small v-ditch along Harrisburg Industrial Drive (NCRR parcel) to relieve standing water at the front of Mr. Parker's parcel. Anticipate completion of this work in the next 3 weeks, pending approval from NCRR and the Rail Division.

- Caldwell Park Drive Extension – Warranty review was held: contractor mobilized and repaired 2 small asphalt issues near the bridge. Millbrook Road abandoned from State Maintenance in May, and is now a Town street again. Need to resolve McLeod maintenance responsibility with the Town. Caldwell Park will most likely be added to the State System in June.
- Stallings Road Bridge – the project began in April and the scheduled completion date is 10/7/2016.
- Raging Ridge Road Extension – Project is under construction. Fiber optic utility in the way was relocated on Friday, May 6 and should no longer be in conflict. No delay in the project expected.
- Doster Crossing – Project has had drainage revisions and unforeseen utility conflicts. The new anticipated completion date is mid-June 2016.

Mayor Sciascia asked if we could go back to the name of Harrisburg Veteran's Road for the Roberta Road Extension renaming. It was turned down as Harrisburg Veteran's Memorial Road.

1E.

AGENDA CHANGES

- Add Item D6 – Scott Noel – DOT Updates.

MOTION:

Councilman Phillips made a motion to approve the proposed change to the agenda with a second from Councilman Russo. **The motion passed 7-0.**

1F.

PUBLIC COMMENT

- Michael Howard, 3833 Riverside Drive, Harrisburg – spoke concerning a flooding issue in his neighborhood. It is a very dark area, and he would like to see some street lights put up there. After some discussion, the following action was taken:

MOTION:

Councilman Phillips made a motion to add the requested street lights with a second from Councilman Russo. **The motion passed 7-0.**

Tom Polito, Public Works Director, will work on the placement of these street lights.

- Judy Furr, 6055 Roberta Road, Harrisburg – spoke to the Council in support of the Eastwood Homes rezoning request that will be heard later in tonight's meeting.

2.

CONSENT AGENDA

- A. Consider the minutes of the April 11, 2016 Town Council meeting.
- B. Consider the minutes of the April 11, 2016 Closed Session.
- C. Consider the minutes of the April 16, 2016 Town Council Budget Workshop.
- D. Consider the minutes of the April 16, 2016 Closed Session.
- E. Consider the minutes of the April 30, 2016 Budget Workshop.
- F. July 4th Fireworks Contract.
- G. Set a public hearing to consider changing road names.
- H. Set a public hearing to consider changes to the Council Code of Conduct.
- I. Set a public hearing to consider the FY2016/2017 budget.
- J. Budget amendment for utility relocation for Morehead Road Bridge.

MOTION:

Councilman Russo made a motion to approve the Consent Agenda. Second was made by Councilman Booth. **The motion passed 7-0.**

3A.

COMMUNICATIONS

Town Manager's Report

Mayor Sciascia introduced and welcomed the new Town Manager, Bobby Williams who then gave a report on the following items.

- Fire Station 3 will be operational June 11, and the ribbon cutting will be held on June 23.
- Cabarrus Health Alliance will be doing an educational campaign concerning mosquitoes and the Zika Virus. We will have some of that information on our website.
- Roberta Road Ext. renaming – the County has approved the name Harrisburg Veterans Road.
- Food Truck Rally will be this Saturday from 4:00 pm – 9:00 pm.
- Ann Gibson and Josh Watkins are continuing to work on getting information on our website concerning updates to development plans following neighborhood meetings.

3B.

Mayor's Comments

- Questioned where we are on Electronic Signage language. Josh Watkins stated they are still working on that language.
- Spoke concerning the issue of subdivision directional signs that are put up on the corner of Robinson Church Road and Rocky River Road every weekend. They take the signs down but leave the sticks there and it looks terrible. Asked to see if the County could look into a solution.
- Will not be at the Budget Workshop this Saturday.

3C.

Council's Comments

None.

Budget

- Lee Connor asked if Council had any further questions or concerns about the proposed Public Works budget. There were none at this time.
- Will have Draft 2 of the proposed FY2016/2017 budget available this Saturday that incorporates changes Council has made so far.

4.

PUBLIC HEARINGS

None.

5A.

