

REGULAR MEETING

The Town Council of the Town of La Grange, North Carolina met in Regular Session at the Town Hall on September 14, 2009, at 6 p.m. with the following present:

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

Absent: Clifton Harrison, Council Member

Guest: 5

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

Mayor Gurley called the meeting to order and asked Mayor Pro Tem Wooten to give the invocation. Mayor Gurley welcomed all Council Members and guest.

ITEM 6: PUBLIC COMMENT PERIOD

Glen Houston, 904 Madison Ann Drive, spoke concerning the Town's website. Mr. Houston stated that he would like to bring to the attention of the Council something that he felt was important to our Town, and represents our Town and that is our website. Mr. Houston further stated that the website was out of date and the most current minutes that was available was a year and a half old and the latest meeting agenda available was last year. Mr. Houston continued stating that he goes to the website to read minutes to become more knowledgeable about what is going on in our Town. With the AMI project that is going on, Mr. Houston stated that he assumed information would be tied to the Town's website and the Town would see a lot more traffic on the site. Mr. Houston stated that that website does not represent our Town very well at the present.

Manager Craft responded by stating that several months ago the Council did approve an update to the Town's website and the Town is under contract with Alter Imagining. A new version of compatible software should be ready in thirty to forty-five days.

ITEM 4: PUBLIC HEARING(S)

ITEM 4A: TO CONSIDER AMENDMENT TO ZONING ORDINANCE REGARDING THE INSTALLATION OF MANUFACTURED HOMES WITHIN THE R-5, R-10 AND AR ZONING DISTRICTS

Manager Craft stated that the purpose of the public hearing was to receive public comment on an amendment to the Zoning Ordinance regarding manufactured homes. The Town can no longer regulate the installation of manufactured homes based solely on age but can restrict placement. The recommended changes, which have been approved and recommended for approval by the Planning Board and Staff, are as follows:

1. Require brick/masonry underpinning on all manufactured homes installed within the Planning Jurisdiction not located within an existing Manufactured Home Park.
2. Allow for the installation of Class A (double-wide manufactured homes that were constructed/built after July 1, 1976) manufactured homes within the R-5, R-10, and AR Zoning Districts.
3. Allow for the installation of Class B (single-wide manufactured homes that were constructed/build after July 1, 1976) manufactured homes only within the R-5 Zoning District.

Also, Section 2, 80-5-1 to read as follows:

When moved, they must be replaced with a Class A or Class B mobile/manufactured home; must have brick or masonry underpinning

installed prior to the issuance of a certificate of occupancy.

Mayor Gurley called for public comments.

There were no comments.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to close the public hearing. Motion carried 5-0 in favor of motion.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to adopt the amendments to the Zoning Ordinance as stated and recommended by the Planning Board and Town Staff. Motion carried 5-0 in favor of motion. Copy of Ordinance hereto attached.

ITEM 5: BOARD OF ADJUSTMENTS

None

ITEM 7: AMENDMENT(S) TO AND APPROVAL OF THE AGENDA

Manager Craft stated that he recommended approval of the printed agenda, with the following corrections/additions:

Corrections:

ITEM 10C: The discussion on PRESENTATION OF CITIZEN PETITION CONCERNING SUTTON ACRES and ITEM 8B: APPROVAL OF ANNUAL FIRE DEPARTMENT CONTRACT WITH COUNTY OF WAYNE be removed as these items were discussed at the August 3, 2009, meeting and was printed on the September 14, 2009 agenda in error.

Additions:

ITEM 9D: APPROVAL OF ORDINANCE OF DEMOLITION – 208 WEST BOUNDARY STREET

ITEM 9E: APPROVAL OF LETTER OF SUPPORT FOR CDBG PROJECT AND APPROVAL OF PROVISION OF SEWER TO OUT-OF-TOWN RESIDENTS ON SPRING DRIVE

ITEM 9F: DESIGNATION OF VOTING DELEGATES OF NC LEAGUE OF MUNICIPALITIES CONFERENCE

Motion was made by Council Member Gladney, seconded by Council Member Rouse to approve the printed agenda with the above listed corrections/additions. Motion carried 5-0 in favor of motion.

ITEM 8: CONSENT AGENDA

- a. Approval of Minutes
 - i. August 3, 2009, Regular Session Minutes
- b. Item removed with approval of the agenda.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to approve the Consent Agenda. Motion carried 5-0 in favor of motion.

ITEM 9: NEW BUSINESS

ITEM 9A: RESCHEDULING OF OCTOBER TOWN COUNCIL MEETING

Manager Craft stated that he was requesting the Council to reschedule the October Council Meeting from October 5, 2009, to October 12, 2009.

