

# TOWN OF HUDSON REGULAR MEETING

September 15, 2020

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In Attendance:

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**Members Present:** Mayor Janet Winkler, Mayor Pro Tem, Larry Chapman, **Commissioners:** Jonathan Greer, Jeff Link, Barry Mitchell and Rick Shew

**Members Absent:** Commissioner Ann Smith

**Others Present:** Town Manager, Rebecca Bentley, Chief of Police, Richard Blevins, Assistant Finance Officer, Michelle Coffey, Town Planner, Teresa Kinney, Town Clerk, Tammy Swanson and Attorney Ed Blair

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Call to Order:

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Mayor Janet Winkler called the meeting to order, and Mayor Pro Tem, Larry Chapman, led the audience in the Pledge of Allegiance and opening prayer. Janet welcomed Attorney Ed Blair to the meeting. Ed was sitting in as Town Attorney in the absent of Town Attorney, Carroll Tuttle.

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Discuss/Adjust Agenda:

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Janet presented the September agenda and requested the following changes:

- Delete Item 9 – Public Safety Committee Report
- Add Item 5 - Letter of Recognition – Police Department

**Motion: (Jonathan Greer/Rick Shew) to approve the agenda as amended. Unanimously approved.**

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Approval of Minutes:

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**Motion: (Larry Chapman/Jeff Link) to approve the minutes, as presented, for the August 18, 2020 Regular Meeting, and the July 22, 2020 HUB Committee Meeting. Unanimously approved.**

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Present letter of Recognition for Officers:

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Chief Blevins commented that it is no secret that in the media, there is a negative stigma toward law enforcement. He stated that he typically tries to follow up with his officers and how they address problems and situations. He commented that although they are young, they are very mature in how they conduct business.

Chief Blevins stated that he wanted to present Letters of Recognition to Sergeant Jeff Drum and Patrol Officer, Taylor Welborn. Chief Blevins stated that on August 16, 2020, Sgt. Drum and Officer Welborn were on duty when they learned that a sexual assault of an elderly female had just occurred on Shasta Lane in Lenoir. Being aware of the close proximity of Shasta Lane to Pleasant Hill Road, these officers established a line patrol in the area in the event the suspect entered into the Hudson Town Limits. At approximately 9:45 p.m., Officer Welborn noticed a suspicious vehicle on Shasta Lane. The vehicle turned into the entrance of Kincaid Main Offices then left. Sgt. Drum located the vehicle as it entered into Hudson and followed it to Hickman Avenue where he initiated a traffic stop. The driver of the vehicle closely matched the description given of the suspect. The suspect was then identified and the Lenoir Police Dept. was notified.

*September 15, 2020 Regular Meeting*

Subsequently Stg. Drum and Officer Welborn assisted Lenoir in their investigation, which eventually led to the arrest of the suspect who was charged with the sexual assault. Chief Blevins noted that it is likely this horrific crime against the elderly victim would have gone unsolved had these officers not been alert and vigilant in performing their duties to the fullest extent. Chief Blevins presented Letters of Recognition to Sgt. Drum and Officer Welborn, and he thanked them for their service to both the citizens of Hudson and our neighbor Lenoir.

Mayor Winkler echoed the compliments of Chief Blevins to the officers, and she told them that Hudson is very proud of them.

Both officers thanked the Board for their continued support, and they also mentioned how fortunate Hudson is to have Chief Blevins leading the Police Department.

Chief Blevins then recognized Officer Nick Hudson. He commented that although Officer Hudson is young, his actions are that of a very mature officer who conducts himself with experience.

Chief Blevins stated that on September 14, 2020, Officer Hudson responded to a report of a runaway from a residence in Town. Officer Hudson researched the situation, and worked on the case even beyond his shift. Officer Hudson found that the young girl had planned a flight to the State of New York, and he worked with officials in the State of New York to locate the young lady, and let her family know where she had gone. Chief Blevins recognized Officer Hudson for going above and beyond the call of duty to not only locate the young lady, but to also bring peace of mind to a family as they made arrangements to bring her back home.

Janet stated that as a resident of a small town like Hudson, we don't think of thing like this happening here, but this is proof that they do happen. Janet thanked Officer Hudson for being alert and taking care of the citizens of Hudson.

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Public Hearing: 2<sup>nd</sup> Reading Town Code of Ordinances – Text Amendment Change Chapter 9 Article 3: Garbage, Refuse Collection & Disposal:

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**Motion: (Jeff Link/Rick Shew) to open the floor for public hearing. Unanimously approved.**

Rebecca reviewed the information pertaining to the proposed text amendment.

