

TOWN OF LA GRANGE, NORTH CAROLINA

TOWN COUNCIL AGENDA



**February 7, 2011
6:00 PM**



TOWN OF LA GRANGE

TOWN COUNCIL AGENDA February 7, 2011

1. Call to Order Mayor Gurley
2. Moment of Silence
3. Welcome
4. Public Hearings - None Mayor Gurley
5. Board of Adjustments – None Heith Harrison
6. Public Comment Period Mayor Gurley
7. Amendments to and Approval of the Agenda Town Manager
8. Consent Agenda
 - a. Approval of Minutes
 - i. Regular Session Minutes; January 10, 2011
 - b. Appointment of Eastern Carolina Council Representative
9. New Business.
 - a. Presentation of Annual Audit – Pittard, Perry, & Crone
 - b. Town Council Retreat Agenda
10. Unfinished Business & Informational Items
 - a. PARTF Grant Application
 - b. Update on Wastewater Treatment Plant Improvements.
 - c. Update on Rail Crossing Signalization & Crossing Project.
 - d. Update pertaining to the Charles Street & Railroad Street Traffic Pattern.
 - e. Main Street Solutions Fund Grant & Improvements to the Harvey Building.
 - f. Update on Bucket Truck Insurance Claim
11. Closed Session
12. Adjournment



PUBLIC HEARINGS

AGENDA ITEM # 4

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.



BOARD OF ADJUSTMENTS

AGENDA ITEM # 5

There are no Board of Adjustments cases to be heard.

RECOMMENDATION: N/A



PUBLIC COMMENT PERIOD

AGENDA ITEM # 6

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.

RECOMMENDATION: None.



AMENDMENTS TO AND/OR APPROVAL OF AGENDA

AGENDA ITEM # 7

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

RECOMMENDATION: Approval of Agenda as Recommended by Town Manager during the meeting.



CONSENT AGENDA

AGENDA ITEM # 8

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:

8. Consent Agenda

- a. Approval of Minutes
 - i. Regular Session Minutes; January 10, 2011.
- b. Appointment of Representative to the Eastern Carolina Council.

RECOMMENDATION: Approval of Items submitted for Consent.



APPROVAL OF MINUTES

CONSENT AGENDA ITEM # 8A

APPROVAL OF MINUTES

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

8. Approval of Minutes

a. Approval of Minutes

i. Regular Session Minutes; January 10, 2011

RECOMMENDATION: Approval of Minutes as submitted as part of Consent Agenda.

REGULAR MEETING

The Town Council of the Town of La Grange, North Carolina met in Regular Session at the Town Hall on January 10, 2011, at 6 p.m. with the following present:

Mayor Woodard H. Gurley; Mayor Pro Tem Bobby Wooten; Council Members Larry Gladney, Clifton Harrison, David S. Holmes, Veronica Lee and Gregory Rouse; Town Manager, John P. Craft; Town Attorney, George Jenkins, Jr.; Town Clerk, Kyle J. DeHaven.

Absent: Council Member Veronica Lee

Guest: 2

ITEMS 1, 2, 3: CALL TO ORDER, MOMENT OF SILENCE, WELCOME

Mayor Gurley called the meeting to order and asked for a moment of silence. Mayor Gurley gave a warm welcome to the visitors and citizens in attendance.

ITEM 4: PUBLIC HEARINGS

A.) RECEIVE PUBLIC COMMENT REGARDING THE ADOPTION OF ORDINANCE ALLOWING THE OPERATION OF GOLF CARTS ON STREETS WITHIN THE CORPORATE LIMITS

Manager Craft reviewed the rules of the proposed ordinance stating that the ordinance requires that golf carts must not be capable of exceeding 25mph, the operator must be 16 years of age or older, and these vehicles can only be driven between official sunrise and sunset unless the vehicle has two operating headlights and tail lights with brake lights which are visible from 500 feet away. He went on to explain that the vehicle must be equipped with a rear view mirror and triangle reflector on the back. The vehicle cannot be operated on any city street with speed limits of greater than 35 MPH, and all occupants must be properly seated with no part of the body extended outside the perimeter of the vehicle. The ordinance also limits the number of occupants in the vehicle to the number of seats provided. The golf cart must follow all applicable traffic laws, not be operated on sidewalks, as well as not be operated on private property without the consent of the property owner. Lastly, he stated that the golf cart not be parked in a handicap space unless one of the occupants has a handicap placard. The current provision requires a \$10 inspection fee and \$5 re-inspection fee. Violation of this Ordinance provision is considered a misdemeanor and is subject to a \$50 fine.

