

MINUTES
REGULAR MEETING
CITY COUNCIL

October 3, 2022

Ronnie Thompson, Mayor

Sally W. Sandy, City Manager
Louis E. Vinay, Jr., City Attorney

Wendy Cato)
Christopher Hawkins) Council
Chris Jernigan)
Butch McSwain)

Interpreters
Tiffany Patterson
Ernest Williams, IV

- I. Call To Order – The Mayor called the Special Called Meeting – Closed Session to order in Conference Room 4 at 4:30 p.m.
- II. Closed Session
- III. Call to Order - The Mayor called the regular meeting to order in the Council Chambers at City Hall at 6:00 p.m.
- IV. Public Comment – The Mayor stated the guidelines for public comment and said speakers were to be called in order of sign-up for those who appeared in person; however, due to COVID-19 the Council was still accepting public comments via email, U.S. mail, or hand-delivered letters.

The following persons requested to be added for Public Comment and were called by Mayor Thompson to come to the podium for comment:

- Janna Kropelnicki – Resides at 107 Terrace Place in Morganton – She stated that she is concerned with the rapid growth of the transient and homeless community in Morganton. Sadly, she states that Morganton is not the same. Safety and unsanitary conditions are issues. She was part of a community meeting, consisting of approximately 15 local individuals, who met last night (October 2, 2022) to talk about this issue. She stated that she is speaking as this group's representative. She stated that all of those in attendance had first-hand accounts with unsavory, transient/homeless individuals. She and her partner are not comfortable walking dogs by themselves anymore, will not be using the connector bike path by themselves, and do not take their lunch at the Courthouse Square. The Courthouse Square, Martha's Park and Collett Street Recreation Center's adjacent parking have all become day camps for the homeless. She believes strongly we as a community must stop being attractive to the transient population. We already have enough local people who are homeless or have mental health issues that could benefit from the limited resources that Morganton can provide, however the resources are now going to the transient population from communities outside of Burke County and the State. She said that we must ask and answer the question, "Do we want to be a destination for new business, students and tourism or do we want to be a destination for transient communities?" She stated that we cannot be both.
- Tonia Stephenson – President and CEO of Burke County Chamber of Commerce located at 110 East Meeting Street – She said that she is speaking to give an update on the Litter Sweep, which was held the week of September 19 – 24, 2022 as proclaimed by the City of Morganton. Twelve teams and 77 volunteers participated collecting 95 bags of trash, along with eight larger items such as tires collected. She announced the winners: First place went to the Enola Group, second place was a three-way tie to Victorious Church of God, Mission Morganton and Lake James Environmental

Association and third place to DAV #143. She thanked everyone in the community for their involvement.

- V. Pledge of Allegiance to the Flag – The pledge of allegiance was led by Councilmember Hawkins.
- VI. Invocation Given by: Rev. George Logan – New Day Christian Church
- VII. Introduction of Council – The Mayor introduced Councilmembers and staff.
- Retirement Resolutions - The Mayor read a resolution honoring Mary E. Buchanan, who retired from the City of Morganton on October 1, 2022, with years of service. Mary retired as Customer Service Specialist in the Finance Department. Councilmember McSwain presented Mary with a framed resolution. He thanked her for her years of service.

Upon motion by Councilmember Cato, seconded by Councilmember Hawkins, and carried unanimously, the Council adopted Resolution # 22 - 35 honoring retiree Mary E. Buchanan.

Mary stated that she is proud to have worked for the City of Morganton.

- VIII. Service Pins - The Personnel Committee and City staff wish to recognize long-term employees for their years of service at a Council Meeting. The Mayor acknowledged the following employee:

- Willette McIntosh, Customer Service Specialist, CoMPAS, 30 years

Councilmember Cato presented the Service Pin to McIntosh and thanked her for her dedication to CoMPAS and her 30-years' of service.

McIntosh thanked Councilmember Cato for her words of support. She listed all of the many accomplishments of the City of Morganton over her 30-year career. She stated that it has been a blessing and a rewarding journey. She stated Morganton will continue to be "The most loving place on earth". She said thank you and may God continue to bless the City of Morganton.

