TOWN OF HUDSON REGULAR MEETING

October 19, 2021

In Attendance:

Members Present: Mayor Janet Winkler, Mayor Pro Tem, Larry Chapman, Commissioners: Jim Engelman, Jeff Link, Barry Mitchell, Rick Shew (Virtual), and Ann Smith

Others Present: Town Manager, Jonathan Greer, Chief of Police, Richard Blevins, Finance Officer, Michelle Coffey, Town Planner, Teresa Kinney, Town Clerk, Tammy Swanson and Town Attorney, Carroll Tuttle

Note: Commissioner Rick Shew could not attend the meeting in person, but joined virtually through Zoom.

Call to Order:

Mayor Janet Winkler called the October meeting to order, and Mayor Pro Tem, Larry Chapman, led the group in the Pledge of Allegiance and opening prayer. Janet thanked the audience for attending the meeting.

Janet announced that Michelle Coffey would be leaving her position with the Town at the end of the month, and she thanked Michelle for a job well done.

Janet also thanked Chief Blevins and the Police Department for the outstanding job they do in responding to and handling crisis situations that sometimes occur in Town, as well as working to maintain our safety on a daily basis. Janet requested that this commendation be passed on to the all the officers.

Discuss/Adjust Agenda:

Janet presented the October agenda, and there were no changes requested.

Motion: (Jim Engelman/Jeff Link) to approve the agenda as presented. Unanimously approved.

Approval of Minutes:

Motion: (Larry Chapman/Jim Engelman) to approve the minutes, as presented, for the September 21, 2021 Regular Meeting. Unanimously approved.

GFOA Award Presentation:

Janet presented the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting for FY ending June 30, 2020 to Finance Officer, Michelle Coffey. Janet stated that this certificate is the highest certificate awarded for accounting excellence, and it was her pleasure to present this award to our staff. Janet stated that the Town has always gotten high honors for accounting excellence, and she thanked Michelle for helping to continue that tradition.

Public Hearing: N.C.G.S. 160D - Flood Damage Prevention:

Motion: (Jim Engelman/Jeff Link) to open the floor for public hearing. Unanimously approved.

Teresa stated that as a part of N.C.G.S. 160D, the Town needs to adopt an updated Flood Damage Prevention Ordinance. She stated that the Planning Board held a public hearing at their October 14th meeting, and voted to table a decision on the updated ordinance due to some unanswered questions they had pertaining to the ordinance. She suggested that the Board of Commissioners also table a decision on the ordinance.

Jonathan stated that the date for the next Planning Board meeting is November 11th, which is Veterans Day, so it may be December before the Planning Board meets again to continue their public hearing. He suggested that the Board of Commissioners table their public hearing until after the Planning Board makes their decision. Jonathan commented that since the public hearings were not tabled until a specific meeting date, the hearings would be advertised again.

Motion: (Ann Smith/Larry Chapman) to table the public hearing for updating the Flood Damage Prevention Ordinance until after the Planning Board has rendered its decision. Unanimously approved.

Public Hearing: Zoning Text Amendment 2021-04:

Motion: (Larry Chapman/Jim Engelman) to open the floor for public hearing. Unanimously approved.

Teresa presented the following background information for the text amendment request.

Background:

Placement of manufactured homes on individual lots according to the zoning ordinance Section 97.04 must front a publicly maintained road except where there is an existing "lot of record," which was deeded and recorded prior to May 9, 1989. Manufacture homes are allowed in two zoning districts in the Town of Hudson jurisdictions. One is R-75A and the other is RA-15. RA-15 is located mostly in the ETJ jurisdiction. There exists no R-75A anywhere in the town limits.