The rescheduling of the meeting would enable Manager Craft to attend the 2009 PAMS Users conference meeting scheduled for October 4 – 6, 2009. The PAMS Users

conference provides training on the prepaid utility system that the Town will be utilizing, and would be greatly beneficial as we begin to offer this to the Town's customers.

Motion was made by Council Member Koonce, seconded by Council Member Gladney to reschedule the October Regular Session to October 12, 2009, to allow Manager Craft to attend the PAMS Users conference. Motion carried 5-0 in favor of motion.

ITEM 9B: DISCUSSION RELATED TO PROHIBITION OF BASKETBALL GOALS IN STREET RIGHT-OF-WAY

Manager Craft stated that over the years several complaints have been received about people playing basketball on Town streets and right-of-ways.

- Safety concern for those playing in streets
- Restricts traffic flow

In order to proceed, Council would need to set a public hearing to be scheduled in October to receive public comment on an ordinance amendment.

Manager Craft stated that he needed guidance from the Council to set an appropriate distance that people could play off of the right-of-way.

After discussion, motion was made by Council Member Gladney, seconded by Council Member Rouse to recommend a distance of fifteen feet (15') to prohibit persons from playing basketball or placing basketball goals from the edge of the improved surface and to schedule a public hearing on October 12, 2009 to receive public comment. Motion carried 5-0 in favor of motion.

ITEM 9C: CONSIDER APPROVAL OF INTER-LOCAL AGREEMENT WITH LENOIR COUNTY TO MANAGE DEBRIS FOLLOWING HURRICANES AND OTHER NATURAL DISASTERS

Manager Craft introduced Dianne Davis, Carolinas Area Manager for Unified Recovery and Roger Dail, Emergency Management Director for Lenoir County.

Manager Craft stated that FEMA and NC Emergency Management have significantly revamped their guidelines relative to debris management. As a result, new guidelines require RFP's (Request for Proposals) to be obtained from all outside contractors that would be proposed to be utilized during, or following a storm event. The new requirements also require that debris locations are documented and basically tracked from its point of origin to its disposal area. The Town would be able to recover the cost of overtime only to complete removal, and would be reimbursed by FEMA standard rates for equipment usage if the Town chose to remove the debris itself.

If an outside contractor is utilized, 75% of the cost would be covered by FEMA, and typically 25% covered by the State. The State could have the Town pay 12.5% of the cost if it chose to, but this has never been done before that the Town is aware.

Lenoir County has a contract with Unified Recovery Group, an outside firm to remove debris from the County roads/streets. The City of Kinston and the Town of Pink Hill are considering the approval of this inter-local agreement as well. This firm is a national firm and has 50 crews that can be disbursed across the region as needed.

Manager Craft further stated that he had met with a representative of the firm, and felt that they are a reputable firm and are capable of providing the services that the Town might need in the event that a major storm event should occur.

The approval of an inter-local agreement does not prevent the Town from removing some of or all of the debris if it deemed it appropriate. It also does not bind the Town to use their services, but it does make it legal for us to do so if it were deemed to be in the

best interest of the Town. Unified resources would not be made available unless requested by the Town.

Manager Craft stated that he was recommending the inter-local agreement with Lenoir County be approved as it was bid in accordance with Federal and State guidelines.

Mr. Dail spoke very favorable for the inter-local agreement as well.

After discussion among the Council, Manager Craft, Mr. Dail and Ms. Davis, motion was made by Council Member Gladney, seconded by Mayor Pro Tem Wooten to instruct the Town Attorney to work with the Lenoir County Attorney to adopt the INTER-LOCAL AGREEMENT WITH LENOIR COUNTY TO MANAGE DEBRIS FOLLOWING HURRICANES AND OTHER NATURAL DISASTERS. Motion carried 5-0 in favor of motion.

ITEM 9D: APPROVAL OF ORDINANCE OF DEMOLITION – 208 WEST BOUNDARY STREET

Heith Harrison, Code Enforcement Officer, spoke stating that the property located at 208 West Boundary Street is being considered for demolition. The owner of the property is Alonza Myers and several attempts have been made to contact Mr. Myers. Mr. Harrison further stated that he has only been able to discuss the property with the property owner only once, all other verbal communications has been with his family members.

The house is unoccupied and in poor repair, vandalized, deteriorated structural members, missing or defective windows, inadequate weatherproofing, electrical panel missing/removed; structure contributes to blight, disease, vagrancy, and may be dangerous to children. The structure is considered dangerous to life, health, and the surrounding properties.