IX. Public Advocacy Issues and Strategies

- a. Presentation: Kathy Bailey, CEO - UNC Health Blue Ridge, spoke about their expansion project. Bailey advised that UNC Health Blue Ridge consists of the Morganton and Valdese campuses, Grace Heights, College Pines, Grace Ridge, Phifer Wellness Center that will in the near future become the Phifer Family YMCA through a partnership with UNC Health Blue Ridge and the YMCA, Blue Ridge Radiology, one ambulatory surgery center and 45 physicians offices in Burke, Caldwell and McDowell counties. UNC Health Blue Ridge is locally governed by a local board of directors.

Bailey stated the hospital has been in a management relationship with UNC Health for a little over a year. The focus of UNC Health is on NC, the community and rural healthcare. UNC Health wants Blue Ridge to be their hub for the mountain region with the goal of bringing a higher level of care closer to home. UNC Health Blue Ridge is currently In the process of applying to become a level 3 trauma center making them a recipient site for trauma patients in the field. There will also be a helipad and a trauma surgeon.

Bailey advised that they are a teaching hospital with an average of 36 medical residents/fellows every year. The goal is to expand medical education and to continue to train our next generation of providers. Most medical residents end up practicing within 100 miles of where they completed residency.

Bailey reviewed current construction projects: A \$38.3 million Cancer center – projected to be open in Fall 2023 and a \$118 million 6-story patient tower located near the current emergency department projected to be open in Fall of 2024.

Bailey stated that the goal of UNC Health Blue Ridge is to be the healthcare provider of choice to the communities they serve.

- b. Presentation: The Mayor asked Michelle Gregory and Michelle Steele, Miss Morganton Pageant Directors, to introduce the five newly crowned Morganton Festival Scholarship Pageant winners. Ms. Gregory advised the young ladies were crowned on August 27th at CoMMA. She stated that they are excited to be an official preliminary for the Miss NC pageant. Ms. Steele proceeded to call each pageant winner to the podium.

- Ambassador Queen- Kimber Wilson, said her platform is the “Forget Me Not” platform – A program to raise awareness of Alzheimer’s disease.
- Miss Morganton- Lani Reece, said her platform is “Adopt Don’t Shop” – A program to help raise awareness for the shelter animals in the community.
- Teen Miss Morganton- Meea Westerfield, said her platform is “Backpack Buddies” – A program focused on giving and supporting kids in the school system.
- Junior Miss Morganton- Gianah Rometti, said her platform was to make the community a better place to live and to raise awareness to stop bullying in the schools.
- Tiny Miss Morganton- Rebakah Felts, said her platform was to make sure everyone knows they deserve to be known no matter their race, etc.

Steele invited the council to an official crowning and presentation of sashes in the near future. An official invitation will be sent out to the Council.

- c. Proclamation: Public Power Week, October
Accepted by: Brooks Kirby, Electric Services Director

The Mayor read a proclamation announcing Public Power Week. Councilmember Jernigan presented the proclamation to Brooks Kirby, Electric Services Director. He stated that the electric department and staff are appreciated.

Kirby thanked his crews and those who work in the electric department. He announced that there is a Customer Appreciation table in the lobby along with many other incentives and activities. This will be in place October 3 – 7, 2022.

Mayor Thompson asked Kirby to summarize the opening of the new substation on Coal Chute Road. Kirby stated that power should be transferred over by late October or early November. It is a \$4 million investment in the City’s distribution system.

- d. Proclamation: Fire Prevention Week, October 19-
Accepted by: Captain Israel Gibson, MDPS Fire Services

The Mayor read a proclamation announcing Fire Prevention Week. Councilmember Hawkins presented the proclamation to Fire Captain Israel Gibson. Hawkins thanked Capt. Gibson and his staff for their hard work.

Captain Gibson reviewed fire safety tips and listed the top five reasons for fire.

The theme this year involves home fire escape plans, "Fire Won't Wait. Plan Your Escape". Today's homes burn faster than ever making the ability to get out of the house imperative.

Gibson announced that they currently have 17 fire prevention programs scheduled during the month of October.

e. Announcement: The Mayor reminded everyone that beginning in 2022, City Council proclaimed that October 22nd would be celebrated annually as "Daniel Morgan Day". October 22, 1784 is the day the NC Legislature established the City of Morganton naming it for Revolutionary War Hero General Daniel Morgan. This year various organizations will celebrate the City's 238th birthday.

f. Announcement: The Mayor stated the City of Morganton Public Works Department began running leaf collection routes this month, and will continue collecting leaves for citizens free of charge as needed through January. He read the following general guidelines as a reminder:

1 - Public Works collects leaves every two weeks during leaf season from October through January at no charge to residents.

