





# TOWN OF LA GRANGE TOWN COUNCIL

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## AGENDA OUTLINE November 2, 2020

1. **Call to Order** **Mayor Wooten**
2. **Opening Prayer**
3. **Public Hearings – None** **Mayor Wooten**
4. **Board of Adjustments – None**
5. **Public Comment Period** **Mayor Wooten**
6. **Amendments to and Approval of the Agenda** **Town Manager**
7. **Consent Agenda** **Town Manager**
  - a. Approval of Minutes:
    1. September 14, 2020 Regular Session
8. **New Business**
  - a. Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence by NCDOT – Highway 903.
9. **Unfinished Business & Informational Items**
  - a. Update: Advanced Metering Infrastructure Upgrade **Town Manager**
  - b. Update: Water & Sewer Projects
10. **Financial Report – Year to Date Budget Information** **Town Manager**
11. **Councilmember Comments**
12. **Closed Session**
  - a. Contract Negotiations & Personnel Related Matters
13. **Adjournment**



# LA GRANGE TOWN COUNCIL AGENDA

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## ITEM # 3

### PUBLIC HEARINGS

As established by the Town Council during the February 25, 2006 Work Session, a Public Hearing period has been established and incorporated into the Regular Meeting Agenda. There are no Public Hearings scheduled for this evening.



# LA GRANGE TOWN COUNCIL AGENDA

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## ITEM # 4

### BOARD OF ADJUSTMENTS

There are no cases to be heard by the Board of Adjustments.



## LA GRANGE TOWN COUNCIL AGENDA

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### ITEM # 5

#### PUBLIC COMMENT PERIOD

As established by Council Action, the public has a designated time period during the Town Council's Regular Council meeting each month to address the council regarding items not included on the printed agenda.

All comments are subject to the "Public Comment Policy". The Council allotted time for up to five (5) citizens to address the council for up to 3 minutes each. Citizens **are required** to sign in with the Town Clerk between 5:45 and 6:00 on the night of the council's regularly scheduled meeting. A response from the Council or Town staff is **not** required during the Council Meeting.

<b><u>RECOMMENDATION:</u></b> None.
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# LA GRANGE TOWN COUNCIL AGENDA

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## ITEM # 6

### AMENDMENTS TO AND/OR APPROVAL OF AGENDA

At this time, the Town Manager will recommend that the agenda be approved as submitted or he may recommend the addition or deletion of item(s) from the printed agenda to be addressed during the Council Meeting.

<b><u>RECOMMENDATION:</u></b> Approval of Agenda as Recommended by Town Manager during the meeting.
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# LA GRANGE TOWN COUNCIL AGENDA

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## ITEM # 7

### CONSENT AGENDA

Attached for your review and consideration are items submitted for the consent agenda. These items, if the agenda is approved, will be handled with a single action of the Council. If for any reason, a member of the council wishes to move an item from the consent agenda to the Items for Discussion and Approval, it is an automatic process that places that item(s) at the end of the printed agenda to allow for a more detailed discussion of the item.

### ITEMS SUBMITTED FOR CONSENT:

#### 7. Consent Agenda

- a. Approval of Minutes:
  1. September 14, 2020 Regular Session

**RECOMMENDATION:** Approval of Items submitted for Consent.



# LA GRANGE TOWN COUNCIL AGENDA

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## ITEM # 7A

### APPROVAL OF MINUTES

Attached for your consideration and approval are the minutes for the meetings since the last regularly scheduled Council Meeting.

#### 7. Consent Agenda

- a. Approval of Minutes:
  1. September 14, 2020 Regular Session

**RECOMMENDATION:** Approval of Minutes as submitted.



## **REGULAR MEETING**

The Town Council of the Town of La Grange, North Carolina met in Regular Session at the Town Hall on September 14, 2020, at 6 p.m. in the Town Council Chambers located at 203 South Center Street.