Mayor Woodard Gurley proceeded to open the public hearing.

Council Member Gladney expressed his desire for an amendment to the ordinance to mandate a picture ID be necessary to operate a golf cart for identification purposes in case of accidents.

Council Member Harrison expressed his concern for safety of golf carts operating on city streets and the additional tasks it would put on the city employees and the sheriff's department.

Mayor Woodard Gurley expressed his concern for the safety of the people, too.

With no further comments, motion to close the public hearing was made by Council Member Wooten, seconded by Council Member Gladney. Motion carried 5-0

Motion to adopt ordinance as outlined and written was made by Council Member Gladney, seconded by Council Member Holmes. Motion carried 4-1. Council Member was Harrison against.

ITEM 5: BOARD OF ADJUSTMENTS

A.) SETBACK VARIANCE REQUEST: -WYNNE ODOM FORD

Manager Craft requested that Town Clerk DeHaven swear in the witnesses, who were Code Enforcement Officer Heith Harrison and Wynn Odom.

Code Enforcement Harrison explained that a variance request for the Ford dealership was requested by owner Wynn Odom. He then explained the history of the structure, being built in 1966, there was no setback variance at that time. Then in 1993, Mr. Odom appeared before the board of adjustment with a similar request to this evenings'. He requested to add a piece to the building for storage, much as he is doing now.

He then went through the five steps in granting a variance according to the General Statutes, of which all answers must be true.

After presenting the evidence, Code Enforcement Officer Harrison concluded that of the five findings of fact, that four were false with one true. He then stated that he advertised the meeting in the weekly gazette and sent letters to the adjacent property owners with no response or reply.

Mr. Wynn Odom then spoke that at one time he sat as the chairman of the board of adjustments and these 5 findings of facts were not asked. He stated he was just trying to build a storage building for floor jacks and transmission machines and other heavy tools that Ford has required them to have over the years. He said he respected the 5 questions asked in a variance, but said the true economic impact will be the technician he can no longer employ to build this storage facility in another way.

Manager Craft explained that this is a difficult situation. He said he understood the barriers that Wynn Odom Ford faced with power lines, septic fields, and such.

Mr. Odom commented that the board of adjustments is to adjust building and zoning laws where these exceptions are needed.

Motion to grant the variance was made by Council Member Gladney, seconded by Council Member Harrison. Motion carried unanimously.

ITEM 6: PUBLIC COMMENT PERIOD

None

ITEM 7: APPROVAL OF THE AGENDA

Manager Craft recommended the approval of the printed agenda with the addition of 3 items;

-9C: Set date for Annual Retreat

-9D: Duke Energy/Progress Energy Merger

-9E: Amend Personnel Policy to establish Easter Monday as holiday rather than Good Friday

Motion to approve the agenda as printed with the addition of agenda items 9C, 9D, and 9E was made by Council Member Harrison, Seconded by Council Member Gladney. The motion carried unanimously.

ITEM 8: CONSENT AGENDA

Manager Craft recommended the approval of the December 6, 2010 Regular session minutes as well as the Certification of 2011 Fire Department Roster and the Approval of 2011 Slate of Officers for the Fire Department

Motion to approve the consent agenda which included the December 6, 2010 Regular Session Minutes and the Certification of 2011 Fire Department Roster and the Approval of 2011 Slate of Officers for the Fire Department was made by Council Member Holmes, seconded by Council Member Gladney. The motion carried unanimously.

ITEM 9A: REPORT OF EFFECTS OF REGULATOR INSTALLATION AND VOLTAGE REDUCTION ON DEMAND CHARGES

Manager Craft explained that council's approval to purchase and install regulators in 2008, utilized voltage regulation to reduce demand. The installation resulted in an average of 8.6%

reduction in Peak Demand during the load management, which resulted in an \$80,513.64 annual savings from reduced demand charges. Manager Craft then distributed an excel spreadsheet displaying how these results were derived to assist in explaining this to the council.

Manager Craft then explained that the increase in load management switches is another alternative to reducing peak demand. A credit given to customers for participating in this program may be well worth the cost we spend and the money we can save.

ITEM 9B: COMMITTEE FORMATION AND MEMBER APPOINTMENT- CEMETERY REGULATIONS

Manager Craft stated that the council wished to have a committee formed to study the effects of the regulations implemented by council in December. He stated that Mayor Gurley recommended the appointment of Becky Berger, Lisa Alphin, Joe Price, Tyrone Morgan, John Craft, and Himself.

