

**TOWN OF HARRISBURG, NORTH CAROLINA  
TOWN COUNCIL MEETING  
MONDAY, JULY 11, 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, Ron Smith, Christopher Barfield, John Booth, Councilwoman Benita Conrad

**ABSENT:** Councilman Rick Russo

**1B.**

**INVOCATION**

Barry Lefler conducted the invocation.

**1C.**

**PLEDGE OF ALLEGIANCE**

**1D.**

**SPECIAL PRESENTATIONS**

Mayor Sciascia presented Parks and Recreation Director Eric Smallwood with a gift as a token of appreciation for his service to the Town.

**1E.**

**AGENDA CHANGES**

- Add item 8B – Consideration of Eastwood Homes in August.
- Move Item 2F to 9C – Appointment of Fire Department Advisory Board member.

**MOTION:**

Councilman Barfield made a motion to approve the proposed changes to the agenda with a second from Councilman Baucom. **The motion passed 6-0.**

**1F.**

**PUBLIC COMMENT**

- Robert MacLeod, Harrisburg, NC - thanked Council for the naming of Harrisburg Veterans Road.
- Howard Stafford, Harrisburg, NC – Ready to see all of these bridges completed.
- Antonio Poretta, 3916 Balmoral, Harrisburg, NC – here on behalf of the Abbington community. They are interested in getting speed humps in the neighborhood for the safety of residents.
- Carol Bradfield – objected to the prayer tonight ending with the name of Jesus.

**NCDOT Representative, Warren Cooksey arrived to give an update of DOT projects in and around Harrisburg:**

- Back Creek Church Road will likely close mid to late July. Exact date to be determined. Closure expected to last approximately 45 days.
- McLean Road in Charlotte reopened on June 24.
- Orr Road in Charlotte is scheduled to close the week of July 11, 2016 for approximately 60 days.
- Roberta Road Grade Separation – Robinson Church Road railroad crossing will be permanently closed after the new bridge is constructed and opened to traffic, projected for mid to late July 2016. School Circle was

closed on May 23, 2016 for approximately 60 days. Meeting was held on June 21 to coordinate the opening of Roberta Extension and the closing of Robinson Church Road. Once there is a definitive date for opening Roberta Extension from Blythe Development, the radius will be paved and new markings and signage will be installed before the new road opens. Drainage issues along Hickory Ridge Road have been redesigned by the Rail Division. This work and another small drainage revision along Hickory Ridge Road and one on Stallings Road will be done after the work on Roberta Bridge and School Circle is completed.

- Caldwell Road Grade Separation – Contractor is in the process of completing punch list items and final inspection is expected in July 2016
- Caldwell Park Drive Extension – McLeod Road will be maintained by the Department until development progresses enough that the Town takes over maintenance of Caldwell Park Extension
- Bridge replacements on Morehead Road, Pharr Mill Road, Stallings Road – Stage I of Stallings Road Bridge is complete and Stage II has begun.
- Doster Crossing – Currently waiting on power service to the gates. Final inspection is scheduled for July 11, 2016.

Councilman Baucom asked if there is follow-up monitoring of traffic once projects are complete. Mr. Cooksey stated that there would be follow-up monitoring.

He also stated that once the signal light at Tom Query is put up, it will flash for several days before going into operation.

## 2.

### CONSENT AGENDA

- A. Consider the minutes of the June 13, 2016 Town Council meeting.
- B. Consider the minutes of the June 13, 2016 Closed Session.
- C. To approve 2016 resurfacing contract.
- D. Consider approval of amendment to 2016 resurfacing contract.
- E. Consider budget amendments to FY2017 budget to account for encumbered funds from FY2016.
- F. Appointment of member to the Fire Department Advisory Board.
- G. Set a public hearing to rename a portion of Millbrook Road.
- H. Set a public hearing to rename portions of Robinson Church Road and Hickory Ridge Road.