OLD BUSINESS

H2016-04 (R) Eastwood Homes. Josh Watkins, Planning Director presented the background information. Mike Kemp with Eastwood Homes has submitted a request for a rezoning of property located on the east side of Roberta Road. At the April Town Council meeting, the applicant is proposed to develop a residential development consisting of 201 attached single family residential units and 57 detached single family residential units adjacent to the Town Center development. The development includes a greenway that will be built by the developer and turned over to the Town to meet the Public Open Space dedication requirements. Also, the applicant has offered to place a condition on the project that vinyl siding will not be utilized on any of the buildings; all facades will be covered in masonry based products. Based on comments from the last Town Council meeting, the applicant has revised the proposal to include 51 single family residential units and 207 townhomes. The single family detached lots have increased in width from 40ft to 45ft, allowing the setbacks to be increased from 5ft to 7ft, and increasing the minimum lot size from 5000sf to 5625sf. The increased setbacks allow for the separation between houses to increase from 10ft to 14ft. The internal road network has also been adjusted to give a more direct route out of the development to the main entrance at

Roberta Road. A Traffic Impact Analysis has been completed, and the Planning and Zoning Advisory Board voted unanimously to recommend approval of this request at their March meeting.

Staff is recommending the following conditions for approval:

1. Applicant agrees to obtain any and all applicable local, state, and federal permits required for development prior to any development activity can take place. (Planning)
2. A driveway permit from NCDOT will be required for the entrances off Roberta Road, and all Rights-of-Way necessary for road improvements will be acquired prior to NCDOT Driveway Permit being executed. (NCDOT)
3. The developer shall be responsible to make all roadway improvements as identified in the approved TIA. (NCDOT)
4. The developer agrees to dedicate the 30ft wide area for greenway to meet the Public Open Space requirements per Section 6.5.5 of the UDO per the recommendations of the Parks and Recreation Advisory Board. Furthermore, the applicant agrees to construct a 10ft asphalt greenway within this 30ft wide area to fulfill the remaining fee in lieu of dedication requirement. (Parks and Recreation)
5. Developer agrees to revise the stream buffer along Davis Branch to show a Class 2 RSOD stream buffer as well as a 20ft No Build buffer. (Planning)
6. Developer agrees to restrict all construction traffic to the entrance at Roberta Road for the duration of construction; no construction traffic shall enter or exit through connections made to Town Center. (Planning/Public Works)
7. Developer agrees to restrict cladding materials for all buildings to masonry products; vinyl siding will not be used. (Applicant)
8. Applicant agrees to deed restrict the project so that no more than 10% of the units will be available as rental property at any one time. (Applicant)

Jason Gorrie, with Parsons Brinkerhoff spoke concerning the Traffic Impact Analysis. The study area for the development included three existing intersections: Roberta Road and Rocky River Crossing Road, Roberta Road and Carl Parmer Drive, and Roberta Road and Highway 49. Results of the study show no significant impact to the study area intersections. NCDOT did not require that the Roberta Road and Main Street intersection be included in the study.

Matt Levesque with ESP Associates and Pat Quinn from Eastwood Homes spoke to Council concerning the proposed project. Discussion surrounded entrances to the development, traffic and the different phases of the development.

MOTION:

Councilman Phillips made a motion to approve H2016-04 (R) with the conditions as set forth in the staff report. Second was made by Councilwoman Conrad. **The motion failed 2-5 (Councilmen Smith, Baucom, Russo, Booth, and Barfield voting against).**

After further discussion the following action was taken:

MOTION:

Councilman Baucom made a motion to reconsider rezoning request H2016-04 (R) with a second from Councilman Russo. **The motion passed 5-2 (Councilmen Barfield and Smith voting against).**

MOTION:

Councilwoman Conrad made a motion to defer consideration of H2016-04 (R) until the September 12, 2016 Town Council meeting, with a new public hearing being held at that time. Second was made by Councilman Russo. **The motion passed 6-1 (Councilman Smith voting against).**

5B.

OLD BUSINESS

Business Registration Fees.

Lee Connor, Finance Director, presented the background information. The NC state legislature removed municipalities' ability, with NCGS 160A-94, to charge privilege license taxes across the state, beginning with FY2016. They have since allowed municipalities to establish business registrations and charge a nominal fee associated with the administration of this program. In order to establish this program, the Town needs to formally remove the existing privilege license ordinance and replace it with a business registration ordinance.