The Public Works Committee met on Monday, August 10, 2020 to review the proposed revisions to the Town's Code of Ordinances, Chapter 9, Article 3 regarding Garbage, Refuse Collection and Disposal. The Public Works Committee reviewed the proposed revisions and voted to recommend the changes to the full Board of Commissioners. These changes were presented to the Board for consideration as a first reading at the August 18, 2020 regular meeting. The Board called for a public hearing for tonight's meeting for adoption as a second reading of the proposed Code of Ordinances text amendment. Rebecca commented that there have been no changes made to the proposed amendments since the presentation made at the August 18<sup>th</sup> meeting.

**Motion: (Rick Shew/Larry Chapmen) to close the public hearing. Unanimously approved.**

**Motion: (Larry Chapman/Rick Shew) to adopt the changes to Chapter 9 – Article 3 as presented. Unanimously approved.**

**The text amendments were adopted as follows.**

**Garbage, Refuse Collection and Disposal**

- **Section 9.25 Definition**

For the purpose of this chapter, the word "garbage" means the organic waste matter, both animal and vegetable, from houses, kitchens, restaurants, and the like, and comprises chiefly waste food, but also includes ashes, dirty rags and the like. The word "garbage" does not include liquid or human waste that may be drained into the sewer.

For the purpose of this chapter, the words "bulky items" means any items other than yard waste not placed in an approved container.

For the purpose of this chapter, the words "yard waste" means tree limbs, vegetation, and leaves originating on the property where the yard waste is set out for collection.

- **Section 9.26 Standards and regulations for disposal.**

- (a) All non-hazardous solid waste shall be disposed of in the Caldwell County sanitary landfill.
- (b) No burning of solid waste is permitted except in approved incinerators or by permit.
- (c) All hazardous waste shall be collected and disposed of in accordance with state laws. (Ord. of 6/4/85)

- **Section 9.26-1 Dumping of garbage or other material.**

(a) It shall be unlawful to dump garbage, offensive or disease-producing material on any lot or space in the Town for any purpose.

(b) It shall be unlawful to bring in to the Town any residential or commercial refuse for deposit into public containers or on public areas. It shall also be unlawful to

deposit refuse in any privately owned container in the Town without the permission of the owner.

(c) It is unlawful to put material anywhere other than inside trash containers approved by The Town of Hudson. Any items outside the container are considered bulky items and will fall under the rules for "bulky items",

- **Section – 9.26-2 Deposit of waste from business establishment in public receptacle.**

It shall be unlawful for the owner or operator of any store or other business establishment to deposit refuse, trash, rubbish or other waste from such store or business establishment in any public receptacle provided on the streets of the Town by the Town.

- **Section 9.27 Storage and Collection.**

(a) No person, other than those under the direction of the public services director, shall haul away or remove any garbage or refuse set out for collection as provided in this article, except by written consent of the public services director.

(b) Collection of garbage will be once weekly for residential and twice weekly for commercial establishments with Town provided containers.

(c) Recycling will not be provided by the Town of Hudson.

(d) In business and residential areas where ninety (90) plus gallon containers have been provided by the Town, garbage will be collected in those containers only. The public services director may designate a central collection point for multiple residences. Where a designated collection point has been established, collection containers will be provided by the Town at no charge and garbage will be collected in those containers only. Any material outside an approved container will be considered "bulky items" and be regulated by section 9-29.

(e) Any person physically unable to meet the requirements of section 9-26 may be granted an exemption from curbside collection by the public services director. Exemptions must be verifiable and are subject to periodic review. Such persons will receive special collection service at a mutually determined site at the residence. Garbage must be bagged inside the approved container.

- **Section 9.28 Garbage receptacles – Specifications.**

Any variance in the collection method or schedule of garbage, trash, etc., or the types of containers that are designated for collection, must be approved in advance by the public services director.

- **Section 9.28-1 Same – Use.**

Nothing except garbage shall be placed in garbage receptacles.

- **Section 9.28-2 Trash disposal at business establishments**

(a) *Containers.* Business establishments in the Town shall provide suitable trash bins, of metal or other acceptable material. The size, type and location of such trash bins or containers shall be determined by the public services director. With approval of the public services director, a business establishment may elect to use the Town's roll-out cart system where applicable.

(b) *Deposit of waste.* Businesses shall not throw, place or deposit or cause to be thrown, placed or deposited any waste material as defined in subsection (a) of this section, in any street, alley, public place or private property in the Town, except in the receptacles required by subsection (a) of this section or as prescribed by the public services director.