Pictures of the structure were provided to Council Members and Mr. Harrison reviewed the steps taken from the first notification on August 27, 2008, to Mr. Myers for inspection of the property until now, requesting the approval of an ordinance of demolition.

Mr. Harrison stated that he was recommending approval of a RESOLUTION OF DEMOLITION AT 208 WEST BOUNDARY STREET and give the Town Manager the authority to use Town forces or an outside contractor to take necessary steps to demolish the structure.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to approve the RESOLUTION APPROVING DEMOLITION OF BUILDING AND REMOVAL OF DEBRIS – 208 WEST BOUNDARY STREET. Motion carried 5-0 in favor of motion. Copy of Resolution No. 2009-09-330 hereto attached and filed in Resolution Book IV.

ITEM 9E: APPROVAL OF LETTER OF SUPPORT FOR CDBG PROJECT AND APPROVAL OF PROVISION OF WATER AND SEWER SERVICES TO OUT OF TOWN RESIDENTS ON SPRING DRIVE

Manager Craft stated that several weeks ago he had a call from David Harris with RSM Harris and Associates, an engineering firm that oversees CDBG projects for Lenoir County. The firm routinely surveys the county and determines what areas within the county would qualify for CDBG funding under the current guidelines. Mr. Harris has familiarity with the Spring Drive, Easy Street, and Hickory Nut Drive area (just outside the city limits) and felt that these areas would qualify for funding under the CDBG. Manager Craft stated that he and Tyrone Morgan met with Mr. Harris and looked at the existing infrastructure on water and sewer because in order to maximize the funding, access to Town services (water and sewer) for that area would need to be available.

Manager Craft provided the Council with pictures of the area showing thirteen lots on Spring Drive. The road into Spring Drive is in very poor condition, inadequate water supplies, failing septic systems and drainage systems are basically non-existing.

Lenoir County would be the applicant for the project on Spring Drive and requires no County matching funds. This project would improve 6 houses (repair 2 homes and 4 new homes) and demolish 2 dilapidated and vacant houses; includes the installation of 715' of new 6" water lines and 8" sewer lines. This would make Town services be available to a total of thirteen lots; also, new paved roads with drainage.

Manager Craft explained that Town funding in any amount would add points to make the project more likely to be funded. The more funding, the more likely to be funded. The County adding funding would not increase scoring in any way.

The total estimated cost for improvement for the area is \$850,000 (includes \$31,700 water and \$60,800 in sewer).

The water and sewer infrastructure would be turned over to the Town. If the Town contributed \$5,000 to the project, the likelihood of funding would increase substantially as the Town stands to lose nothing.

Manager Craft's recommendation: Direct Manager to draft letter to Lenoir County Manager in support of the project as it would significantly improve conditions in the area for the residents; commit \$5,000 toward the project; and, allow the residents on the new line to tap on and pay out-of-Town rates for services without requiring annexation. There would be no cost to homeowners.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to approve Manager Craft's recommendation. Motion carried 5-0 in favor of motion.

ITEM 9F: DESIGNATION OF VOTING DELEGATE FOR NC LEAGUE OF MUNICIPALITIES

Manager Craft informed the Council that in order for the Town to be enabled to vote on topics to be addressed during the annual League Conference, the Town must designate an "Authorized Voting Delegate." Registered for the Conference are Mayor Pro Tem Wooten, Council Members Gladney, Koonce and Rouse.

Council Member Gladney volunteered to be the "Authorized Voting Delegate."

Motion was made by Council Member Rouse, seconded by Council Member Koonce to designate Council Member Gladney as the "Authorized Voting Delegate" for the Town at the 2009 Annual NCLM Conference. Motion carried 5-0 in favor of motion.

ITEM 10: NEW BUSINESS

ITEM 10A: AMI PROJECT UPDATE, ONLINE PAYMENT AND QUERY OPTIONS

Manager Craft and Tyrone Morgan, Superintendent of Public Works, updated the Council on the AMI project stating that all the residential meters have been changed to date and 67 commercial meters need to be purchased and installed. The full integration on the prepaid meters should be available within the next two weeks, assuming that water meters are available and installed.

To date, 12 water meters have been installed, 100 meters on hand and 100 meters are budgeted for this fiscal year. In order to complete the Town's entire water system, a total of 1,600 meters would be needed to complete the installations. Based on today's cost, \$253,155 is needed to complete the project, in addition to the \$36,165 included in the budget this year without any cost increases.