Motion to create committee and have the 6 local people on the committee was made by Council Member Holmes, seconded by Council Member Wooten. Motion carried unanimously.

ITEM 9C: ESTABLISH DATE FOR ANNUAL RETREAT

Manager Craft explained that each year, a retreat is set to discuss items that cannot be discussed in detail in regular session. These items will include budget, cemetery, and meeting procedure. Manger Craft recommend that the council establish this meeting for February 12, 2011 at 9:00am at the Town Hall.

Motion to have annual retreat on February 12, 2011 was made by Council Member Gladney, seconded by Council Member Holmes. Motion carried unanimously.

ITEM 9D: DUKE ENERGY/PROGRESS MERGER

Manager Craft explained that Duke Energy and Progress Energy announced they would merge into one company. He explained that headquarters would be moved to Charlotte, and that the utilities commission would have to approve this merger. This merger would make Duke Energy the largest energy provider in the Country. Manager Craft speculated that this economy of scale created by this merger may result in the expansion of the gap of electric cost from Duke and Electricities.

ITEM 9E: AMENDMENT TO PERSONNEL POLICY

Manager Craft explained he would like to amend the personnel policy because of its affects on the garbage collection schedules. Manager Craft recommends amending the policy to recognize Easter Monday instead of Good Friday so as not to interrupt regularly scheduled garbage collection dates.

Motion to amend the personnel policy to recognize Easter Monday rather than Good Friday was made by Council Member Wooten, seconded by Council Member Harrison. Motion carried unanimously.

ITEM 10A: UPDATE ON PARTF

Manager Craft explained that he is beginning to work on the PARTF Grant application. He asked the council for guidance on the scope of Phase I of this project as it was recommended he reduce the amount of the request for park funding. Steve Moler, of DENR, told him this would increase the likelihood of funding. Manager Craft asked for direction from the Town Council on how to proceed.

After discussion, the council agreed that pursuing the originally sought after sum for the originally designed fields and courts was the course of action they desired Manager Craft to pursue.

ITEM 10B: UPDATE ON WWTP IMPROVEMENTS

Manager Craft explained that the force main had been installed and completed. They are now awaiting the delivery of equipment from lakeside. They believe it will start on or about the middle of February. This will be very close to the completion time of the clarifier, headwork's, and control system improvements at the waste water treatment plants, bringing all four grants to completion in March.

ITEM 10C: UPDATE ON RAIL CROSSING SIGNALIZATION AND CLOSING

Manager Craft explained that he has still not received results of a traffic count.

ITEM 10D: UPDATE PERTAINING TO CHARLES ST. & RAILROAD ST. TRAFFIC PATTERN

Manager Craft explained Curb and Gutter has been installed along North Railroad St. and that portion of the project is nearing completion.

ITEM 10E: MAIN STREET SOLUTIONS FUND GRANT & HARVEY BUILDING IMPROVEMENTS

Manager Craft explained that work was well underway at the Harvey Building. He explained that the interior walls were framed, and electrical work is underway. Sutton's Grill work will begin soon for facade improvements and work on Harrison Accounting is under way. Final quotes on street-scaping improvements have not been received.

ITEM 10F: DR. MARTIN LUTHER KING, JR. HOLIDAY WORK SCHEDULE

Manager Craft explained that Monday, January 17 2011, The Town will be closed in observance of Dr. Martin Luther King, Jr. Holiday. Garbage collection schedules are amended to recyclables and yard waste routes will both run on Tuesday January 18, 2011.

Manager Craft then recommended the close of the Regular meeting to be followed by a Closed Session meeting authorized by General Statute 143-318.11 (a) (6) (7) (8) to approve a previous closed sessions minutes.

Motion to adjourn Regular Session at 7:32pm was made by Council Member Wooten, seconded by Council Member Holmes. Motion carried unanimously.

ITEM 11A: CLOSED SESSION

ITEM 12: ADJOURNMENT

Motion to adjourn the January 10, 2011 meeting at 7:52pm was made by Council Member Wooten, Seconded by Council Member Holmes. Motion carried unanimously.

Kyle J. DeHaven, Town Clerk

Woodard H. Gurley, Mayor



APPOINTMENT OF EASTERN CAROLINA COUNCIL REPRESENTATIVE

CONSENT AGENDA ITEM # 8B

For several years, Councilman Gladney has served as the Town's representative on the Eastern Carolina Council. The appointments are for one year. I am recommending that Mr. Gladney be reappointed as the Town's representative.

RECOMMENDATION: Approval of Resolution Appointing Councilman Larry Gladney as the Town's Representative on the Eastern Carolina Council.