(c) *Designated collection points.* The public services director may designate for a business a central collection point for multiple businesses. One collection containers will be provided by the Town at no charge, but additional container charges will be assessed by the solid waste contractor and are the responsibility of the property owner.

- **Section 9.28-3 Bulk refuse containers for residential apartment buildings.**

(a) *Required; specifications.* Subject to the provisions of this section, owners of residential apartment buildings or of a group of residence apartment buildings in the same complex, wherein there are more than seven (7) living units either in a single building or in the complex treated as a unit, are hereby required to install and maintain for each residence apartment building which contains in the aggregate more than seven (7) living units, stationary bulk refuse containers according to the following specifications. Townhouses, condominiums, patio homes, cluster houses and other similar types of residential dwelling units shall be considered as residential apartment buildings. Exceptions to these specifications must be obtained from the public services director.

(1) A minimum six cubic yard capacity stationary bulk refuse container shall be required for each residence apartment building which contains more than seven (7) and less than seventeen (17) living units,

and for each residence apartment group or complex which contains in the aggregate more than seven (7) and less than seventeen (17) living units.

(2) A minimum eight cubic yard capacity stationary bulk refuse container shall be required for each residence apartment building which contains more than sixteen (16) and less than twenty-five (25) living units, and for each residence apartment group or complex which contains in the aggregate more than sixteen (16) and less than twenty-five (25) living units.

(3) Where a residence apartment building or a residence apartment group or complex contains in excess of twenty-four (24) living units, additional stationary bulk refuse containers are hereby required to be installed and maintained, at a minimum, in the same ratio as set forth in subsections (1) and (2) of this section, for the living units in excess of twenty-four (24).

(b) *New construction.* All of the provisions of subsection (a) of this section shall apply to all new construction, alteration or conversion of residential apartment buildings and residential apartment groups or complexes for which any building permit has been issued, where the residence apartment building or residence apartment group or complex of buildings will contain more than seven (7) living units. No building permit shall be issued, for construction, alteration or conversion of a building or group or complex of buildings falling within the application of this section unless and until a plan approved in writing by the public services director, as showing adequate provision for installation of containerization of refuse as required by this section, is furnished by the owner or developer. No such residence apartment building or group or complex of residence apartment buildings to which this section applies shall be constructed, altered or converted, without providing for the use and maintenance of stationary bulk refuse containers as required by this section. Any waiver of this requirement must be obtained from the public services director.

(c) *Location of containers.* The location of required stationary bulk refuse containers

shall be so as to permit convenient and safe access by the servicing truck and equipment using all-weather streets or alleys of adequate strength, to minimize as far as reasonably permitted excessive walking distances for tenants and occupants, and to be as aesthetically pleasing as the circumstances will reasonably allow, in order to conveniently permit servicing of such stationary bulk refuse containers upon a set collection schedule.

(d) *Administration and enforcement of section.* The public services director is hereby designated as the officer whose duty it shall be to administer this section and be responsible for its proper enforcement.

(e) *Variances; appeals.* Where unnecessary hardships or inequities are created by the strict enforcement of the letter of this section, the public services director is authorized, after hearing, to grant reasonable variances and extensions in harmony with the overall intent and purpose of this section so that the spirit and objectives of this section may be carried out and substantial justice done, and so that at the same time unnecessary expense and inconvenience to the owners and occupants of the apartments are kept at a permissible minimum. Any person who is dissatisfied with any ruling or order of the public services director may appeal to the Town council, which is hereby designated as the appeal board, and the Town council may sustain or reverse the action of the public services director or modify the action or remand for further hearing. Any such appeal shall be in writing and signed by the owner of the property as to which the appeal is taken, or by his attorney, stating in a concise manner the grounds upon which the appeal is based, and filed with the Town clerk not later than ten (10) days after the rendition of the decision or order by the public services director. Unless such appeal is perfected in the manner and within the time specified in this subsection, the action of the public services director shall be considered final. In computing the ten-day period provided in this subsection, Saturdays, Sundays and holidays observed by the Town shall be excluded; the day upon which the decision of the public services director is given shall be excluded; and the tenth countable day thereafter (after the specified exclusions) shall be included.

(f) *Civil remedies.* Notwithstanding any other provision contained in this section, the Town shall have the right to prosecute appropriate civil remedies in the district and superior courts in the form of restraining orders, mandatory and prohibitory injunctions and any other civil remedy or procedure as may be deemed to be pertinent or applicable under the facts and circumstances of any given case.