### Councilmembers Present:

1. Mayor Bobby Wooten
2. Mayor Pro-Tempore Larry Gladney
3. Councilmember Albert L. Gray
4. Councilmember David Holmes
5. Councilmember Roger L. Miles
6. Councilmember Reid Rouse

### Councilmember(s) Absent:

1. Councilmember Veronica Lee

### Staff Present:

1. Frances P. Rasberry, Jr., Town Attorney
2. John P. Craft; Town Manager
3. Leslie A. Garriss, Deputy Town Clerk
4. Laura A. McCallister
5. Tyrone Morgan, Public Services Director
6. John M. Heath, Public Services Crew Leader

Guests: 6 (Mr. Joseph Harrison, Ms. Ellen Harrison, Mr. Chris McCallister, Mr. Robert F. Mooring, Jr., Ms. Vivian Simmons, and Mr. Dennis Rhodes)

## **CALL TO ORDER, PRAYER, & WELCOME**

Mayor Wooten called the meeting to order and asked Councilmember Rouse to open the meeting with prayer.

## **ITEM 3: PUBLIC HEARING(S)**

### **ITEM 3A: TEXT AMENDMENT TO CHAPTER 38, ZONING SECTION 11-4 TABLE OF PERMITTED USES – DOWNTOWN DISTRICT**

Manager Craft informed Council that Mr. Edmundo Garcia is requesting that the Town amend Chapter 38; Zoning, Section 11-4 Table of Uses by District to include “Food Trucks - Permanent” to the permitted use list for the Downtown District.

Manager Craft recommended that the Planning Board recommend that the Town Council not amend the Table of Uses by District for the Downtown District as requested, due to concerns related to the negative effects on existing and future downtown businesses, and the negative effects it could have aesthetically on the Downtown District. Craft informed the Council that

the Planning Board voted unanimously to recommend an alternate proposal to the Council that would allow Food Trucks – Temporary on town owned property. Following the Town Manager’s introduction and presentation, Mayor Wooten declared the Public Hearing Open.

Both Mr. Joseph Harrison and Ms. Ellen Harrison spoke in support of Mr. Garcia’s request. Mayor Wooten asked if anyone else wanted to speak, hearing none, he called for a motion to close the Public Hearing. Councilmember Holmes made a motion to close the Public Hearing, second by Councilmember Miles, and the motion passed unanimously (5-0). After discussion by the Town Council, a motion was made by Councilmember Rouse to deny Mr. Garcia’s request, second by Councilmember Miles, and the motion failed (2-3, with Councilmembers Miles and Rouse voting in favor of the motion to deny; Councilmembers Gladney, Gray, and Holmes voting in opposition).

Councilmember Rouse made a motion to Approve Mr. Garcia’s request, second by Mr. Gladney and the motion also failed (2-3, with Councilmembers Gladney and Rouse voting in favor and Councilmembers Gray, Holmes, and Miles voting against).

Mayor Wooten called for another motion, but a third motion was not made. The Town Attorney informed the Council that since neither of the first two motions passed and a third was not made, that the request was not approved. Mayor Wooten then moved on to the next item on the agenda.

#### **ITEM 4: BOARD OF ADJUSTMENTS - NONE**

#### **ITEM 5: COUNCILMEMBERS COMMENTS**

During the August 5, 2013 Council Meeting, the Council directed the Manager to include an opportunity for Councilmembers to make comments or express concerns on items not on the Agenda at the end of each Council Meeting. Councilmembers were individually recognized and provided an opportunity to speak about issues or items not included on the Agenda.

Mayor Wooten recognized each Councilmember and gave each a opportunity to make comments.

- Councilmember Gladney asked about street sweeping and proposed a future Clean-Up Campaign.
- Councilmember Gray asked for clarification on flower removal in the cemetery.
- Councilmember Holmes expressed his gratitude and praise for the Fire Department for the department’s response and control of the fire at the La Grange Gun Shop.
- Councilmember Miles expressed concern over the cleanliness in certain areas of town.

- Councilmember Rouse praised the Electric Department’s response during a recent outage caused by a downed pole.
- Mayor Wooten also wanted to thank the Fire Department and stated that this was a dangerous job.

