

October 12, 2023

At the Special Called Meeting of the Mayor and Board of Aldermen/women of the Town of Canton held at 85 Summer Street, Canton NC, October 12, 2023, at 6:30 pm with Mayor Smathers and Aldermen/women Mull, Hamlett, Proctor and Shepard present, the following proceedings were held.

A. Call to Order

Mayor Smathers called the meeting to order at 6:30 pm.

B. Roll Call

Mayor Smathers stated that the Manager, Assistant Manager, and Town Attorney were present.

C. Pledge

Alderman Shepard led those in attendance in the Pledge of Allegiance.

D. Approval of Minutes:

N/A

E. Mayor Comments

Mayor Smathers asked for a moment of silence for the people of Israel. Mayor Smathers stated that this was about humanity not politics or religion. Alderman Hamlett added that everyone should be able to live in peace and Hamas should be destroyed. Mayor Smathers commented that both sides had innocent people that were being impacted by the cruelty of Hamas.

Mayor Smathers inquired if Chief Sluder was prepared for the Pisgah Tuscola ballgame? Chief Sluder stated that his staff was ready to do their part for the big game.

F. Aldermen/women Comments

Alderwoman Mull thanked everyone for coming.

Alderman Hamlett encouraged everyone to get vaccinated for the COVID and Flu viruses.

Alderwoman Proctor also complimented the staff for decorating the Town with all the fall decoration, stating they looked awesome. Alderwoman Proctor stated that the downtown merchants were extremely happy with the passport campaign and that it was driving business and awareness to their shops.

Alderwoman Proctor made everyone aware that October is ADHD awareness month and asked everyone to support those that are affected.

Alderman Shepard commented GO BEARS!

Mayor Smathers asked that Management thank Natalie Walker for her idea for the passport campaign.

G. Public Comments

Zachary Stines from Wesley Street was in attendance.

Mr. Jason Aytes, a resident of Trammell Avenue, stated that he had received the Traffic Calming Policy from the Town Manager, and he asked the Board if they could waive the fees associated with the policy for speed cushions on Trammell Avenue. The Board stated that they would look at the policy. Jason Aytes commented that this was a safety issue for the entire street.

A resident of Trammell Avenue asked about possibly having trash cans like recycle bins in the future.

Carl Cortright asked if anything else could be installed at the coffee shop on Main Street. He stated that it was a safety issue in that area, especially with everyone trying to merge in at the last moment. Mayor Smathers commented that it was especially concerning when I40 had issues and traffic was backed up with people not knowing the left lane ended. Alderman Shepard stated that better signage might be helpful with the above-mentioned issues.

H. Reports from the Manager

Manager Scheuer gave the cash report.

Manager Scheuer updated the Board that the Veterans Day event would be held November 11th at the Pisgah High Stadium at 11:00am sharp followed by the Pigeon River Garden Club Orchard ribbon cutting at 12:00 (noon).

Manager Scheuer reminded the Board of the Public Hearings for October 18th and 19th at 12:00 (noon).

Manager Scheuer reported to the Board that the RTC grant was greenlighted and would go out to bid soon.

Manager Scheuer reported that a letter of interest had been submitted for the FEMA Brick Grant for the Bethel Christian Academy site.

Manager Scheuer informed the Board that the NC Year of the Trail was sponsoring \$5,000 for entertainment at Chestnut Mountain for the event on November 11th and 12th.

Manager Scheuer lastly reminded the Board that following the Public Hearing on the 19th the UNC Bus Tour would be in Town and everyone would meet at the Grateful Table at 12:30 for a meeting then a tour of Town.

I. Old Business

N/A

J. New Business

1. Public Hearing: Blue Ridge Contracting Variance Request

Alderwoman Mull made a motion to enter the Public Hearing at 6:57pm to consider a variance request for Blue Ridge Contracting. Alderwoman Proctor seconded the motion. Motion carried. Manager Scheuer reported to the Board that Blue Ridge Contracting met all the code requirement except for sidewalks and they requested a variance to omit these due to no other sidewalks being in the area. Manager Scheuer stated that the plan to connect the greenways in the future pedestrian plan had sidewalks on the opposite side of the road as well. Manager Scheuer reported that the Zoning Board of Adjustment met and recommended that the variance be granted. The public had no comments. Alderwoman Mull made a motion to close the Public Hearing at 7:00pm. Alderman Shepard made a motion to approve the variance as submitted and recommended by the Zoning Board of Adjustment. Alderwoman Mull seconded the motion. Motion carried.