#### **Section 9.28-4 Location of containers put out for collection.**

All garbage and recycling containers shall be placed within three (3) feet of the street edge no earlier than dusk on the evening prior to scheduled collection and no later than 7:00 a.m. on collection days. Containers shall be facing the house. Containers shall be removed as far as practical and out of sight, where possible, from the street by the owner or occupant of the premises by midnight on the day of collection. No containers of any type are to be placed, kept or left adjacent to the street for any purpose on Saturday and Sunday. Containers shall not be placed in the roadway unless this is the only alternative.

Failure to abide by this policy will result in the following penalty:

Residents who place or leave their garbage or recycling containers on the street in violation of this policy shall receive a warning sticker for the first offense. Second or future violations will result in a twenty-five dollar (\$25.00) citation. Appeals can be made to the public services director.

- **Section 9.28-5 Removal of garbage containers and contents.**

No person shall interfere with or remove the contents of any garbage or recycling receptacle. Further, containers supplied by the Town are assigned to resident or business addresses, and are the property of the Town of Hudson. They are to be left at the address if the occupant moves to another location.

- **Section 9.29 Collection of industrial waste, building waste and residential building materials.**

Waste or refuse from manufacturing, assembling or processing operations will not be collected by the Town. No building materials such as paint, shingles, concrete blocks, lumber, floor coverings, etc, or refuse from any building operation or home renovation will be collected by the Town.

- **Section 9.30 Bulky Items**

(a) Generally.

(1) Garbage not placed in an approved container will be deemed as bulky items and shall be the responsibility of the customer to dispose of.

(2) The removal and hauling of bulky items such as discarded stoves, refrigerators, water heaters, and other heavy objects and material such as furniture, cabinets or other household items left on the curb shall be immediately removed by the fronting property owner. Items prohibited from disposal in a public landfill, such as a television or computer are prohibited from ever being placed curbside and must be disposed of immediately. Except for those items prohibited for disposal in a public landfill, the fronting property owner may contact the public services department for special pickup for a fee based on the fee schedule for bulky items. If an owner fails to contract with public services department for removal and if such bulky items are not removed within a timely manner, the Town may deem the material a public nuisance and cite the property owner accordingly.

- **Section 9.31 Charges and fees.**

The following categories for those residences, businesses and institutions producing garbage within the Town will be charged accordingly by the Town for garbage collection. For the purpose of this section, one (1) collection is defined as the emptying of one (1) rollout container.

(1) Businesses shall be provided (2) collections of garbage each week. The business will be assessed a collection fee. This fee shall be assessed against each such business on an annual basis and added to the Town property tax statement.

(2) The charge for each container not provided by the Town is contracted by the Solid Waste Contractor and is the responsibility of the property owner.

(3) Every parcel located within the Town on which there is located a residence shall receive garbage service from the Town, and each such parcel shall be assessed an annual collection fee which must be paid whether or not the residence located on said parcel utilizes the Town collection service. The collection fee shall be assessed against each such parcel on an annual basis and added to the Town tax statement.

(4) If an institution, organization, business, or residence requires more than a single roll-out container, an additional container must be purchased from the Solid Waste provider with which the Town contracts. Cost of additional containers are the responsibility of the property owner.

- **Section 9.32 Yard waste.**

(a) Generally.

(1) Every parcel located within the Town on which there is located a residence shall receive yard waste removal service from the Town. Town trucks will haul loose yard waste when such refuse is put into boxes, bags or containers supplied by the Town or its contractor and placed on the front of the lot near the street.

(2) Hedge, shrubbery cuttings and vines will be collected at no charge provided that such cuttings do not exceed fifty (50) pounds in weight and are placed in boxes, bags, or other containers suitable for handling. Limbs and large cuttings that cannot be bagged or boxed will be collected provided they do not exceed six (6) feet in length, and eight (8) inches in diameter. These limbs and large cuttings shall be placed on the front of the lot with the large ends of each limb facing the street. Removal of such limbs by hauling or chipping shall be free of charge provided that the quantity of such material shall not exceed a truck load of twenty (20) cubic yards by volume as determined by the public services director or his designee. If the volume of limbs and cuttings exceed a truck load of twenty (20) cubic yards by volume, a fee of seventy-five dollars (\$75.00) per hour or portion thereof over and above the first hour shall be paid prior to removal by Town personnel.

(3) Limbs and other refuse collected under this section shall be limited to not more than one (1) load from the same location per week. Additional loads may be collected if Town personnel is available as determined by the public services director and payment has been received.

(4) Property or homeowners are responsible for removing tree stumps, tree trunks and all limbs that are greater than eight (8) inches in diameter and six (6) feet in length.