**ITEM 6: PUBLIC COMMENT PERIOD**

The Town Council has established a Public Comment Period, during which the public has a designated time period during the Town Council’s Regularly Scheduled Council meeting each month to address the Council regarding items not included on the printed agenda. All comments are subject to the “Public Comment Policy”. The Council allotted time for up to five (5) citizens to address the council for up to 3 minutes each. Citizens are required to sign in with the Town Clerk between 5:45 and 6:00 on the night of the Council’s regularly scheduled meeting. A response from the Council or Town staff is not required during the meeting.

No one signed up to address the Council.

**ITEM 7: APPROVAL OF THE AGENDA**

Manager Craft recommends approval of the agenda as submitted with the exception of removing Item 12 Closed Session.

Motion was made by Councilmember Gray to approve the agenda as submitted and seconded by Councilmember Holmes. Motion carried unanimously (5-0).

**ITEM 8: APPROVAL OF CONSENT AGENDA**

Manager Craft asked for the approval of the Consent Agenda as follows:

- b. Approval of Minutes:
  - 1. August 3, 2020 Regular Session
  - 2. August 3, 2020 Closed Session (Materials provided to Councilmembers Only)
- c. Acceptance and Approval of Annual Settlement of Property Taxes Collected FY2019-2020.
- d. Approval of Temporary Closure of Peachtree Alley on September 19, 2020 from 9:30am until 5:00pm.
- e. Appointment of Laura A. McCallister as Town Clerk.

Town Manager Craft, and Finance Director are recommending approval of the Consent Agenda as submitted.

Motion was made by Councilmember Gray to approve the Consent Agenda as submitted, second by Councilmember Holmes. Motion carried unanimously (5-0).

## **LA GRANGE TOWN COUNCIL NEW BUSINESS**

### **ITEM 9A: AUTHORIZE UPGRADE TO ADVANCED METER INFRASTRUCTURE**

The Town Manager explained to the Council that it is necessary to periodically upgrade advanced metering infrastructure due to many different factors, which include:

- a. Advances in technology that will enhance operational efficiencies.
- b. Loss of revenues that result from wear and tear on mechanical parts inside meters that cause the meters to record less usage than is actually occurring.
- c. Discontinued Support of Meter reading equipment and/or software.
- d. Manufacturer no longer manufactures meters compatible with existing infrastructure.

In the case of our electrical meters which operate on Power Line Carrier (PLC) Technology, the manufacturer has discontinued production of PLC capable meters, forcing the Town to migrate to a newer technology. The two technologies that exist and have an expected useful life of 15 or more years are PLX and MESH technology that can exist and be integrated into our existing electric metering system allowing us to slowly migrate to the new technology without completely abandoning our current electric AMI system. The PLX option would minimize the immediate and annual implementation costs and allow us to use existing meters until end of useful life rather than simply abandoning it. There would be an initial investment needed to upgrade our Collector and SPU which would be approximately \$30,000 but this upgrade would extend the useful life of existing and future electric meter purchases for 15-20 years.

The MESH option is basically a network created by meters across the town that communicate through each other to a collector. This technology has been deployed since 2008 and is proven to be an effective and stable system, but requires the installation of at least one collector and a large initial investment in order to “deploy” a significant number of meters immediately in close proximity to each other in order to build the “mesh” network that enables the meters to communicate with each other. With MESH, additional collectors will likely have to be installed in remote areas (Huntington Park, Journey’s End, or other areas with limited number of meters that may not be close enough to “mesh” with the network). While it is recognized that the MESH network will likely have a longer overall lifespan, the cost to replace/abandon existing working meter systems cannot be ignored.

As a result, the Town Manager recommended that the Town Council approve an additional appropriation of \$60,000 from the Electric Fund Balance to upgrade the Collector and Substation Processing Unit (SPU) and purchase PLX meters. The Town Manager provided the Council with a budget amendment to make that possible should the Council agree with his recommendation.

After discussion, Councilmember Rouse made a motion to approve the upgrade of the electrical metering system to PLX technology and approve the recommended budget amendment to appropriate an additional \$60,000 from Electric Fund Balance to fund the

upgrade as recommended by the Town Manager, second by Councilmember Homes, and the motion passed unanimously (5-0).