### MOTION:

Councilwoman Conrad made a motion to approve the Consent Agenda with the exception of Item 2F which was removed earlier. Second was made by Councilman Smith. **The motion passed 6-0.**

## 3.

### COMMUNICATIONS

## 4.

### TOWN MANAGER'S REPORT (Lee Connor presented in the Manager's absence)

- Thanked all departments, especially Parks and Recreation for their work on another successful July 4<sup>th</sup> festival.
- Thanked Public Works department for getting the signs ready for the new Harrisburg Veterans Road.
- Thanked Public Works for getting the speed limit signs updated on Caldwell Road.
- Gateway sign at Pharr Mill Road is up and we are working on getting all the electrical in place. The landscaping will be done in the fall.
- Stay tuned for an online survey concerning the Morehead West Area Plan.
- The next public meeting for the Morehead West Area Plan will be August 11 from 6:00 pm – 8:00 pm here at Town Hall.
- Thanked Eric Smallwood for all his work with our Parks and Recreation department. He will definitely be missed and we wish him the best of luck going forward.

- There will be a ribbon cutting on July 22 at 10:30 am for the new 9Round business in Harrisburg.

Councilwoman Conrad asked if the next meeting for the Morehead West Area Plan could be changed so we can get past some of the summer vacations. Maybe have one in September. Josh Watkins to take a look at this.

5.

#### **MAYOR'S COMMENTS**

- Would like to schedule another Community Chat for late September.

6.

#### **COUNCIL'S COMMENTS**

Members of Council thanked Eric Smallwood again for all of his work with the Town of Harrisburg's Park and Recreation department.

7A.

#### **PUBLIC HEARING**

**Voluntary Annexation – Hickory Ridge High and Middle Schools.** Josh Watkins, Planning Director, presented the background information. Cabarrus County and the Cabarrus County Board of Education have submitted a voluntary annexation request to annex 172.01 acres associated with the Hickory Ridge High School and Hickory Ridge Middle School campuses. The proposed annexation is contiguous to the existing municipal limits, and the majority of the property lies within the Harrisburg ETJ. The property owners are requesting annexation because Cabarrus County and NCDOT are requesting that Raging Ridge Road, which is currently under the last phase of construction, become a town maintained road. As the property is not currently in the Town limits, the Town would not be able to consider this request for Town maintenance of Raging Ridge Road unless the property is annexed.

The public hearing was opened.

Speaking: none

The public hearing was then closed.

#### **MOTION:**

Councilman Baucom made a motion to approve the annexation of the property associated with Hickory Ridge High School and Hickory Ridge Middle School. Second was made by Councilwoman Conrad. **The motion passed 6-0.**

7B.

#### **PUBLIC HEARING**

**H2016-10 (R) – Request to rezone approximately 1.15 acres from O/I, Cabarrus County Office-Institutional District, to O/I, Office-Institutional District.** Josh Watkins presented the background information. Cabarrus County and the Cabarrus County Board of Education have submitted a voluntary annexation request for approximately 172.01 acres encompassing the campuses of Hickory Ridge Middle School and Hickory Ridge High School into the Town of Harrisburg. All of the property except for 1.15 acres lies within the Town's Extra Territorial Jurisdiction, and is currently zoned O/I. The 1.15 acre portion lying outside of the ETJ needs to be rezoned from Cabarrus County O/I to Harrisburg O/I due to the annexation of this portion of the property into the Town of Harrisburg. The Planning and Zoning Board unanimously recommended approval of this request to the Town Council at their June meeting. Staff is also recommending approval.

The public hearing was opened.

Speaking: none

The public hearing was then closed.

#### **MOTION:**

Councilwoman Conrad made a motion to approve H2016-10 (R). Second was made by Councilman Baucom. **The motion passed 6-0.**

The following Consistency Statement was then proposed:

**CONSISTENCY STATEMENT:**

For reasons stated in the staff report and in the staff presentation, the rezoning request as proposed is consistent with the provisions of the Harrisburg Area Land Use Plan and is reasonable and in the public interest.

