

REGULAR MEETING

The Town Council of the Town of La Grange, North Carolina met in Regular Session at the Town Hall on April 2, 2007, at 7:00 pm with the following present:

Mayor Woodard H. Gurley; Mayor Pro Tem Bobby R. Wooten; Council Members Larry Gladney, Walter Ellis, Jr., George Koonce, Elliott Sutton and Jeff Thomas; Town Manager, John P. Craft; Town Attorney, George Jenkins, Jr.; Town Clerk, Nelda H. Johnson, CMC.

Absent: None

Guest: 23

ITEMS 1, 2, 3: CALL TO ORDER, INVOCATION, WELCOME

Mayor Gurley called the meeting to order and ask Council Member Sutton to offer a prayer. Mayor Gurley welcomed everyone present.

ITEM 4: PUBLIC HEARINGS

- a. VERNON PELLETIER REZONING REQUEST; 6307 WEST WASHINGTON STREET

Mayor Gurley opened the Public Hearing and turned the hearing over to Manager Craft.

Manager Craft stated that Mr. Vernon Pelletier has requested that his property, located at 6307 West Washington Street, be rezoned from AR (Agricultural-Residential) to LI (Light Industrial) to allow for the operation of a salvage yard at this location. The Planning Board scheduled a meeting to discuss the potential rezoning but did not have a quorum present, and as a result, no formal recommendation from the Planning Board was available.

Manager Craft informed the Council that Heith Harrison, Town Planner, has made the recommendation to deny the request and he, as Manager, did concur with Mr. Harrison's recommendation. The reasons being that this area of Town, with the exception of a non-conforming use (the automobile repair shop), is entirely residential in nature. It would also be likely to become an eyesore, even if screening and fencing were installed in accordance with NC State Guidelines and would detract from the entrance to the Town. The basis for the recommendations to deny the request is to protect the property values of the surrounding properties, and that the proposed rezoning would be injurious to the residential nature of the area.

Manager Craft stated that a letter was received from a property owner in the area, Mr. Jack Perkins, who only requested that the property be adequately fenced and screened to protect his property value. Also, a note from another property owner, Mrs. Kathleen Whitley, stating that she had no objections to the rezoning request.

Mr. Vernon Pelletier spoke stating that he had lived in Lenoir County all of his life and he had been in the rental business most of this time. He further stated that he was not really doing this for himself, but his son that he wanted to help start a business of his own.

Lengthy discussion was held among Mr. Pelletier, Council Members and Manager Craft.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Thomas to close the Public Hearing. Motion carried 6-0 in favor of motion.

Motion was made by Council Member Ellis, seconded by Council Member Thomas to deny the rezoning request by Mr. Vernon Pelletier. Motion carried 5-1 in favor of motion. Council Member Gladney opposed.

Motion was made by Council Member Gladney, seconded by Council Member Thomas to go into Regular Session. Motion carried 6-0 in favor of motion.

ITEM 5: PUBLIC COMMENT PERIOD

Two persons signed up with the Clerk to speak.

- (1) Delcie Kraeger, 510 West Boundary Street, was concerned about the deposit for utilities and asked the Council to reconsider the required amount. Ms. Kraeger stated that for persons that are starting out, the utility deposit is steep and also felt people are being punished for living here.
- (2) Nathaniel Waters, 303 Robinia Drive, also spoke on the utility deposit and asked the Council to reconsider the amount required for the utility deposit.

ITEM 6: AMENDMENTS TO AND APPROVAL OF THE AGENDA

Manager Craft requested that the following items be added to the agenda:

ITEM 8G: NIMS/ICS (NATIONAL INCIDENT MANAGEMENT SYSTEM / INCIDENT COMMAND SYSTEM) REQUIREMENT

ITEM 8H: INFORMATIONAL ITEM – TOWN HALL DAY MAY 9, 2007

Council Member Koonce requested that the following item be added to the agenda:

ITEM 8I: PETITION FROM THE CITIZENS CONCERNING UTILITIES

Motion was made by Council Member Gladney, seconded by Mayor Pro Tem Wooten to add the above items to the original agenda. Motion carried 6-0 in favor of motion.

ITEM 7: CONSENT AGENDA

- a. APPROVAL OF MINUTES
 - i. MARCH 5, 2007, REGULAR SESSION
 - ii. MARCH 12, 2007, SPECIAL SESSION
- b. APPROVAL OF RESOLUTION DIRECTING THE CLERK TO INVESTIGATE THE SUFFICIENCY OF THE EAST CAROLINA FARM CREDIT ANNEXATION PETITION. Copy of resolution NO. 2007-04-189 hereto attached and filed in Resolution Book III.
- c. APPROVAL OF ORDINANCE AMENDING THE FY 06-07 BUDGET
Copy hereto attached.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Thomas to approve the consent agenda. Motion carried 6-0 in favor of motion.