There is a conflict in the wording for Section 97.07 when a manufactured home, as a principal residence, is placed upon a "lot of record" (Reference Section 12.9 of Town Code) it shall be permitted as provided in the Town Code only to the extent and <u>same as a house constructed to Minimum Standards and other applicable codes</u>. The Zoning Administrator's interpretation is this section is referring to a modular home and not any of the Class A-D manufactured home standards. A modular home is considered equal to a site built dwelling. This section would not apply to Class A-D standard manufactured homes.

The text amendment request is to allow for Class A-C manufactured homes to be placed on any existing "lot of record" dated prior to May 9, 1989. That is only if the applicant can meet the standards as set forth in Section 100.2 and/or Section 100.21-100.27 for Provision for Existing Landlocked Lots. The applicant must first determine if they can procure the 37.5 feet of public road frontage. If impossible then the applicant must establish an access easement from all properties that would use the easement. Once procured then there are design standards and maintenance agreements to be established prior to placement of the manufactured home.

The establishment of a platted and deeded access easement, road improvements, and maintenance agreements, will not only benefit the applicant but will benefit all intervening property owners. There will be no additional subdivision of property along the newly created access easement as it is to serve only existing lots of record.

Teresa stated that the Planning Board held a public hearing and reviewed the changes at their October 14, 2021, and recommended approval to the Board of Commissioners.

Janet asked if this text amendment would take care of the request.

Teresa stated that it would take care of the request, and there would be no need for a rezoning of the property since the property is currently zoned RA-15 and allows for manufactured homes.

Motion: (Jim Engelman/Ann Smith) to close the public hearing. Unanimously approved.

Motion: (Larry Chapman/Jim Engelman) to approve the text amendment as recommended by the Planning Board. Unanimously approved.

The text amendment was approved as follows:

ZTA2021-04

MANUFACTURED HOMES ON INDIVIDUAL LOT(s) OF RECORD

Ordinance Information

<u>Section 97.</u> <u>Provisions for Individual Manufactured Homes</u>. Manufactured Homes are only permitted on individual lots in the R-75A district and in the RA-15 District, subject to the following conditions:

- 97.01 The lost must be recorded as an individual lot.
- 97.02 If municipal utilities are not available, the well and/or septic tank must be approved by the Caldwell County Health Department.
- 97.03 All yard dimensional requirements for the respective district must be met.
- 97.04 The lot must front a public street and said street frontage will be considered the front of the lot.
- 97.05 A certificate of occupancy must be issued by the Zoning Enforcement Officer after these conditions and all other code requirements are met and before the unit can be occupied.
- 97.06 Manufactured Homes may be placed on undeveloped land for temporary purposes incidental to construction or development of property within the Town of Hudson Planning Area for a period not to exceed 180 days. Extensions may be grated for a period as may be determined by the Board of Commissioners, but no longer than construction shall continue. (Recommend removal)

Furthermore, no manufactured home shall be placed on land until construction commences nor when there is any existing structure of facility on the property which may be suitable or designed for the purpose for which the manufactured home is sought to be used. Manufactured homes may also be used as temporary living quarters in the event of a natural disaster such as fire, flooding, etc., which would render the former residence uninhabitable.

- 97.07 When a manufactured home, as a principal residence, is placed upon a "lot of record" (Reference Section 12.9 of Town Code) it shall be permitted as provided in the Town Code only to the extent and same as a house constructed to Minimum Standards and other applicable codes. Zoning Administrators interpretation is this section is referring to a modular home which is considered the equal as a site building dwelling. This section would not apply to Class A-D standard manufactured homes.
- Proposed new text: When a manufactured home. As a principal residence, is placed upon a "lot of record" (Established lot of record May 9th, 1998) it shall be permitted as provided in the Zoning Ordinance to

the extent constructed to the Minimum Standards of a Class A multi-section Manufactured Home and other applicable codes.