**MOTION:**

Councilman Baucom made a motion to approve the proposed Consistency Statement with a second from Councilman Booth. **The motion passed 6-0.**

**7C.**

**PUBLIC HEARING**

**H2016-08 (R) – Request to rezone approximately 4.15 acres from CZ-O/I, Office-Institutional Conditional Use District, and RM-1, Medium Density Residential District, to CZ-O/I, Office-Institutional Conditional District.**

Josh Watkins presented the background information. Wilber and Associates, acting as agent for Oak Grove Missionary Baptist Church, has submitted a request for rezoning of property located at 200 Sims Parkway, at the intersection of Sims Parkway and Forest Street. The applicant is proposing to expand the existing religious institution with an 18,544 square foot addition. As part of this request, the church has acquired additional parcels that need to be added into the CZ-O/I District that currently exists on their property, and amend the site plan to account for the proposed addition. The Planning and Zoning Board unanimously recommended approval of this request to the Town Council at their June meeting. Staff is also recommending approval with the following conditions:

1. Applicant agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place. (Planning)
2. Applicant agrees that the site shall be restricted to these uses:
  - Religious Institution with more than 350 seats
  - Private School (no more than 50 students)
  - Civic, Social, and Fraternal Organization

The public hearing was opened.

Speaking: none

The public hearing was then closed.

After some discussion, the following action was taken:

**MOTION:**

Councilman Baucom made a motion to approve the proposed H2016-08 (R) with the conditions in the staff report. Second was made by Councilman Barfield. **The motion passed 6-0.**

The following Consistency Statement was then proposed:

**CONSISTENCY STATEMENT:**

For reasons stated in the staff report and in the staff presentation, this conditional rezoning as proposed with conditions noted is consistent with the provisions of the Harrisburg Area Land Use Plan and is reasonable and in the public interest.

**MOTION:**

Councilman Baucom made a motion to approve the proposed Consistency Statement with a second from Councilman Booth. **The motion passed 6-0.**

**7D**

**PUBLIC HEARING**

**H2016-09 (R) – Request to rezone approximately 7.38 acres from RM-1, Medium Density Residential District, to CZ-C-2, General Commercial Conditional Zoning District.** Josh Watkins presented the background

information. Johnson Development Associates, acting as agent for the property owners, has submitted a request for rezoning of property located in the southeast quadrant of the intersection of NC HWY 49 S and Harrisburg Veterans Road, adjacent to the railroad tracks. The applicant is proposing to develop a mini-warehouse/self-service storage facility at this location. With the proposed Publix to the north, the Harrisburg Veterans Road to the west, and the railroad tracks to the south, the site is uniquely situated in that it will be buffered by the adjacent uses. Also, the site is greater than 5 acres, but the site has been designed so that no more than 5 acres is dedicated to the use of mini-warehouse/self-service storage, which is a supplemental requirement of this use in the UDO. Finally, the applicant is proposing an outdoor storage area, which staff is recommending be covered with a roof structure. The roof structure will buffer the outdoor storage from view from the adjacent Harrisburg Veterans Road. The Planning and Zoning Board unanimously recommended approval of this request to the Town Council at their June meeting. Staff is also recommending approval with the following conditions:

1. Applicant agrees to obtain any and all applicable local, state, and federal permits required for development before any development activity can take place. (Planning)
2. Applicant agrees to abide by all requirements set forth in the Conditional Rezoning Site Plan, and to develop the site accordingly. (Planning)
3. All commercial structures shall be required to submit Architectural Elevations and meeting the requirements of Appendix E at the time of site plan review. (Planning)
4. Applicant agrees to add a roof structure to the outdoor storage section of the site plan, to buffer the view of the outdoor storage area from the elevated view of Harrisburg Veterans Road.

The public hearing was opened.

Speaking: none

The public hearing was then closed.