2 - After January, residents must pay a \$25.00 fee to have loose leaves collected.

3 - Residents should pile leaves as close to the road as possible without blocking the road or sidewalks.

4 - If your vehicle is parked on the side of the street blocking the leaf pile or making it difficult to pick up without damaging your vehicle, your leaves will not be collected.

5 - Please keep your leaf piles free of sticks, debris, branches and other miscellaneous items. If your leaf pile contains sticks, debris, branches or other items, your leaves will not be collected, as collecting these items with a leaf truck can damage the truck and take it out of service.

g. The Mayor announced the upcoming events for Downtown/City Hall, CoMMA Performing Arts Center and Recreation:

- Downtown/City Hall

- Farmers' Markets Continue in October

- Saturdays from 8:00 a.m. – Noon at 300 Beach Street

- Wednesdays from 11:00 a.m. – 2:00 p.m. mini-market at 111 North Green Street

- MADE (Morganton Art Design & Engineering) Competition – Friday, October 21st 8 a.m. to 5 p.m. – Historic Courthouse Square

- Halloween Spooktacular – Monday, October 31st, 3 p.m. to 6 p.m. – Historic Courthouse Square

- Art in the Hall: Thomas Thielemann – Mixed Media – He is the AFA Visual Arts Director at Caldwell Community College and Technical Institute where he also teaches. His work combines a variety of disciplines and will be displayed at Morganton City Hall during the months of October and November 2022.

- CoMMA Performing Arts Center

- Thursday, October 6th at 7:30 p.m. – Luca Stricagnoli – Italy's Guitar Prodigy

Thursday, October 27th at 7:30 p.m. – Lonestar

- Recreation
Friday/Saturday, October 7 and 8 - Plow Days at Catawba Meadows Park, 9 a.m. to 6 p.m.

Friday/Saturday, October 21-22 – Spooky Meadows at Catawba Meadows Park, 7 p.m. to 10 p.m.

X. North Carolina Municipal Power Agency Number 1 Update - City Manager Sandy advised that City staff and Council representatives will travel to Statesville for a regional meeting with the Electricities group on Thursday.

XI. Consent Agenda – City Manager Sandy presented the Consent Agenda and asked if any items should be removed. No request was made.

Upon motion by Councilmember Jernigan, seconded by Councilmember Cato, and unanimously carried, the Consent Agenda was approved and each individual item adopted as stated, those being as follows:

- A. Approved minutes as submitted for a Regular Meeting held on September 12, 2022.
 - B. Approved tax releases in the amount of \$1,213.72.
 - C. Approved Utility Agreement (22-36) with the NC Department of Transportation for estimated costs of \$11,501.61 to replace waters lines associated with the replacement of Bridge 145 over Bristol Creek on SR 1430 (Hartland Road).
 - D. Awarded contract to Survalent Technology Corporation in the amount of \$137,149, to install, connect and calibrate a new SCADA system to the existing system and to provide training to city personnel.
- XII. Items Removed from Consent Agenda – There were no items removed.

XIII. New Business

A. Public Hearings

1. Public Hearing and Consideration of Approval of Alternative Design for City of Morganton Electric Sub-Station Fencing

Mayor called the Public Hearing to order at 6:39 p.m.

The Mayor recognized Wade Griffin, Senior Planner. He advised that the subject property is located at 123 Coal Chute Road and identified as Burke County Parcel Identification Number 2702098718.

I. GENERAL BACKGROUND DATA:

Zoning: (SID C-O)
Current Use: City of Morganton Sub-station
Proposed Use: City of Morganton Sub-station

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

a. Existing. City of Morganton has built a new electric substation to better serve its customers administratively and operationally. Part of this expansion includes the necessity (per OSHA and National Electric Safety Code) to install a security fence along the perimeter of its work yard and substation. Current regulations limit a front fence height and prohibit the use of barbed wire in the SID C-O zoning district. This need creates a

unique situation that should be able to be addressed through alternative design.

b. The Planning and Zoning Commission, at their regular meeting on September 8, 2022, recommended by unanimous vote of those present, that City Council approve the alternative design meeting the intent of the code to allow any fencing and use of barbed wire that would be otherwise prohibited by the zoning ordinance and add landscaping according to provided plan.