The new program will require businesses to complete their registration process with the Town, by physical location. This will allow the Town to maintain a current and accurate database of all of our businesses, for communication and economic development purposes. Also, in the event that the State reinstates the privilege license tax, all of the information will be there to begin using that again.

Planning and Zoning will be establishing a process of having these completed with any permits that they need at the beginning of the process for new business. They will be contacting existing businesses to get their registrations completed.

NCGS 160A-94 limits the amount that can be charged to only a cost that covers the administration of the program. Currently, the budget includes \$2,950 in hard costs associated with the software to keep these registrations and supplies/postage for the registration forms. There will also be staff time associated with the administration of this, which we are estimating at approximately \$5,000. These costs over the estimated number of businesses, approximately 400, would yield a per registration cost of \$19.87, or \$20 per business. The Economic Development Committee discussed these amounts and determined that their recommendation was not to charge any fee for these business registrations. Therefore, this ordinance explicitly states that with inception, there will be no fee associated with them. However, the ordinance also details that this will be considered on an annual basis and updated with the fee schedule, if needed.

The public hearing was held for this item at the April 11, 2016 Town Council meeting, but consideration was deferred to the May meeting.

After some discussion the following action was taken:

MOTION:

Councilwoman Conrad made a motion to repeal the current Privilege License Ordinance, Title 11, Chapter 110. Second was made by Councilman Barfield. **The motion passed 7-0.**

MOTION:

Councilwoman Conrad made a motion to approve the proposed Business Registration Ordinance and incorporate it into the Harrisburg Town Code of Ordinances. Second was made by Councilman Russo. **The motion passed 7-0.**

6A.

NEW BUSINESS

Façade Grant request for Killian Plaza.

Anna Lu Wilson, Economic Development Director, presented the background information. Mr. Killian has proposed upgrades to the front of his building in the 4900 block of NC Highway 49 South. His plans include adding new columns and stone detail to existing masonry on the front of the building and creating a covered walkway. The total cost of this project is \$180,161.00. He is requesting assistance from the Façade Grant program at the full amount available or \$20,000.

MOTION:

Councilman Russo made a motion to approve the Façade Grant request for Killian Plaza with a second from Councilwoman Conrad. **The motion passed 7-0.**

6B.

NEW BUSINESS

Façade Grant request for Faith Coffee. Anna Lu Wilson presented the background information. Mr. Cantrell has proposed upgrades to the front of his building at 5040 NC Highway 49 South. He plans to replace the awning on the front of his building with a new awning that extends the length to 38 feet. This will allow him to add more tables for outdoor dining space. The total cost of the project is \$3,990.76. He is requesting assistance form the Façade Grant program at the full amount available or \$1,995.38.

MOTION:

Councilman Baucom made a motion to approve the Façade Grant request for Faith Coffee and Sweets with a second from Councilman Russo. **The motion passed 7-0.**

6C.

NEW BUSINESS

Contract for purchase of real property on ZMax Boulevard. Eric Smallwood, Parks and Recreation Director, presented the background information. On April 16, 2016 Town Council approved the terms of purchasing certain real property on ZMax Boulevard for a total price of \$425,000. Closing will be held by June 30, 2016. This purchase of this property will allow the Town to more than double the size of Harrisburg Park.

After some discussion the following action was taken:

MOTION:

Councilman Baucom made a motion to approve the contract for purchase of real property on ZMax Boulevard and authorize the Town Manager and Town Attorney to finalize the details and execute the contract for purchase. Second was made by Councilwoman Conrad. **The motion passed 7-0.**

6D.

NEW BUSINESS

Action Items:

- Place information concerning Brandon Romeo’s Eagle Scout project on our website.
- Follow up and make sure Harrisburg Veteran’s Road gets taken care of before Veteran’s Day.
- Check on Astor Drive and the potential flooding there; work with Tom on getting the two light poles there.
- Follow up with Scott Cole to see if there is any way we can work on getting a signal light at Main Street and Roberta Road and well as follow up with him on a few other items that were brought up tonight in his report.

7.

CLOSED SESSION

MOTION:

None.

7.

ADJOURNMENT

MOTION:

There being no further business, Councilman Baucom made a motion to adjourn the meeting with a second from Councilman Phillips. **The motion passed 7-0.**

Steven J. Sciascia, Mayor

ATTEST:

Janet Rackley, Town Clerk