After some discussion, the following action was taken:

**MOTION:**

Councilwoman Conrad made a motion to approve H2016-09 (R) with the conditions set forth in the staff report. Second was made by Councilman Baucom. **The motion passed 6-0.**

The following Consistency Statement was then proposed:

**CONSISTENCY STATEMENT:**

For reasons stated in the staff report and in the staff presentation, this conditional rezoning request as proposed with the conditions stated is consistent with the provisions of the Harrisburg Area Land Use Plan and is reasonable and in the public interest.

**MOTION:**

Councilman Baucom made a motion to approve the proposed Consistency Statement with a second from Councilman Booth. **The motion passed 6-0.**

**7E.**

**PUBLIC HEARING**

**Consideration of Changes to Water, Sewer, and Storm Water Ordinances.** Lee Connor, Finance Director, presented the background information. As some town ordinances were initially adopted, specific fees were part of those ordinances. In order to provide greater flexibility to modify these fees, the Town has been changing these ordinances to reflect the fees being in the annually adopted fee schedule. This allows these fees to be adopted by council as part of the budget process, rather than having to have public hearings to make the changes directly in the ordinance. This public hearing will be to include replacing all language in these three ordinances, water, sewer, and storm water; directing the fees to be part of the Town's adopted fee schedule. Staff is continuing to make the necessary revisions and need final review of recommended changes by our Town attorney. Therefore, staff is requesting that the public hearing be opened and continued to the August council meeting, where all changes will have had time to be properly reviewed and vetted.

The public hearing was opened.  
Speaking: none

**MOTION:**

Councilman Baucom made a motion to continue this public hearing until the August 8 Town Council meeting. Second was made by Councilwoman Conrad. **The motion passed 6-0.**

**8A.**

**OLD BUSINESS**

**Consider adoption of contract addendum with the City of Concord to increase the amount of water available to the Town for daily purchase.** This item was introduced last month and is continued on this month's agenda for consideration by Council. Contract addendum is needed to reflect increase in quantity of water Concord will make available to Harrisburg per day as we work to provide adequate supply to meet growth needs, while reducing the need to supplement with water purchased from CMUD, which is more expensive. We have been in contact with the City of Concord working to achieve what Council expressed in the June meeting related to the addendum. Concord is amenable to keeping the current term, which expires in 2018, instead of starting a new 10-year agreement. CMUD is really an emergency source of water and cannot be our primary source, and their rates are higher as well. The only other option is to drill wells, which the town has done in the past with limited success. Council would like to attempt to get some sort of price protection built into the contract when it is renegotiated in 2018.

**MOTION:**

Councilman Baucom made a motion to approve the addendum and authorize the Town Manager and Attorney to execute the final language. Second was made by Councilman Smith. **The motion passed 6-0.**

**8B.**

**OLD BUSINESS**

**Eastwood Homes.** Council voted at the meeting in May to defer consideration on the Eastwood Homes request until September, but Eastwood is ready now and would like to move that up to August if Council is agreeable.

**MOTION:**

Councilwoman Conrad made a motion to set a public hearing for August 8, 2016 to consider the Eastwood Homes request. Second was made by Councilman Phillips. **The motion passed 4-2 (Councilmen Baucom and Barfield voting against).**

**9A.**

**NEW BUSINESS**

**Driver Feedback Speed Limit Signs.** There have been several inquiries about adding speed humps in subdivisions recently. We have had discussions with the Abbington HOA about adding Driver Feedback speed limit signs to try to slow traffic as an alternative to them. They are willing to participate in a shared cost to install them and we need Council's input to this request. The cost is approximately \$3,700 each and the proposal is a 50/50 split of the cost with the subdivision. These signs will provide us with information concerning traffic counts and speeds. May be a good idea to start with a couple of the signs as a trial and if we feel they are a good alternative to speed humps we can budget for more next year. We would need to create an ordinance for use of the signs and make them available to any subdivision in the Town that would be interested in utilizing them. Council also suggested the use of the radar trailer first. After some discussion Council directed staff to get more information and bring a more concrete plan back in September for consideration.