III. POINTS TO CONSIDER:

a. Section 2.2.7 Alternative Design Proposals, states "The City Council may approve alternate design proposals... due to unique circumstances or creative design proposals, provided that the intent of this ordinance is met."

b. City of Morganton is requiring that the grounds be protected with the enhanced measures including the use of higher fencing.

c. Section 4.4.9.2 of Article 4, Table 4.19 prohibits the use of chain link as a fence type in the front yard and also limits the height of any front yard fence to five (5) feet.

d. Section 4.4.9.3(f) of Article 4 states that "Barbed wire on top of chain link fences is permitted for rear yard fences not visible from a street in the EID district only".

e. OSHA Guidelines:

For installations other than equipment described in paragraph (h)(2)(v) of this section, a wall, screen, or fence shall be used to enclose an outdoor electrical installation to deter access by persons who are not qualified. A fence may not be less than 2.13 m (7.0 ft) in height or a combination of 1.80 m (6.0 ft) or more of fence fabric and a 305-mm (1-ft) or more extension utilizing three or more strands of barbed wire or equivalent.

f. NESC Section 110 A (1) states: Metal fences, when used to enclose electric supply stations having energized electric conductors or equipment, shall have a height not less than 7 ft overall and shall be grounded in accordance with section 9.

The requirements for fence height may be satisfied with any of the following:

- Fence fabric 7 ft or more in height.
- A combination of 6 ft or more of fence fabric and an extension utilizing three or more strands of barbed wire to achieve an overall height of the fence of not less than 7 ft.
- Other types of construction, such as nonmetallic material, that present equivalent barriers to climbing or unauthorized entry.

The Planning and Zoning Commission and staff recommend, given substation's location and unique situation described above and the requirement to maintain the intent of the ordinance, approval of the proposal with enhancement of proposed screening. The City Manager stated that landscaping will be installed this Fall to complete the required screening.

There being no further comment, the Mayor closed the Public Hearing at 7:01 p.m.

Upon motion by Councilmember McSwain, seconded by Councilmember Hawkins, and unanimously carried, the City Council adopted to approve the proposed alternative design, as outlined in Section 2.2.7 of the City of Morganton Zoning Ordinance, for construction of the new fencing as recommended by the Planning and Zoning Commission with approved implementation of landscape plan, being consistent with the Mission 2030 comprehensive plan.

B. Other Business

1. Consideration of Approval of a Resolution Allowing the City to Apply to the North Carolina Department of Commerce for a Building Re-Use Grant for Expansion of a Local Business Identified as "Project Fill" in the Amount of \$500,000

City Manager Sandy stated that a well-established local manufacturing business intends to renovate and upgrade its manufacturing facility in Morganton. This company, identified for purposes of confidentiality as "Project Fill", estimates the total cost of this work at \$94,000,000. The company anticipates creating 78 new jobs with pay meeting or exceeding the average county wage.

The Rural Infrastructure Authority recommends a building re-use grant of \$500,000 for this project. Burke Development, Inc. (BDI) has asked the City of Morganton to be the applicant to the State for this grant. However, Burke County would also participate, by sharing equally in the 5% local match, which would be required for administration. The City and County would each be responsible for one-half of the \$25,000 match or \$12,500 each.

Upon motion by Councilmember Jernigan, seconded by Councilmember Cato, and unanimously carried, approved a resolution (Resolution 22-36) allowing an application for a building re-use grant in the amount of \$500,000 for an expansion or upgrade of a business identified as "Project Fill".

XIV. Other Items from City Manager and City Council Not on Agenda – No Other Items were given.

XV. Reports – No reports given.

XVI. Adjournment – The Mayor adjourned the meeting at 7:04 p.m.

Preparation of Minutes. These minutes were prepared by Renee C. Carswell, City Clerk. Copies of all resolutions, ordinances and orders referenced in these minutes are intended to be incorporated into these minutes as if fully set forth herein. Prior to including them into the official minute book, the minutes have been read and approved by the City Manager and the City Attorney, then distributed to each member of the City Council for further review and final approval, at a subsequent Council Meeting.



Ronnie Thompson, Mayor



Renee Carswell, City Clerk