- 97.08 The manufactured home must be in full compliance with the Town of Hudson, NC Minimum Housing Standards. Proper anchoring shall be in compliance with NC State Building Codes as adopted by the Town by reference or amended by the Building Code Council from time to time.
- 97.09 The manufactured home to be placed shall be newer than eight (8) years of age. Proof of age of the home such as a bill of sale, title, or certified appraisal must be provided when the zoning permit is requested. (recommend removal based on state law pertaining to anything HUD qualified)
- 97.10 Exterior finishes shall be in good repair and in no instance shall the degree of reflectivity of the exterior siding, foundation skirting and roofing exceed that of gloss white paint.
- 97.11 A continuous foundation enclosure, unpierced except for required ventilation and access shall be installed in accordance with State Building Codes. The enclosure shall consist of brick, concrete or block. Wood, vinyl, or fabricated metal will be permitted for temporary use not to exceed a period of six (6) months upon approval of the Town Planner/Code Enforcement Officer for this purpose. Any wood framing for foundation skirting shall be constructed with treated lumber.
- 97.12 Permanent steps shall be constructed at all exterior doors as necessary and a permanent porch or patio measuring at least six (6) feet in width and eight (8) feet in length and shall be constructed at the front or main entrance to the manufactured
 - home. Steps constructed from loose stacked materials shall not be construed as properly installed.
- 97.13 The running lights shall be removed and the hitch shall either be removed or screened with shrubbery. Such shrubbery shall be of a height to ensure a total visual barrier of the towing apparatus within 180 days of issuance of a Certificate of Occupancy by the Zoning Enforcement Officer. Such shrubbery shall be maintained in accordance with good husbandry practices.
- 97.14 The pitch of the roof of the manufactured home shall have a minimum rise of three (3) feet for each twelve (12) feet of horizontal run (3 feet and 12 feet) and the roof is finished with a type of shingled roof that is a Class "B" roof or better in accordance with State Building Code.
- 97.15 All roof structures shall provide an eave projection of no less than six (6) inches which may include a gutter.
- 97.16 The manufactured home placement and all appearance criteria must be completed within 180 days of the date of application.
- 96.17 At least two (2) off-street parking spaces shall be provided.
- 97.18 All standards must be met prior to issuance of a Certificate of Occupancy.

October 19, 2021 Regular Meeting Section 98:

No manufactured home originally intended for residential purposes shall be permitted in any business district (1/00).

Section 100.2 Provisions for Existing Landlocked Lots (3-16-04)

Existing landlocked lots within the residential zoning district, defined as a lot that does not abut a public street and therefore does not meet the requirements that the lot have a minimum frontage on a public street of thirty seven and one half (37 1/2) feet, may nevertheless be developed for one single family dwelling unit if the lot otherwise meets the zoning requirements of the zone in which the lot is located and provided that the lot has a recorded easement of ingress and egress to and from a public street constructed to NCDOT or Town of Hudson standards which is appurtenant to the lot and which meets the following requirements:

100.21	A private easement with a minimum continuous width of twenty-five (25) feet is acquired from intervening property owners;
100.22	An easement with a minimum continuous width of less than twenty-five (25) feet may be permitted only in situations where an easement with a minimum continuous width of twenty-five (25) feet would create nonconformity with respect to this Ordinance;
100.23	The recorded documents creating the easement shall specify that public service, utility and emergency personnel and vehicles shall have freedom of ingress and egress from the landlocked property;
100.24	The recorded documents shall also specify that public utilities (water, sewer, electricity, telephone, cable, etc.) may be located within the easement;
100.25	The recorded documents shall include a maintenance agreement specifying the party responsible for maintaining the easement and its traveled surface;
100.26	The easement must have an all-weather surface of gravel, concrete or asphalt with a minimum continuous width of ten (10) feet to ensure access of public service, utility, and emergency personnel and vehicles;
100.27	Subdivision of landlocked parcels will require a publicly dedicated street constructed to Town Standards and must meet all requirements of the Town's Subdivision Regulations.