The Town Manager then informed the Council that it is also time to transition to a newer technology because the automated water meter reading equipment is no longer supported nor available for replacement. When the existing equipment fails, the town would be forced to manually read the water meters again and that the Town simply has no option but replace its water metering infrastructure, and should do so before it fails. New water metering technology allows for daily reads and leak detection. The daily reads benefit our easy pay customers in that they will be billed daily for use, just as they are for electrical use which will simplify, if not eliminate, the reconciliation process that is required now. A great advantage is that our customers can get immediate notifications of leaks, which will reduce unnecessary costs to the customer, and reduce wasted water and potentially reduce the amount of water that enters the sewer system and is treated unnecessarily.

The cost to replace water meters is estimated to be \$450,000-\$500,000 with additional cost to actually change the meters out in either contract cost or additional personnel expenses. The Town Manager will evaluate proposals from vendors and compare those costs to what would be anticipated if the Town staff was utilized to replace meters when possible during normal work hours and on a volunteer basis on Friday's and Saturdays earning overtime, which will be significantly cheaper than hiring a contractor to replace meters, but would take additional time to complete as they wouldn't be constantly working to replace the meters as a contractor would. Should the Council determine it appropriate to replace the meters at this time, it would be recommended that a 5-year lease purchase instrument be utilized through a local bank and that the replacements be done on Easy Pay customers first, followed by traditional customers. The most likely scenario would be obtaining meter readings via cellular providers through an online portal which would eliminate the need to purchase and maintain meter reading equipment.

As with our electrical meter reading equipment, there would be monthly recurring charges regardless of the vendor that is chosen; but no viable meter reading options that are void of that cost.

The Town Manager recommended that the Town Council authorize and instruct the Town Manager, Public Services Director, and Finance Director to seek/obtain proposals from water meter companies to replace all water meters, obtain proposals for lease purchase options, and report their findings back to the Town Council as soon as practical for further and final consideration by the Town Council. No formal vote was taken on the matter, but the unanimous consensus of the Council was in favor of the Town Manager's recommendation.

#### **LA GRANGE TOWN COUNCIL UNFINISHED BUSINESS**

#### **ITEM 10A: SECOND VOTE - TEXT AMENDMENT TO CHAPTER 38, ZONING SECTION 11-4 TABLE OF PERMITTED USES – DOWNTOWN DISTRICT**

Manager Craft reminded the Council that it had voted 3-2 in favor of amending Chapter 38; Zoning, Section 11-4 Table of Uses by District to include "Repair of Poultry metal cages and fabrication of Aluminum tubing for carports" to the permitted use list for the Downtown District at the request of Mr. Robert F. Mooring at its August 3, 2020 Meeting. Following the vote, the Town Attorney informed the Town Council that a Zoning Text change is an

ordinance and the G.S. 160A-75 states that no ordinance nor any action having the effect of any ordinance, except an ordinance on which a public hearing must be held pursuant to G.S. 160D-601 before the ordinance may be finally adopted on the date on which it is introduced only by an affirmative vote equal to or greater than two thirds of all the actual membership of the council present, excluding vacant seats. This requirement could not be met by allowing the Mayor to vote since the mayor does not have the right to vote on all questions before the council, only in the event of tie. The proposed Text Amendment to Chapter 38; Zoning, Section 11-4 Table of Permitted Uses was brought back before the Town Council for a second vote as required by NCGS 160A-75, which on a second vote, a simple majority is all that is required to pass the Ordinance.

Mayor Wooten called for a motion, Mr. Rouse made the motion to approve the Ordinance Amending Chapter 38; Zoning, Section 11-4 Table of Uses by District to include “Repair of Poultry metal cages and fabrication of Aluminum tubing for carports” to the permitted use list for the Downtown District, the motion was seconded by Mr. Holmes, and the motion passed (3-2 with Councilmembers Rouse, Holmes, and Gray voting in the affirmative, and Councilmembers Gladney and Miles voting against).

#### **ITEM 10B: UPDATE – WATER & SEWER PROJECT**

Manager Craft updated the Town Council on the upcoming Water and Sewer projects. We continue working with the engineer to complete the design of the project based on the Council’s action in May. The project is moving along slowly, but the bid document is being prepared in order for the project to be put out for bids.