(5) It shall be unlawful to dump, throw, or otherwise discard grass cuttings, leaves, yard rakings, limbs, trash or rubbish into the streets or upon the paved or established sidewalks of the Town. Leaves may be deposited at the side of the street in rows parallel to the street to be collected by the Town's vacuum loader during designated loose leaf collection season. Contact public services for dates of loose leaf collection. All other times during the year, leaves shall be bagged or containerized in receptacles approved by the public services director.

(6) Yard waste or limbs resulting from employing a professional landscaper, tree service, or other private contractor will not be collected by the Town and removal of such waste is the responsibility of the landscaper, tree service, private contractor or property owner.

- Section 9.33 Litter - Definitions:

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

*Authorized private receptacle* means a litter storage and collection receptacle as required and authorized by Article II of this chapter.

*Litter* means garbage, rubbish, other refuse and all other waste material which, if thrown or deposited as prohibited in this article, tends to create a danger to public health, safety and welfare.

*Park* means a park, reservation, playground, beach, recreation center or any other public area in the Town, owned or used by the Town and devoted to active or passive recreation.

*Private premises* means any dwelling, house, building or other structure designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and includes any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

*Public place* means any and all streets, sidewalks, boulevards, alleys or other public

ways and any and all public parks, squares, spaces, grounds and buildings.

*Refuse* means all putrescible and non-putrescible solid wastes, except body wastes, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.

*Rubbish* means non-putrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

*Vehicle* means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationary rails or tracks.

- Section 9.34 Deposit on street, sidewalk or other public place.

(a) It shall be unlawful for any person to deposit, throw, sweep, dump or place in any manner, or allow to be placed, any glass, tacks, fruit peelings, hulls, dirt, rubbish, garbage or other matter upon any street or sidewalk, provided this shall not apply to building materials used in repair or construction work as it is taking place.

(b) It shall be unlawful for any person to throw or deposit litter in or upon any street, sidewalk or other public place within the Town except in public receptacles, or in authorized private receptacles for collection.

(c) Persons violating Section 9 Article III are subject to prosecution under the Town Code of Ordinance and the North Carolina General Statute 14-399.

- Section 9.34-1 Use of receptacles.

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk, or other public place or upon private property.

- **Section 9.34-2 Sweeping into street, gutter, etc.; duty to keep sidewalk litter-free.**

(a) No person shall sweep into or deposit in any gutter, street or other public place within the Town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

(b) No person owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the Town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the Town shall keep the sidewalk in front of their business premises free of litter.

- **Section 9.35 Use of a motor vehicle in the offense of litter.**

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place or private property within the Town. Use of a motor vehicle in the offense of littering in any manner will result in a fine up to five hundred dollars (\$500.00) and points assigned to the driver's license.

- **Section 9.35-1 Vehicles spilling load or carrying foreign material on tires.**

No person shall drive or move any truck or other vehicle within the Town unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place. No person shall use any truck or vehicle to haul any kind of sand, gravel, rock or dirt unless such truck or vehicle is covered to prevent any part of its load from spilling or dropping at all times while such vehicle is in motion on any street, alley or other public place within the Town. No person shall drive or move any vehicle or truck within the Town, the wheels or tires of which carry onto or deposit in any street, alley or public place mud, dirt, sticky substances, litter or foreign matter of any kind.

- **Section 9.36 Deposit in parks.**

No person shall throw or deposit litter in any park within the Town except in public receptacles and in such a manner that the

litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided in this article.

- **Section 9.36-2 Deposit in lake, stream, etc.**

No person shall throw or deposit litter in any fountain, pond, lake, stream, bay or any other body of water in a park or elsewhere within the Town or within the path of a stormwater conveyance.

- **Section 9.36-3 Deposit on private property.**

No person shall throw or deposit litter on any private property within the Town, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place of upon any private property.

- **Section 9.36-4 Duty to keep private premises litter-free.**

The owner or person in control of any private property shall at all times maintain the premises free of litter. This section shall not prohibit the storage of litter in authorized private receptacles for collection.

- **Section 9.36-5 Deposit on vacant lot.**

No person shall throw or deposit litter on any open or vacant private property within the Town whether owned by such a person or not.

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Deferred Public Hearing – Public Safety Committee Report: 2<sup>nd</sup> Reading Town Code of Ordinances Text Amendment to Adopt Proposed Text Amendment Article 4, Section 7.48 Speed Control Devices:

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**Motion: (Jeff Link/Rick Shew) to open the floor for public hearing. Unanimously approved.**

Rebecca stated that at the July 2, 2020 Public Safety Committee, the Committee voted to recommend a text amendment to the Town's Code of Ordinances pertaining to the installation of speed control devices. She presented the following proposed amendments.