2. Public Hearing: Patton Cove Conditional Zoning Request

Alderwoman Mull made a motion to enter the Public Hearing at 7:01pm to discuss the conditional zoning request from Patton Cove Development (see attached). Alderwoman Proctor seconded the motion. Motion carried. Manager Scheuer explained to the Board that this process fell between the old, new, or conditional zoning ordinance, so CDC Design had the option to work from any of these options or a combination, which was approved by the board previously. After negotiations between parties took place, the developer requested that a conditional zoning request be entertained. The Manager suggested that a conditional zoning be approved with petition for annexation, voluntary annexation agreements with any lots that are sold prior to annexation being finalized, zoning the property R-2 General Residential and allowing 6,345 square feet being the smallest allowed lot size, Lot widths of

54', Lot depths of 115.5', Front setbacks of 20', Side setbacks of 7', Rear setbacks of 10', stormwater mechanisms, curb and gutter 1.5', no sidewalks, no landscaping, road requirements meet the Town of Canton existing ordinance, with the addition of natural surface trails throughout the neighborhood, park amenities and traffic calming measures. Carl Cortright from the Planning Board and Zoning Board explained that it was not a unanimous decision, but one he felt was in the best interest of the Town by providing affordable housing opportunity. Alderwoman Proctor commented that she thanked Staff, the attorney, and everyone involved for working together to resolve the issues at hand. Alderwoman Proctor stated that the greenway paths and the open space amenities were very important for the quality of life of the residents in the neighborhood. Alderwoman Mull made a motion to close the hearing at 7:10pm. Alderman Hamlett seconded the motion. Motion carried. Alderwoman Mull made a motion to approve the conditional zoning with the statements of page 1 of the CDC Development Summary (see attached) as well as the added caveats listed above. Alderwoman Proctor seconded the motion. Motion carried.

3. Mama T's Summer Celebration Co-Sponsorship Request

Assistant Manager Stinnett presented the Board with a co-sponsorship request for the Mama T's Summer Celebration (see attached). Assistant Manager Stinnett stated that this was a great event that was well produced. Assistant Stinnett stated that the Town would provide lane closure, road closure, trash cans, wooden stage if available, marketing, fee waiver and Splash Pad. Assistant Stinnett commented that animals would be of concern, however Terryll Evans stated that it was animals like a rabbit, bird, things of that nature not huge animals. Alderwoman Mull made a motion to approve the co-sponsorship as presented. Alderman Hamlett seconded the motion. Motion carried.

4. Taxes

Manager Scheuer presented the Board with the 10-year tax releases, and Order to Collect Taxes (see attached), Manager Scheuer presented the Board with a copy of the order to collect 2023 taxes. Tax Settlement Manager Scheuer presented the Board with the Tax Settlement (see attached). Alderwoman Mull made a motion to approve of the Ten-Year Tax release, Order to Collect, and Tax settlement as presented. Alderwoman Proctor seconded the motion. Motion carried.

5. Budget Amendments

Manager Scheuer presented the Board with budget amendments (see attached). Alderwoman Mull made a motion to approve the budget amendments as presented. Alderman Shepard seconded the motion. Motion carried.

6. Mountaineer Ad Request for Veterans Day

Manager Scheuer asked the Board's pleasure in running an ad in the Veterans edition of the Mountaineer. Alderman Hamlett made a motion to approve a 1/4-page ad for \$125.00. Alderwoman Mull seconded the motion. Alderman Hamlett asked that a suicide hotline be placed on the ad as we lose to many of our Veterans to suicide. All members voted in favor of the motion.

7. Setting of Public Hearing Dates

Manager Scheuer asked the Board to set two Public Hearing Dates for the Community Block Grant. Alderwoman Proctor made a motion to set the public hearings for October 18th and 19th at 12:00 (noon). Alderman Shepard seconded the motion. Motion carried.

8. Pigeon River Garden Club Lease Agreement

Manager Scheuer presented the Board with a proposed lease agreement with the Pigeon River Garden Club for 5 years for the Community Orchard, Flagpole site, and Bridge Abutment (see attached). Alderwoman Mull made a motion to approve the lease once all required documentation was received. Alderman Shepard seconded the motion. Motion carried.

9. State Unmet Need Funding Approval

Manager Scheuer presented the Board with two documents listed as MOA-0046-03 and MOA-0048-03 (see attached) for their approval. Alderwoman Mull made a motion to approve both presented documents. Alderman Shepard seconded the motion. Motion carried.

10. Resolution Directing Clerk to Investigate Annexation Petition.

Manager Scheuer presented the Board with a petition for annexation and a Resolution directing the Clerk to Investigate (see attached). Alderman Hamlett made a motion to approve the resolution as presented. Alderman Mull seconded the motion. Motion carried.

J. Closed Session: Pursuant to N.C.G.S 143-318.11 (a)(4)

Alderwoman Mull made a motion to enter closed session at 7:35 pm pursuant to N.C.G.S. 143-318.11 (a)(4) economic development. Alderwoman Proctor seconded the motion. Motion carried.

After a brief discussion with no action taken, Alderwoman Mull made a motion to enter open session at 8:09pm. Alderman Hamlett seconded the motion. Motion carried.

J. Adjournment

The next meeting will be on Thursday, October 18, 2023, at 12:00p.m. at 85 Summer Street, Canton, NC 28716. There being no additional business, the meeting adjourned at 8:10pm.

Lisa Stinnett, Town Clerk