#### **ITEM 11: FINANCIAL REPORT**

The Financial Director provided a new, significantly more detailed version of the Year to Date Budget information to the Council to keep the Council informed as to the current status of the Town’s budget and finances.

#### **ITEM 12: CLOSED SESSION (Removed from the Agenda)**

#### **ADJOURNMENT**

With no further business, Mayor Wooten adjourned the meeting at 7:28 pm.

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Laura A. McCallister, Town Clerk

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Bobby R. Wooten, Mayor



## LA GRANGE TOWN COUNCIL AGENDA

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### ITEM # 8A

#### **CERTIFICATION OF MUNICIPAL DECLARATION TO ENACT SPEED LIMITS AND REQUEST FOR CONCURRENCE BY NCDOT – HIGHWAY 903**

On October 9, 2020 the Town Clerk received an email from James Evans, NCDOT Division 2 Deputy Traffic Engineer requesting that the Town complete the attached forms that indicate the Town's concurrence with NCDOT's change of speed limit from 35 to 45 miles per hour on North Caswell Street (NC Highway 903) from its intersection with Institute Road to the Town limits, and on South Caswell Street from its intersection with Miller Avenue to the southern Town Limits. These changes were made by NCDOT many years ago for these sections of Caswell street, but the state did not obtain Municipal Concurrence at that time.

NCDOT now plans to lower the speed limit on NC Highway 903 from the City limits to beyond the overpass from 55 to 45 miles per hour (since that is out of Town, the Council's concurrence is not needed). It seems that the upcoming change revealed the fact that the Town had not previously concurred with the changes made to the speed limits for the portions of Caswell Street mentioned in the first paragraph, and are now seeking the Town's concurrence.

Attached for your review and consideration are four (4) Certification of Municipal Declaration To Enact Speed Limits and Request for Concurrence.

<p><b><u>RECOMMENDATION:</u></b> Consider NCDOT's requested approval of Certification of Municipal Declaration to Enact Speed Limits and Request for Concurrence Forms. If the Council concurs with NCDOT's request, the Council should also authorize and direct the Town Clerk to execute the forms on behalf of the Town.</p>
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# LA GRANGE TOWN COUNCIL AGENDA

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## ITEM # 9A

### **UPDATE: ADVANCE METERING INFRASTRUCTURE UPGRADE**

The Town Manager will update the Town Council on the progress of the Town's efforts to Upgrade its Advanced Metering Infrastructure for both the Electric and Water Systems.

**RECOMMENDATION:** No Action is Required - Informational Item Only.





# LA GRANGE TOWN COUNCIL AGENDA

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## ITEM # 9B

### WATER & SEWER PROJECT UPDATE

The Town Manager will provide an update regarding the Water & Sewer Projects.

**RECOMMENDATION:** Informational Item – No Formal Action is Required.



## LA GRANGE TOWN COUNCIL AGENDA

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### ITEM # 10

#### FINANCIAL REPORT – YEAR TO DATE

As a matter of information, Town Staff is including a monthly financial report for the Town providing year to date information for the budget in an effort to keep the Council informed of the Budget on an ongoing basis. No formal report is planned, but staff will answer the Council's questions, should there be any.

**RECOMMENDATION:** No Action is Required - Informational Item Only.



# LA GRANGE TOWN COUNCIL AGENDA

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## ITEM # 11

### COUNCILMEMBER COMMENTS

The Town Council previously established this time period to allow members of the Town Council an opportunity to discuss any item that a Council Member sees fit to mention or discuss that may or may not be on the printed agenda.

**RECOMMENDATION:** N/A



## LA GRANGE TOWN COUNCIL AGENDA

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### ITEM # 12

#### CLOSED SESSION

The Town Council will go into Closed Session under North Carolina General Statute 143-318.11 (3) (5) to preserve the attorney-client privilege, and to receive a report from, and confer with, the Town Attorney regarding pending litigation, contract negotiations, and a personnel related matter.

**RECOMMENDATION:** Go into Closed Session under North Carolina General Statute 143-318.11 (3) to preserve the attorney-client privilege, and to receive a report from, and confer with, the Town Attorney regarding pending litigation, and under & 143-318.11 (5) to discuss Contract Negotiations and a Personnel Related Matter.