**Proposed Text Amendment**

July 21, 2020

**Article 4**

**Section 7.48**

**Authority to install and specifications for engineered speed control devices.**

The Town shall have the authority to install, maintain and remove engineered speed control devices, such as Speed Humps and Speed Tables on locally maintained streets with the following criteria to be met.

- The street must be classified as a two-lane, local, residential street.
- The street must have an origin on one state maintained roadway and a terminus on a different state maintained roadway.
- The street should not be a primary response route for emergency vehicles.
- The location of the device must not be on a grade of 8% or greater.
- The minimal distance for sight to stop must be no less than 200 feet.
- Devices will be no closer than 200 feet together.
- No more than two speed control devices may be placed on any one street.
- Devices will not be placed less than 10 feet from any intersection or primary driveway.
- Devices may be installed or removed by the Town at any time if found to be in the best interest of public safety.
- Residents may petition the Town to have a speed control device placed on their street.
- The residents of the street and any intersecting dead end streets must be surveyed and the installation of the device must receive an approval rating of at least 75%.
- Residents may petition for the devices removal but must have a 75% approval rating of residents on that street and any intersecting dead end streets.
- Residents shall not act upon themselves and install or remove any type of device, roadway markings or signage on any town or state maintained roadway.

Engineered speed control devices shall meet the following construction criteria.

- Speed Humps shall be 12-14 feet in width, climbing from the level of the roadway surface to a height of 3-4 inches, leveling off and then returning to the level of the roadway surface.
- Speed Humps shall be painted or striped with reflective paint.
- Posted signs alerting drivers to the upcoming device shall be placed in either direction of the speed hump at a distance no less than 100 feet.
- Speed Tables shall be approximately 22 feet in width, climbing to a height of 3-4 inches, leveling off for distance of 10 feet, then returning to the level of the roadway surface.
- Speed Tables shall be painted or striped with reflective paint.
- Posted signs alerting drivers to the upcoming device shall be placed in either direction of the speed hump at a distance no less than 100 feet.

The petitioning process for the installation of an engineered speed control device shall consist of the following steps.

- The petitioning party shall bring forth their request to the Chief of Police.
- The location will be examined to see if it meets the basic requirements.
- If the location does not meet the basic requirements the process shall be terminated at that point.
- If the location meets the basic requirements, the petitioning party will be instructed on how to obtain the required approval signatures of the residents living on the street and any intersecting dead end streets effected by the proposed installation.
- If the petitioning party fails to receive the required approval signatures, the process will be terminated.
- If the petitioning party obtains the required 75% approval signatures, the Chief of Police will initiate a traffic study of the location. This study shall provide data showing traffic volume and speed of travel.
- Following the completion of the traffic study, the Chief of Police shall prepare a presentation and opinion to the Town Manager.
- The Town Manager shall review the presentation and determine if the presentation should be presented to the Public Safety Committee for consideration.
- The Public Safety Committee shall review the presentation and after consideration shall decide if the petition should be presented to the Board of Commissioners for vote.

The petitioning process for the removal of an engineered speed control device shall follow the same procedure.

Rebecca stated that this amendment is basically putting into writing the procedure for a requesting and installing a speed hump or speed table.

Jonathan asked if we should limit the speed humps to only streets that are coming from one State maintained road and ending on another State maintained road.

Chief Blevins explained that typically drivers are driving at a higher rate of speed coming off of a State maintained road, and this is why the speed needs to be reduced.

Rebecca stated that we need to have some type of criteria, or we could become a town of speed humps. She commented that we get several requests for speed humps.

Jonathan stated that he was just thinking back to a request we received last year for a speed hump; however, after the Police Department checked the speed on the street, there didn't seem to be a problem with speed. He

stated that he just wants to make sure we are not limiting ourselves too much with the State road requirements.

Chief Blevins explained the process, and stated that if we receive more than one complaint from a street, we check the speeds with machinery that we now have to conduct speed studies. He stated that if we do have a valid concern, we will begin a two-week campaign to get voluntary compliance.

Jonathan stated that his street comes off of a state maintained road, but it dead ends. He asked if this would be eligible?

Chief Blevins stated that this street would not be eligible due to the street not ending at another State maintained road.

Janet stated that for clarification, we would not be able to place a speed hump on a dead end street. She asked if there would be a way to bypass this requirement.

Chief Blevins stated that as Rebecca mentioned, we get requests constantly for speed humps, so we have to have guidelines in place to limit where they can be placed.