Manager Craft stated that he had met with a representative with Badger Meter Company and have negotiated a total lump sum cost of \$199,995.44 for the following items:

- 1,400 residential (5/8") AMR ready water meters
- 12 commercial (1") AMR ready water meters
- 2 Trimble Rangers (Handheld Computers) to read water meters that cannot be read via electric system
- Mobile upgrade kit to enable drive by reading of water meters
- ORION data viewer software
- Badger Read Center Reading Data Management Software
- 2 days of on site training

If the Town continues on a pay-as-you-go basis and continue to budget annually for the replacement of the remaining 1,400 meters the cost without increases are estimated to be \$253,155; would take eight years to complete; would still require manual reads of 1,400 water meters every other month for the next year.

If the Town were to purchase the remaining 1,400 meters and other equipment through a lease purchase the cost without cost increases is estimated to be \$199,995.54, representing a savings of \$53,159.56; project completion within 8 months; free software and handhelds; replaces aging water meters immediately.

Manager Craft continued stating that the terms of a lease purchase contract would be as follows:

- 5 year lease/purchase / tax exempt financing
- 3.9% Interest rate
- Annual payments in the amount of \$43,538.11
- \$250 Application fee
- \$17,690.55 in finance charges over the 5 year term
- Increased outlay for each of the next five years by \$7,373.11

After continued discussion the Manager and Public Works Superintendent made the following recommendation to the Council:

- Authorize the purchase of 1,400 meters and other equipment as detailed previously presented and that it be funded through a five-year lease purchase agreement through Southern Bank utilizing tax exempt financing.
- Direct the Manager, Town Clerk, and Town Attorney to execute loan documents on behalf of the Town.

Motion was made by Council Member Gladney, seconded by Council Member Rouse to accept the recommendation of Manager Craft and Public Works Superintendent Morgan. Motion carried 5-0 in favor of motion.

ITEM 10B: PARTF GRANT APPLICATION AND SPRAYGROUND

Manager Craft stated that he had previously informed the Council that the Town was unsuccessful in obtaining the PARTF Grant. There were 80 applicants and only 20 were funded for a total of Eight Million Dollars.

Applications for the next funding cycle are due by January 31, 2010 and the Town Council needs to determine if the Town wishes to submit another application.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to instruct the Town Manager to submit another application for the PARTF Grant that would be due January 31, 2010. Motion carried 5-0 in favor of motion.

Manager Craft stated he will begin work on the spray ground design in hopes of having it completed by the end of Spring 2010.

ITEM 10C: UPDATE REGARDING SUTTON ACRES PHASE II; PRESENTATION OF CITIZEN PETITION

Manager Craft updated the Council concerning the construction of Phase II of Sutton Acres stating that a preconstruction conference was held recently. An issue concerning the location of the force main caused Town forces to relocate the existing sewer force main. The sewer lines have nearly all been completed; but, the taps are not installed. The water line installation should begin soon.

The PRESENTATION OF CITIZEN PETITION was removed with the approval of the agenda as this item had been discussed last month.

OTHER INFORMATION

Council Member Gladney asked about the status on the spraying of mosquitoes.

Manager Craft stated that when he went to Farmville to borrow the sprayer there were two parts missing. One part, a control box, has been ordered as well as the chemicals needed. A person from Farmville will spray until the Town can get an employee certified.

ITEM 11: CLOSED SESSION

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Rouse to go into Closed Session as authorized by North Carolina General Statute 143-318.11 (a) (4) (5) (6). Motion carried 5-0 in favor of motion.

Motion was made by Council Member Gladney, seconded by Council Member Rouse to return to Regular Session. Motion carried 5-0 in favor of motion.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to instruct the Town Attorney, upon a receipt of a survey of the A.L. Gray Heirs property and the property owned by the Town adjacent to the relocated Charles Street, to prepare necessary documents to swap the A.L. Gray heirs the town's property on the southern side of Charles Street for the A.L. Gray heirs stranded property on the northern side of Charles Street, to draw up the necessary deeds to swap the two properties owned by the Town and a property owner and be properly executed by the Mayor and Town Clerk. Motion carried 5-0 in favor of motion.

ITEM 12: ANNOUNCEMENTS AND ADJOURNMENT

Town Clerk, Nelda H. Johnson, read thank you notes for expressions of sympathy from Jerry Davis on the recent loss of his brother; and, from the family of Daniel Pridgen on the recent loss of Daniel's Grandmother.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to adjourn. Motion carried 5-0 in favor of motion.

Nelda H. Johnson, CMC, Town Clerk

Woodard H. Gurley, Mayor