ITEM 8: NEW BUSINESS

ITEM 8A: APPROVAL OF FIRE DEPARTMENT BUDGET SUBMISSION TO LENOIR COUNTY

Manager Craft reviewed the FY 2007-2008 Fire Department requested budget submitted by David Holmes, Fire Chief in the amount of \$150,400. He stated that the major items that are noted in this budget are that there were no request for any fire apparatus purchases; an increase in the amount of funding requested from both Lenoir County and Wayne County through fire tax revenues levied against protected properties; an increase in the Town's appropriation from \$34,500 to \$36,500. Also, with

this budget, as there has been in past years since receiving fire tax revenues, the Fire Department will set aside \$35,000 for future apparatus purchases.

Manager Craft stated that the Fire Department had done a considerable amount of service to the Town by burning several dilapidated structures and the \$2,000 increased appropriation from the Town was certainly warranted as their fuel costs escalates.

Motion was made by Council Member Thomas, seconded by Mayor Pro Tem Wooten to approve the FY 2007-2008 Fire Department Budget in the amount of \$150,400. Motion carried 6-0 in favor of motion. Copy hereto attached.

ITEM 8B: DISCUSSION RELATED TO FUEL ADJUSTMENT SURCHARGE

Manager Craft stated that Council Member Gladney ask that the fuel adjustment surcharge be discussed because he feels that the inclusion of the fuel adjustment surcharge on the utility bill creates confusion with customers because it is somewhat difficult to understand why it was added. The initial logic was to show the customer that the increase in power cost was related to the increase in the cost of coal, natural gas and transportation fuel, and the effects that these increases had on the electric power cost. It was also intended to show the increased cost related to the fuel adjustment rider that was passed on to the Town apart from the rates that the Town has previously been charging.

Manager Craft also stated that Council Member Gladney would like to see the surcharge eliminated and increase the electrical rates by \$0.00877 per kwh, which would maintain the Town's ability to generate the revenue required to offset the cost of the fuel rider that is applied to the Town's bill each month.

After discussion, motion was made by Council Member Thomas, seconded by Council Member Sutton to eliminate the fuel rider/surcharge on the customer's bill and increase all of the electric per kwh rates by the same amount. Motion carried 6-0 in favor of motion.

ITEM 8C: ESTABLISH DATE FOR BUDGET WORKSHOP

Manager Craft recommended that the Council hold a FY 2007-2008 budget workshop on Monday, June 11, 2007, and tentatively schedule a public hearing for the adoption of the budget on Wednesday, June 13, 2007. Tuesday, June 12, 2007, is reserved in case an additional evening is needed to continue to review the proposed budget. The Council agreed with the scheduling and the meetings will begin at 7 p.m.

ITEM 8D: POLICE STAFFING PROPOSAL

Manager Craft stated that during the annual retreat held on February 17, 2007, the Council discussed the possibility of a curfew to reduce crimes involving juveniles. After discussion, at that time, the Council directed staff to evaluate the juvenile crime problem and make recommendations to increase the effectiveness of our Police Department. Several items were discussed, including seeking grant funding for a school resource officer, additional police personnel on the street to ensure that we have two officers on the street 24 hours a day, seven days a week. Staff was also instructed, at that time, to prepare a proposal to submit to the Council for consideration during the April Council meeting to discuss the options.

Manager Craft stated that Police Chief Sullivan and he had discussed this issue at length and were prepared to make a report and staffing proposal as directed.

At this time, Chief Sullivan made a presentation to the Town Council. Chief Sullivan had prepared a detail explanation of the current staffing situation, and a proposed increase in staffing levels that would address the concerns identified during the retreat. Chief Sullivan reviewed with the Council a lengthy and detailed proposal as well as

statistics on his department activities over the past year that will be included in his Police Department Annual Report. A copy of the proposal is hereto attached.

After a considerable discussion among the Mayor, Council, Manager Craft and Police Chief Sullivan, Manager Craft ask for direction from the Council concerning the hiring of additional police officers.

The consensus of the Council was to approve the addition of one police investigator to be included in the FY 2007-2008 budget, with a projected personnel and equipment cost of approximately \$47,200.

ITEM 8E: DISCUSSION PERTAINING TO TELEVISIONING COUNCIL MEETINGS

Manager Craft informed the Council that Clark Tutt with Tutt Promotions, that operates Tac 9, met with him recently concerning the possibility of televising the Town Council meetings. Mr. Tutt has offered to televise the Council meetings for \$200 per meeting. The cost would be a minimum of \$2400 annually.

No decision was made.

