

## **REGULAR MEETING**

The Town Council of the Town of La Grange, North Carolina met in Regular Session at the Town Hall on October 1, 2007, at 7:00 p.m. 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 Clerk, Nelda H. Johnson, CMC; Town Attorney, George Jenkins, Jr.

Absent: None

Guest: 17

### **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 everyone to the meeting.

### **ITEM 4: PUBLIC HEARINGS**

None

### **ITEM 5: PUBLIC COMMENT PERIOD**

None

### **ITEM 6: AMENDMENTS TO AND APPROVAL OF AGENDA**

Manager Craft requested that the following item be added to the original agenda:

#### **ITEM 9B: DISCUSSION RELATED TO THE CASWELL AND WASHINGTON STREETS RESURFACING PROJECT**

Motion was made by Council Member Gladney, seconded by Council Member Ellis to approve the original agenda and with one addition to agenda: ITEM 9B: RESURFACING PROJECT. Motion carried 6-0 in favor of motion.

### **ITEM 7: CONSENT AGENDA**

- a. APPROVAL OF MINUTES
  - i. September 10, 2007, Regular Session
  - ii. September 24, 2007, Special Session

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

### **ITEM 8: NEW BUSINESS**

#### **ITEM 8A: DISCUSSION RELATED TO THE COLLECTION AND DISPOSAL OF TIRES FROM AREA BUSINESSES**

Manager Craft brought to the attention of the Council Members the significant problem related to the collection of used tires from area businesses.

Manager Craft discussed with the Council the following points:

- The State of North Carolina charges a 2% fee on each new tire purchase to cover the cost of disposal of used tires.
- This fee is collected at the point of sale for the new tires, and is sent to the State.
- The State then pays the County for each tire that is purchase within that particular County.
- The Town receives NO funding for the collection or disposal of tires from the 2% fee that is charged.
- If tires are collected by the Town, the Town has to certify the origin of the tires, and haul them to the landfill, individually stack them into a tractor trailer for disposal by the County.
- The Town used to collect tires, haul them to the Town's old landfill where they were dumped.
- A minimum of 1,500 tires (the size load required to obtain a tractor trailer); the County would send a tractor trailer for the Town to load the tires on .
- The County no longer provides a tractor trailer at no cost; cost to the Town is \$75 per tractor trailer load to obtain the trailer.
- The Town has had difficulty obtaining tractor trailers. The pile of tires grew to more than 6,000 tires before the Town could get the tractor trailers.
- The Town has suspended pick up of tires at the Manager's direction because of the following reasons:
  - The Town receives no funding for the disposal of the tires.
  - Lenoir County charges additional \$75 per load (1,500 tires) to provide a trailer.
  - Town crews have to load the tires twice to dispose of them or make routine trips to dispose of tires, as they cannot be disposed of with other forms of waste.

Manager Craft suggested that the Town should consider not collecting tires from businesses as well as residential customers.

Manager Craft gave the Council two options:

- Require that commercial businesses transport the used tires generated from their businesses to the landfill (current situation).
  - Consider the discontinuation of the collection of tires from residences.
- Resume collection of tires from these businesses.
  - Option #1: At no cost to the businesses.
  - Option #2: Fund the additional costs by charging additional fees for collection of these tires.
    - Can be a monthly charge or per tire charge.

Council Members discussed the advantages and disadvantages of the collection of used tires from the businesses and residential customers.

Eugene Parrish, owner and operator of Carolina Service Center, asked permission to speak concerning the collection and disposal of used tires.

Mr. Parrish spoke in opposition of the Town discontinuing the collection and disposal of used tires stating that he had been in business in La Grange for forty-two years and used tire collection was the very last thing given to his business by the Town that was free. Everything else he pays for. The cost of property taxes is going up with the evaluation of property and utilities increasing. Mr. Parrish stated that he would abide by whatever the Council decided, but if necessary, he would have to pass along any additional charges the Town imposed on his business to his customers.

Council Members continued discussion of the used tire collection and disposal. Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Ellis to table the

discussion and decision on the collection and disposal of used tires. Motion carried 6-0 in favor of motion.

#### **ITEM 8B: REQUEST TO CLOSE BASKETBALL COURT – DAYNA ROACH**

Manager Craft reported to the Council that he had received a written request from Ms. Dayna Roach that the Town of La Grange close the basketball Court (located behind Town Hall) indicating that it was the location for drug and alcohol use, gambling and fighting. Manager Craft asked Police Chief, John L. Sullivan, Jr., to provide police reports for the basketball court, and Chief Sullivan noted that very few problems have been reported. Only one piece of drug paraphernalia has been found since the Town Hall has located adjacent to the basketball court. Manager Craft further stated that the biggest problem that we have experienced is loitering, littering and the blocking of the driveway and carport area behind Town Hall. We also have experienced two instances of some minor graffiti on the exterior of the building.

Ms. Roach was not present at the meeting to speak concerning her request. No formal decision was made concerning the closure of the basketball court.

#### **ITEM 8C: DISCUSSION RELATED TO CEMETERY REGULATIONS**

Manager Craft reported to the Council that the Town has had some problems in relation to the cemetery regulations and recommended some changes in the current regulations.