CERRI Presentation:

Kyle Case from the NC Department of Commerce, presented the CERRI final report to the Board. Kyle thanked the members of the CERRI Committee and the Board for participating in the project. He commented that Hudson showed interest, and proceeded with the project which is a good thing.

Kyle reported that between April and August 2021, the CERRI Committee met 4 times, discussing everything from how COVID-19 has impacted the local economy to what the vision is for the community. Kyle commented that there was a very good representation of the community on the Committee. Surveys of the community and the small businesses in Town we conducted, and there was research done for an economic development assessment of the community. Kyle stated that there are 8 recommendations in the report, and the Town has already begun to implement some of the recommendations.

The recommendations were as follows:

-Downtown & The HUB:

- 1. Implement town-wide wayfinding signage to direct traffic from US 321 to key points including the Central Business district and HUB Station.
- 2. Recruit new businesses in the Town of Hudson, especially the Central Business district.
- 3. Implement downtown beautification efforts to improve the look and accessibility of the Central Business district.

-Marketing & Branding:

- 4. Update and improve the Town of Hudson website and online presence.
- 5. Develop a comprehensive marketing strategy for the Central Business district.
- 6. Utilize the "NEW Hometown" branding widely throughout the community.

-Small Business Support:

- 7. Facilitate the creation of a Hudson Merchants Association where small business owners can communicate directly with town staff and leaders as well as each other.
- 8. Continue to promote and improve the entrepreneurship center at HUB Station.

Kyle stated that moving forward, the plan belongs to the Town, and he and Jeff Emory, who also helped with the project, would be happy to help with future implementation.

Larry complimented Kyle and the CERRI Committee for a job well done on the project and the report.

Jonathan stated that we are going to be using Kyle in the future for projects, and he commented that Kyle may become our new best friend!

Motion: (Jim Engelman/Larry Chapman) to adopt the CERRI Report and Plan. Unanimously approved.

(A copy of the report will be on file at Town Hall.)

COVID Procedures:

Jonathan stated that the Board needed to discuss COVID-19 rules for the upcoming Dinner Theater at HUB Station, and for the basketball and soccer programs that will be held at the Recreation Center.

Dinner Theater Guidelines:

- When eating no mask
- When moving throughout the building wear masks

Ann asked if everyone would have to put their masks back on after the meal.

Jonathan stated that it would be basically just while they are walking around. At the individual tables, people should be able to remove their masks.

Ann asked if it would be a buffet-style dinner.

Jonathan stated that the meal would be served by the caterers through the buffet line. There will be no sharing of utensils.

Recreation Center Guidelines:

Chuck Raby, Recreation Director, addressed the Board to discuss the Recreation Department's COVID-19 guidelines for basketball and indoor soccer.

Chuck stated that these guidelines would be presented to the parents of all the age groups. He commented that he also included flu, because we had issues with flu prior to COVID. He added that they would not be offering the wrestling program this year.

The policy was presented as follows:

COVID-19 Plan

Basketball / Indoor Soccer

Sign- ups for Basketball / Indoor Soccer: Nov. 1st – Dec. 1st

BASKETBALL

- **Each age group will have their own night for practice & games. (This way we can isolate any outbreaks of COVID/FLU to that age group.)
- **The number of practices & games will be less than a normal season, (reason: using more days due to reducing the number of age groups each night.)
- **Our plan is to require masks in the lobby & concession area, and recommend that parents wear masks while attending practices / games.
- **Players will not be required to wear masks during practices & games.
- **Staff, coaches & officials will be required to wear a mask when addressing a group or individuals.

INDOOR SOCCER

- **Indoor Soccer will be played on Friday nights, Saturday mornings & Saturday afternoons.
- **Age groups will be set up in sessions. (This way we can isolate any outbreaks of COVID / FLU to that age group.

- **The number of practices & games will be less than a normal season, (reason: using more days due to reducing the number of age groups each day.)
- **Our plan is to require masks in the lobby & concession area, and recommend that parents wear masks while attending practice / games.
- **Players will not be required to wear masks during practice & games.
- **Staff, coaches, & officials will be required to wear masks when addressing a group or individuals.