**Motion: (Larry Chapman/Barry Mitchell) to close the public hearing. Unanimously approved.**

**Motion: (Rick Shew/Jonathan Greer) to adopt the proposed text amendment granting authority to install and specification for speed control devices as presented. Unanimously approved.**

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#### Recreation Committee Report:

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Larry presented a report from the Recreation Committee Meeting that was held September 14, 2020. He stated that the Committee is looking at the possibility of holding a golf tournament fundraiser. He reported that to date about 51 bricks have been sold, and this is an ongoing fundraiser. He stated that the Committee recommended we get started on the demolition of the of the concession stand and bathrooms at Optimist Park, with as much of the work as possible being done in house. He stated that a wall will have to be taken down in the concession stand so that an ice machine can be removed. Chuck plans to work with David Seagle, contractor and member of Recreation Advisory Board, on the demolition, and then bids will be advertised for the work. Public Works will also be helping to remove the demolition materials, which will help save money on the project.

Rebecca stated that we have another 2 years to work on and complete the project, and we have about 5% completed at this point. She commented that we should use the remaining time wisely, and if we need additional time we can ask for it later on in the project.

Janet commented that Chuck and the Recreation Advisory Board have done a good job raising monies during the COVID-19 down time.

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#### Budget Revisions:

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Rebecca presented the following Budget Revisions.

Police Dept. – Adjustment for lease agreement for 2020 Dodge Durango.

<b>Date:</b>		September 8, 2020		
<b>Department:</b>		HUB		
<b>Dept Head Signature</b>		Janice Woodie		
<b>Purpose:</b>		Receipt Insurance reimbursement for auditorium ceiling repair		
<b>Revenue:</b>				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
10-350-3342	Miscellaneous	\$ 5,000	\$ 10,300	\$ 15,300
<b>Total Revenue</b>				
<b>Expenditures:</b>				
10-630-2150	Maintenance/Repairs - Bldg	\$ 45,000	\$ 10,300	\$ 55,300
				\$ -
				\$ -
				\$ -
				\$ -
<b>Total Expenditure</b>			\$ 10,300	

HUB – adjustments for ceiling and room repairs. The insurance has been received and the ceiling repaired.

<b>Date:</b>		September 2, 2020		
<b>Department:</b>		Law Enforcement		
<b>Dept Head Signature</b>		Chief Richard Blevins		
<b>Purpose:</b>		Move fund to Capital Outlay Vehicle to enter into lease agreement for 2020 Dodge Durango. Vehicle upgraded to a V8 to increase its longevity. There is no overall change in the budget.		
<b>Revenue:</b>				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
				\$ -
<b>Total Revenue</b>				
<b>Expenditures:</b>				
10-510-2180	Mtce/Repair Auto Truck	\$ 13,900	\$ (1,000)	\$ 12,900
10-510-2270	Gasoline	\$ 31,000	\$ (1,000)	\$ 30,000
10-510-2310	Auto Supplies	\$ 2,000	\$ (985)	\$ 1,035
10-510-3750	Capital Outlay, Vehicle	\$ 34,000	\$ 2,965	\$ 36,965
10-640-4805	Principal, Capital Lease	\$ 53,891	\$ 725	\$ 54,616
10-640-4810	Interest, Capital Lease	\$ 4,690	\$ (725)	\$ 3,965
<b>Total Expenditure</b>			\$ -	

Cares Act Reimbursements -

Rebecca commented that we do not spend monies dealing with COVID-19 until we know it will be reimbursed.

<b>Date:</b>		September 15, 2020		
<b>Department:</b>		Various		
<b>Dept Head Signature:</b>		Rebecca M. Bentley <i>Rebecca M. Bentley</i>		
<b>Purpose:</b>		Add money to budget for items reimbursed by CARES Act for COVID-19: Camera for Virtual meetings; Projector Virtual Meetings; Salaries COVID19 related; PPE; Signage; Floor Sanitizer (2)		
<b>Revenue:</b>				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
10-340-3355	CARES ACT COVID19 Reimb.	\$ -	\$ 13,910	\$ 13,910
<b>Total Revenue</b>			\$ 13,910	
<b>Expenditures:</b>				
10-420-2319	Supplies - COVID19	\$ -	\$ 5,880	\$ 5,880
10-510-1019	Salaries - COVID19	\$ -	\$ 550	\$ 550
10-511-1019	Salaries - COVID19	\$ -	\$ 240	\$ 240
10-560-1019	Salaries - COVID19	\$ -	\$ 2,110	\$ 2,110
10-510-2319	Supplies - COVID19	\$ -	\$ 100	\$ 100
10-550-2319	Supplies - COVID19	\$ -	\$ 30	\$ 30
10-620-2319	Supplies - COVID19	\$ -	\$ 2,650	\$ 2,650
10-630-2319	Supplies - COVID19	\$ -	\$ 2,350	\$ 2,350
<b>Total Expenditure</b>			\$ 13,910	

Revision for repairs to landscaping roof. Rebecca stated that we have a leaking roof at landscape facility; however, the roof does not have to be replaced. She commented that we can get by with repairing the roof, which can be funded from monies in the Public Works budget.