**9B.**

**NEW BUSINESS**

**Resolution requesting NCDOT lower the speed limit to 35 mph on a portion of Caldwell Road.** Council requested staff follow up with NCDOT to reduce the speed limit from 45 mph to 35 mph on Caldwell Road between Tom Query Road and NC-49. We received word from NCDOT that their analysis suggests no changes are warranted at this time. However, NCDOT does allow the Town to pass an ordinance to rescind the speed limit to the statutory

speed of 35 mph. Council would also like to take a look at doing the same thing on the portion of Stallings Road that is inside the Town limits.

**MOTION:**

Councilwoman Conrad made a motion to approve the resolution requesting NCDOT lower the speed limit to 35 mph on a portion of Caldwell Road between Tom Query Road and NC-49. Second was made by Councilman Booth. **The motion passed 6-0.**

**9C.**

**NEW BUSINESS**

**Appointment of member to the Fire Department Advisory Board, Municipal District.** This item was pulled off of the consent agenda for discussion. Councilman Barfield questioned why there was not more information in the packet on this. Chief Dunn stated that the reason this is on the agenda is because when members were reappointed in June, they inadvertently put the wrong name on there for one of them. Jim Canter was on the list in June for reappointment, but he was not up for reappointment then. Gary Williams is the member who was up for reappointment in June but he was left off the list.

**MOTION:**

Councilman Booth made a motion to reappoint Gary Williams to the Fire Department Advisory Board, Municipal District. Second was made by Councilwoman Conrad. **The motion passed 6-0.**

**10.**

**ACTION ITEMS**

- Need to schedule the next Community Chat.
- Get updated traffic numbers in Abbingtion and bring those back to Council next month, with some type of policy to incorporate these into our current option of speed deterrent devices by the September meeting.
- Work on the water contract with the City of Concord and address capping cost increases.
- Need to research and report back as to whether the section of Stallings Road at Raging Ridge Road is at 45 mph and is in between two 35 mph zones. See if we can do the same thing there as we just did on Caldwell Road.
- Need to have a consistent process to appoint all board members of various Town advisory boards and bringing that information to Council prior to approval.

**11.**

**CLOSED SESSION**

**MOTION:**

Councilman Baucom made a motion to go into closed session for personnel and legal matters. Second was made by Councilman Phillips. **The motion passed 6-0.**

Following the Closed Session the following action was taken:

**MOTION:**

Councilman Barfield made a motion to come out of Closed Session and return to regular business with a second from Councilman Phillips. **The motion passed 6-0.**

**MOTION:**

Councilman Baucom made a motion to separate the Town Clerk and HR Director positions, and move forward with hiring an HR Director. Second was made by Councilman Smith. **The motion passed 6-0.**

**MOTION:**

Councilman Baucom made a motion to approve the MAPS Study using the two-year plan presented, and implementing year one immediately. Second was made by Councilman Barfield. **The motion passed 6-0.**

**MOTION:**

Councilman Baucom made a motion to pull the longevity policy out of the personnel policy. Second was made by Councilman Smith. **The motion passed 6-0.**

**MOTION:**

Councilman Baucom made a motion to keep the Town's 401(k) match at 3% and keep it as a match, not a contribution. Second was made by Councilwoman Conrad. **The motion passed 6-0.**

**The following items need to be added to the Action Items list:**

- Work with Personnel Committee on the merit/market adjustment, which was taken out of the personnel policy, to further vet this and potentially redesign
- Finish updating the personnel policy with changes noted and after Council has had time to completely review Rich's comments
- Personnel Committee to look at a bonus policy

**12.**

**ADJOURNMENT**

**MOTION:**

There being no further business, Councilman Baucom made a motion to adjourn the meeting with a second from Councilman Smith. **The motion passed 6-0.**

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Steven J. Sciascia, Mayor

ATTEST:

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Janet Rackley, Town Clerk