REFUND PROCESS

We have a No-Refund policy, but due to COVID, the policy will change.

If we have to cancel the season due to COVID, the following will take place: (4) Games or less we will refund half of the fees paid. More than (4) games, no refund.

Jeff asked if there was an estimate of how many we are expecting to participate.

Chuck estimated that the numbers should be good. He commented that the only holdback may be with the older kids since their teams interleague with Lenoir and Granite Falls, and at this point we have not heard from Lenoir and Granite Falls.

Chuck estimated that for the outdoor soccer program, there were 270 kids participating; however, the games were played outside. Games for indoor soccer and basketball will begin in January, and we want to keep the programs as stress free as possible.

<u>Christmas Parade Update:</u> Jonathan stated that we are having the Christmas Parade this year, and so are the other towns in the county. He commented that we will not, however, be having the tree lighting ceremony nor the trees decorated by the students (Light Up Hudson), but the Town will be decorated.

Motion: (Larry Chapman/Jim Engelman) to approve the COVID-19 procedures for the upcoming Dinner Theater and the basketball and indoor soccer programs at the Recreation Center as presented. Unanimously approved.

Public Comments and Informal Discussion:

<u>Code Enforcement Actions:</u> – Jonathan stated that our Code Enforcement Officer through the WPCOG is Curt Willis, and he is in Hudson either on Tuesdays and Wednesdays or Wednesdays and Thursdays. Jonathan commented that he has been working to address complaints, most of which are nuisances.

Rick asked how the complaints are being delivered to Curt, and how the violations are being addressed.

Jonathan started that we get some complaint calls at Town Hall, which we pass along to Curt, and some residents contact Curt directly with their complaints. His contact information is listed on the Town's website. As far as addressing the violations, Curt contacts the property owners, and he works with them to try and remedy the issues.

<u>Veterans Day Program:</u> – Larry stated that he has not be able to confirm whether or not Hudson Middle School will be doing their annual Veterans program. He stated that he will try to contact someone at the School to find out what their plans are for a program and let everyone know.

<u>Informal Meet the Candidates:</u> – Jonathan stated that he is trying to schedule a time when citizens can come and "Meet the Candidates" running for our Board of Commissioners. He stated that he is considering October 26th from 5pm – 7pm at The Local Bean. He commented that he just needs to confirm everything with The Local Bean.

Jeff Link stated that plans are also being made for a televised discussion with the candidates on October 28th at HUB Station.

At Home Concert Series at HUB Station: Ann stated that there is a concert planned at HUB Station with Patrick and Kay Crouch. She stated that this concert will be the first in the "At Home Concert Series." Ann added that a meet & greet is scheduled with Patrick and Kay at Three Doors Down located in HUB Station at 6:00 pm, with the concert beginning at 7:00. The concert will feature music to enhance the spirit Halloween.



Staff Report-Planning/Zoning Department, September 2021:

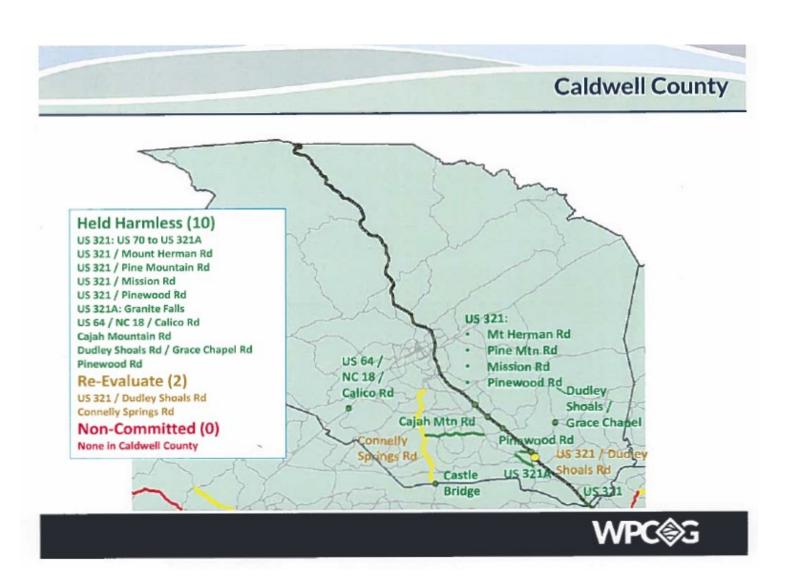
Zoning Ordinance, Subdivision, Watershed, Floodplain Enforcement.