<b>Date:</b>		September 15, 2020		
<b>Department:</b>		PW & Landscaping		
<b>Dept Head Signature:</b>		Norman Crump <i>NC</i>		
<b>Purpose:</b>		Move money from Public Works to Landscaping to repair leaking roof at Landscape Building		
<b>Revenue:</b>				
Account Number	Account Title	Current Budget	Change to Budget	Amended Budget
<b>Total Revenue</b>				\$ -
<b>Expenditures:</b>				
10-550-2150	Maintenance/Repairs - Bldg	\$ 11,000	\$ (2,000)	\$ 9,000
10-600-2150	Maintenance/Repairs - Bldg	\$ -	\$ 2,000	\$ 2,000
<b>Total Expenditure</b>				\$ -

**Motion: (Rick Shew/Jonathan Greer) to approve all of the budget revisions as requested. Unanimously approved.**

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Public Comment/Informal Discussion:

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**Change for Billboard:** Janet presented a photograph of the new billboard that will be placed on Hwy. 321. She stated that this is a very nice billboard highlighting HUB Station.

Michelle stated that the new billboard is scheduled to be put up in about a week, and she commented that the Board would need to approve an extension of the contract for the billboard. She added that the price will remain the same for the new contract.

**Motion: (Jeff Link/Rick Shew) to extend the contract for the billboard with no increase in price, and to approve the design for the new billboard. Unanimously approved.**

**Update on Town Facilities – Open or Closed:** Rebecca stated that our Recreation Center is now open. The gym is open but not for contact sports such as basketball, and the weight rooms are open at half capacity. People are using the facilities again, and Chuck has over 200 children signed up in the soccer program. He has organized the playing to meet the COVID-19 requirements. The playgrounds are also open.

Rebecca stated that the Town Hall and Police Dept. are still closed to general public.

**Officer Benji Manning – Voted Best Officer in Caldwell County:** Rebecca stated that she wanted to congratulate Officer Benji Manning for being voted “Best Law Enforcement” in the *News Topic’s* 2020 Best of Caldwell contest. Rebecca commented that we are proud of Benji and all of our Police Officers and Firefighters who risk their lives to serve and protect everyone in our community.

**Planner’s Report:** Teresa stated that she has been very busy, and we are fortunate that Hudson has continued to grow. Deer Creek Subdivision has sold out of vacant lots, with the exception of one lot that has an issue. Maplewood Subdivision is also busy. More apartments have been approved for the 55 and older age group for the Kirkland Avenue apartment complex. Also, there is a possibility of a franchise restaurant locating across Hwy. 321 from CCC & TI.

Jeff stated that he understands Bojangles is scheduled to reopen sometime in December of this year, and they are restoring as well as upgrading the restaurant.

**Update on Community Events:** Rebecca stated that she understands that City of Lenoir and Granite Falls have said that we will not be doing light up Caldwell County this year. They have said it would be difficult for schools to participate in decorating the trees. She stated that we may also want to decide to not participate as well.

**Motion: (Larry Chapman/Barry Mitchell) to not participate in Light Up Caldwell County this year. Unanimously approved.**

Rebecca stated that there has also been discussion among the towns as to whether or not to have Christmas Parades this year. Parades are not allowed in the Governor’s current phase of COVID-19 restrictions.

Rick stated that he understands the concerns, but he hates to see everything for the holidays cancelled. The next phase of opening up the State is scheduled for mid-October, so we may get a better idea of what we can do at that time. Rick suggested that as things turn around with the COVID-19 restrictions, we need to think of activities to involve the people of our community.

*September 15, 2020 Regular Meeting*

Jeff stated that the elementary school did a reverse parade – teachers set up things, and cars rode by to see them. He stated that businesses could do this type of thing. He commented that we need to “think outside the box” with new events.

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Adjournment:

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**Motion: (Larry Chapman/Jonathan Greer) to adjourn the meeting. Unanimously approved.**

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**Tamra T. Swanson, Town Clerk**