ITEM 8F: INFORMATIONAL ITEM – EASTER HOLIDAY WORK SCHEDULE

In accordance with the Town's Personnel Policy, the Town Administrative Offices will be closed on Friday, April 6, 2007, in observance of Good Friday.

ITEM 8G: NIMS/ICS (NATIONAL INCIDENT MANAGEMENT SYSTEM / INCIDENT COMMAND SYSTEM) TRAINING CLASS

Manager Craft informed the Mayor and Council Members that he had received information from Roger Dail with Lenoir County Emergency Services regarding a NIMS class for elected officials. President Bush, through a presidential directive, has implemented a new training standard which is called ICS (Incident Command System) and is mandated for all governing boards. Future disaster reimbursements the Town may receive could be dependent on this training. Reimbursement request could be held if the Town failed to participate in this class. The class has been scheduled to be held at the Lenoir County EMS building in Kinston for Thursday, April 26, 2007, beginning at 3 pm and ending at 5:30 pm. Manager Craft encouraged the Council to attend as he would be attending this training session as well.

ITEM 8H: INFORMATIONAL ITEM – TOWN HALL DAY

Manager Craft informed the Council that he had received information from the NCLM concerning Town Hall Day. Town Hall Day has been scheduled for Wednesday, May 9, 2007. This is an opportunity to network with the legislators and colleagues. Manager Craft stated that he would be glad to register anyone who wished to participate.

ITEM 8I: UTILITIES PETITION

Council Member Koonce spoke stating that he had a petition from citizens concerning the issue of utility deposits in the amount of \$450 with about 1,000 signatures. Council Member Koonce requested that the Council consider reviewing the amount of the utility deposits and requested that this issue be addressed again on the agenda.

Online Utilities Collections in Greenville was discussed and Manager Craft stated that their fee was 35% of monies collected, which he felt the Council should approve if the Town was to pursue this option. Also, the Town is still actively pursuing collections through the NC Debt Setoff Program.

Also changing the minimum requirements for the Minimum Housing Inspections to a higher standard was mentioned by Manager Craft.

After continued discussion, Manager Craft stated that he would place on the agenda next month, May 2007, a review of the utility deposit requirements.

ITEM 9: OLD BUSINESS

ITEM 9A: UPDATE ON NEW UTILITY BILL FORMAT

Manager Craft reported that the second billing had been sent to our utility customers under our new format. After numerous proofs there are no problems thus far. All previous omissions and problems have been corrected.

ITEM 9B: DISCUSSION PERTAINING TO WALKING TRAIL AT COMMUNITY PARK

Manager Craft stated that he had placed this item back on the agenda for a purpose. Even though clear direction was given to proceed with this project, Manager Craft stated that he was giving formal notice that he was not proceeding with this project due to consideration he would discuss in Closed Session. Further discussion is needed with the Council again to ensure that this is the best location and time to complete the project.

ITEM 9C: UPDATE ON COUNCIL CHAMBERS ADDITION

Footings have been dug and poured and the concrete blocks have been delivered to begin the construction of the curtain wall that will hold the floor up. Laying of the blocks will soon follow.

ITEM 9D: DISPOSITION OF 103 FLORIDA AVENUE

Manager Craft reported that the bid opening for the sale of 103 Florida Avenue was initially held on March 5, 2007. The high bidder at that time was Mr. Michael Hines and Mr. Samuel Batts, with a bid of \$2,500. In accordance with State law as it relates to the disposition of property utilizing the upset bid method, the bid was advertised and held open for 10 days. Prior to the end of the 10 day period, a seconded bid in the amount of \$2,700 was submitted by Ms. Carla Wade of Bowie, MD.

The Town has again advertised this bid, and has already received another upset bid submitted in the amount of \$2,835 by Mr. Michael Hines and Mr. Samuel Batts. Even if no additional bids are received, the Town will have to advertise at least one additional time, and let the bid lie open for 10 days from the date of advertisement which will be April 4, 2007.

Manager Craft stated that he would keep the Council informed of the continued process concerning disposition of 103 Florida Avenue

OTHER INFORMATION

The Clerk read a letter from the La Grange Arts Council directed to Mayor Gurley expressing their appreciation to the Town of La Grange for the monetary gift given for their continued support.

ITEM 10: CLOSED SESSION

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Thomas to go into Closed Session pursuant to N.C.G.S. 143-318.11(a) (4)(5). Motion carried 6-0 in favor of motion.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Sutton to return to Regular Session. Motion carried 6-0 in favor of motion.

ITEM 11: ADJOURNMENT

Motion was made by Council Member Sutton, seconded by Mayor Pro Tem Wooten to adjourn. Motion carried 6-0 in favor of motion.

Nelda H. Johnson, CMC, Town Clerk

Woodard H. Gurley, Mayor