Project	Issue	Status				
Economic Development	Working with engineers and builders with Kirkwood Grove Apartments-off Pine Mountain Road	Project is closing on the property August 15 and groundbreaking will be soon. Had to work with developer to clear up a property subdivision issue. Project is held up with HUD money disbursement and NCDEQ erosion control plan. Ground breaking will be in the upcoming month.				
Economic Dev and plan review	McDonalds is moving forward.	McDonald's status is moving forward with NCDOT approval of driveway				

October 19, 2021 Regular N	ittimg	connections. Plan review will take place in next few weeks.				
Subdivision Regulations	Approved 4+ minor subdivisions of property. Dealt with a few other subdivision problems in a few places especially	Ongoing				
**Zoning Permits	55 permits issued so far this year majority being new houses, swimming pools, accessory buildings	Single Family House permits and home expansions, swimming pools, accessory uses and sign permits				
**Citizens requests permits and general discussion	Phone Calls received (40+) Has increased the past month. In addition, other elements of the job has stayed steady.	realtors, surveyors, and developers.				
Zoning violations/floodplain	 Swimming pool placement in wrong portion of the property. Working with attorney Subdivision violation on Hudson Cajah Mt. Road (working with attorney and property owner) Possible special use permit application for Central Business District Possible floodplain violation that is being resolved with local industry Accessory building violations continue RV being used as permanent residence 2 locations 					
Zoning –Land Use Regulations	 1. 160D Flood Damage Prevention Ordinance needs updating soon. October 2021 2. Planning Board and Board of Adjustment met in October 3. Began kickoff of Comprehensive Plan 4. Watershed Ordinance for 160D will need updating soon 2022 	Actions Needed by Commissioners				

Report from Police Department: Chief Blevins stated that if all goes as planned, on Nov. 3rd his Department should be fully staffed. He stated that he appreciated the Board's support for the officers as they worked short staffed.

<u>Update from DOT:</u> Jonathan presented a map of Caldwell County roads slated for improvements by the DOT. He commented, however, that the DOT is short on funds, and the 10-year plan is being delayed. Jonathan added that the map shows the projects and where they are in the plans. Luckily, at this point, the projects for Hudson are still funded, but that could always change.



<u>Financial Report:</u> Jonathan presented the financial report for September, and commented that sales tax seems to keep climbing, which is a good thing.

TOWN OF HUDSON MONTHLY FINANCIAL REPORT - SEPTEMBER 2021

	Current Month*			ast Month*
SUMMARY OF CASH ACCOUNTS				
Cash/Checking	\$	1,845,084	\$	1,638,186
NC Capital Management Trust		1,977,274		1,685,945
CD - First Citizens Bank		100,109		100,109
	\$	3,922,466	\$	3,424,240