- a) The regulations do not specifically address the single grave section. This is a problem in that the regulations allow for a single monument to be placed on a plot. In the multi-grave plot sections, (four, eight, or twelve grave plots) only one monument is allowed, but they certainly can have a headstone for each grave in addition to the monument. One single flush mounted head stone or foot stone certainly looks better and makes it much easier to maintain. The presence of so many monuments so close together also takes away from the appearance of the cemetery. Manager Craft stated that the Town needed to amend the regulations to limit the single grave section to head and/or footstones and prohibit the installation of monuments within the single grave section.
- b) Manager Craft also requested that the Town be responsible for the opening and closing of graves and would like to solicit proposals from companies to open, close, and fine grade the graves after closing. Also the responsible company would remove flowers from the graves at the appropriate time, as determined by the regulations, which is currently 7 days after burial.
- c) Also, this would be an appropriate time to review the regulations in their entirety, and make necessary modifications to them at this time.

Motion was made by Council Member Thomas, seconded by Council Member Sutton to allow Manager Craft to proceed with the solicitation of bids for the opening and closing of graves at Fairview Cemetery; and, to recommend necessary modifications and additions for approval of the current rules and regulations. Motion carried 6-0 in favor of motion.

#### **ITEM 8D: DISCUSSION RELATED TO THE PROPOSED RECREATION COMPLEX**

Manager Craft stated that the Recreation Complex had been discussed over the past several months and as the Town prepares to pursue this project, a plan needs to be developed for the complex. This plan would require the Town to pursue possible grant funding sources and possible donations to help fund the project. The Town also needs to have a plan for the complex as the irrigation system is installed for the reuse project.

A plan would help the Town determine what could be offered at the new recreation complex.

- Baseball / Softball (multiple fields)
- Football / Soccer Field(s)
- Basketball Court(s); (full court & half court)
- Possibly a memorial of some type to veterans and including some type of surplus or retired military equipment, or something unique that would draw people to the area.

Manager Craft stated that, for information, he has discussed the use of this land for recreational purposes with Robin Hammond, the Clean Water Management Trust Fund attorney, who has confirmed that we would be able to use the property for recreational purposes.

Manager Craft stated that he needed the Council to instruct him to request proposals for the design of such a complex and would like to have a firm identified and begin the design of the complex no later than the first of 2008, preferably sooner.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to authorize the Town Manager to request proposals for the professional services related to the design of the proposed recreation complex. Motion carried 6-0 in favor of motion.

#### **ITEM 9: OLD BUSINESS**

#### **ITEM 9A: UPDATE ON THE CLEAN WATER MANAGEMENT TRUST FUND RE-USE GRANT**

Manager Craft reported that the Town is waiting for the updated Grant Contract Documents. On the land acquisition status, the CWMTF has approved the purchase of the land and the closing date for purchase of the property is set for October 4, 2007. The next phase will be the infrastructure design.

Manager Craft recommended to the Council that he meet with the NC Department of Transportation to ask for the relocation of the existing street (North Charles Street) and move it south so that the street would not split our property. At present the NC DOT has a fifty foot right-of-way and is asking for an additional 10 feet to make it a sixty foot right-of-way. In order to get the road moved the Town would have to give up an additional ten feet of our property; but, it would be in the best interest of the Town.

Motion was made by Council Member Gladney, seconded by Mayor Pro Tem Wooten for Manager Craft to proceed with the NC DOT to relocate Charles Street, from Queen Street to NC 903, to the southern property line. Motion carried 6-0 in favor of motion.

Manager Craft stated that as the acquisition of the property is set for Thursday, October 4, 2007, he is in need of the Council to formally authorize him to execute loan documents to acquire the short-term unsecured funding for the purchase of the land. This loan would be through Southern Bank and Trust Company here in La Grange.

Motion was made by Council Member Koonce, seconded by Council Member Gladney to authorize the Town Manager to acquire the short-term unsecured funding for the purchase of the land. Motion carried 6-0 in favor of motion.

#### **ITEM 9B: DISCUSSION RELATED TO THE CASWELL AND WASHINGTON STREETS RESURFACING PROJECT**

Manager Craft gave the following updates on the Resurfacing project:

- Bid for paving contract is to go out today
- Bid opening scheduled for October 11, 2007
- Work can start October 18, 2007
- Bid calls for work to be completed by November 30, 2007

- Work involves the resurfacing of portion of Washing and Caswell Streets, repair of curbing and installation of handicap ramps along the two streets

**ITEM: 10 CLOSED SESSION**

Motion was made by Council Member Thomas, seconded by Council Member Gladney to go into Closed Session pursuant to N.C.G.S. 143-318.11 (a) (4) (5) (6) for discussions related to the approval of Closed Session minutes, for a discussion related to economic development and personnel. Motion carried 6-0 in favor of motion.

**ITEM 11: ADJOURNMENT**

Motion was made by Council Member Gladney, seconded by Council Member Sutton to adjourn. Motion carried 6-0 in favor motion.

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Nelda H. Johnson, CMC, Town Clerk

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Woodard H. Gurley, Mayor

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