	BU	DGET 2021-22	ACITIVITY		ACTIVITY	BALANCE	%
			THIS MONTH		TO DATE		
REVENUES	\$	4,038,010	\$ 512,457	\$	1,692,400	\$ 2,345,610	41.91
EXPENDITURES	\$	4,038,010	\$ 263,058	\$	940,470	\$ 3,097,540	23.29
REVENUES- AMERICAN RESCUE PLAN (ARPA)	\$	1,182,049	\$ -	\$	591,024	\$ 591,025	50
EXPENDITURES- AMERICAN RESCUE PLAN (ARPA)	\$	1,182,049	\$	\$		\$ -	0
REVENUES- CAP PROJECT HUD OPT PK	\$	445,160	\$ 413	ş	184,464	\$ 261,696	41.43
EXPENDITURES-CAP PROJ HUD OPT PK	\$	445,160	\$ -	\$	154,768	\$ 290,392	34.76
REVENUES- CAPITAL PROJECT HUB ST.	\$	805,300	\$ (950)	\$	443,343	\$ 361,957	55.05
EXPENDITURES- CP HUB STATION	\$	805,300	\$ 4,223	\$	350,770	\$ 454,530	43.55

NOTES:

- Property tax bills were mailed at the end of July. The majority of property tax and solid waste collections occur during November through January.
- 2 Three month lag in sales tax distribution. The first monthly distribution for FY 2022 was received in August. Sales Tax revenue is a 11% increase over this time in FY 2021.
- 3 Most state-shared revenues are distributed quarterly. The first allocation for the Powell Bill was received in September 2021. We have received 49.84% of the budgeted revenue.
 - * Does not reflect all monthly adjusting entries
 - **Reflects Monthly Closing Entries and Updated

Closed Session: N.C.G.S. 143-318.11(a)(4) – Economic Development Projects:

Janet stated that the Board was going into closed session in accordance with N.C.G.S. 143-318.11(a)(4) – to discuss Economic Development projects.

Motion: (Larry Chapman/Jim Engelman) to go into closed session. Unanimously approved.

Return to Regular Session:

Motion: (Larry Chapman/Rick Shew) to return to regular session. Unanimously approved.

Adjournment:

Motion: (Jeff Link/Larry Chapman) to adjourn the meeting. Unanimously approved.

Tamra T. Swanson, Town Clerk

PERSONNEL COMMITTEE MEETING

November 1, 2021

In Attendance:

Members Present: Larry Chapman, Chairman, Rick Shew

Members Absent: Barry Mitchell

Others Present: Town Manager, Jonathan Greer

Call to Order:

Chairman Larry Chapman called the meeting to order at approximately 9:30 a.m.

Discuss Upcoming Retirement of HUB Station Manager:

The Committee discussed the upcoming retirement of HUB Station Manager, Janice Woodie, and different options in hiring her replacement. Janice is planning to retire in April 2022. One option discussed was to hire an events coordinator along with a manager.

Adjournment:

Motion: (Larry Chapman/Rick Shew) to adjourn the meeting. Unanimously approved.

Tamra T. Swanson, Town Clerk

PLANNING COMMITTEE MEETING

November 10, 2021

In Attendance:

Members Present: Ann Smith, Chairperson, Jeff Link and Rick Shew

Others Present: Town Manager, Jonathan Greer and Town Planner, Teresa Kinney

Call to Order:

Chairperson Ann Smith called the meeting to order.

Discuss Potential Development and Marketing:

The Committee discussed some of the potential development sites in Town with Teresa Kinney. Teresa reviewed possible marketing of these sites as large scale residential properties.

Teresa also discussed updating the Central Business Zoning District (C-B) to restrict some of the outdoor sales businesses that are currently allowed in the district. She commented that the Town's C-B district is currently in good shape, and we want to make sure it stays that way. She suggested, for instance, that new buildings be made of more natural materials, such as brick or wood, instead of metal-type structures. Teresa stated that we will be discussing these possible updates more in the future.

Motion: (Rick Shew/Jeff Link) to approve hiring the WPCOG to do mapping and brochures for potential large development residential properties. Unanimously approved.

Adjournment:

Motion: (Jeff Link/Rick Shew) to adjourn the meeting. Unanimously approved.

Tamra T. Swanson, Town Clerk