TOWN OF LA GRANGE

203 South Center Street
La Grange, NC 28551
Office (252) 566-3186 • Fax (252) 566-2201

Resolution (2011) _____

Resolution Appointing Advisory Board Member

WHEREAS, the Mayor is appointing **Larry L. Gladney** to act as the Town of La Grange's Representative on the Board of the Eastern Carolina Council the term of which will expire January 31, 2012.

NOW, THEREFORE BE IT RESOLVED by the La Grange Town Council that **Larry L. Gladney** is to serve as the Town of La Grange's Representative on the Board of the Eastern Carolina Council for a term that expires on January 31, 2012.

Adopted by the La Grange Town Council in regular session February 7, 2011 on the motion of Council Member _____ and second of Council Member _____.

Woodard H. Gurley, Mayor

Attest:

Kyle J. DeHaven, Town Clerk



PRESENTATION OF ANNUAL AUDIT PITTARD, PERRY, & CRONE

AGENDA ITEM # 9A

Dean Horne with Pittard, Perry, and Crone will be present to present the audit to the Council.

RECOMMENDATION: Approval/Acceptance of Audit Report



TOWN COUNCIL RETREAT AGENDA

AGENDA ITEM # 9B

As we have the Annual Retreat Scheduled for February 12, 2011; I would like to ensure that we cover the topics that the Council wishes to be covered in greater detail. I will be seeking input from the Council regarding items for discussion.

So far, I have the following items on the agenda:

1. Proposed Town Council Rules of Procedure
2. Preliminary Discussions Regarding FY 2011-2012 Budget
 - a. Potential Revenue Sources
 - b. Employee Compensation
 - i. Employee Health Insurance Options
 - ii. Cost of Living / Merit Increases
 - c. Capital Improvements Plan
 - d. Drainage Issues
 - e. Review of Equipment Replacement Plan

If there are other issues that the Council would like considered, please let me know so that I can adequately prepare for the topics to be discussed.

As a reminder, the meeting is scheduled to begin at 9:00 am on Saturday February 12, 2011. We will have breakfast here for you no later than 8:40 am. Please let Kyle know what your preference for breakfast will be by Friday February 11, 2011.

RECOMMENDATION: Provide additional guidance as to the topics to be discussed at the annual retreat.



UPDATE ON STATUS OF PARTF GRANT APPLICATION

AGENDA ITEM # 10A

Staff will provide an update on the status of the PARTF Grant Application.

RECOMMENDATION: Informational Item – No Action is Required.



UPDATE ON WASTEWATER TREATMENT PLANT IMPROVEMENTS

AGENDA ITEM # 10B

I will update you on the progress of improvements of the Wastewater Treatment Plant Improvements.

RECOMMENDATION: Informational Item – No Action is Required.



UPDATE ON THE RAILROAD CROSSING SIGNALIZATION AND CLOSING PROJECT

AGENDA ITEM # 10C

I will update the Council on the status of the Railroad Crossing Signalization and Closing Project.

RECOMMENDATION: No Action is Required – Informational Item Only.



**UPDATE:
RAILROAD & CHARLES STREETS
TRAFFIC PATTERN**

AGENDA ITEM # 10D

As you will remember, representatives of the North Carolina Railroad (NCR) have requested that you consider a change to the traffic pattern at the intersection of Charles & Railroad Streets. Currently, traffic flows freely on Railroad Streets with traffic on Charles stopping at the intersection of both North and South Railroad Streets.

NCR is requesting that you consider changing the pattern to free flowing on Charles Street, and stopping the Railroad Streets Traffic; which would make the traffic flow just like it is at Railroad and Charles.

I think that there are advantages to their pattern, but I am not certain which would be the best pattern for the area. I spoke with Lieutenant Jerry Davis, who thinks that the proposed pattern would be better than the current plan, as it would eliminate the possibility of stalled vehicles on the tracks.

At your November Council Meeting, you instructed me to ask for a traffic count and NC DOT's recommendation relative to the request and report back to the Council. I did ask NCDOT for a recommendation, and a traffic count, but have not heard back from them on this request. I will follow up on this in early January and report back on any findings relative to the proposal as soon as the information becomes available.

RECOMMENDATION: No Action Required – Informational Only.



**UPDATE:
MAIN STREET SOLUTIONS FUND
GRANT; IMPROVEMENTS TO THE
HARVEY BUILDING**

AGENDA ITEM # 10E

Staff will report to the Town Council on the status of the Main Street Solutions Fund Grant, which includes the improvements to the Harvey Building.

RECOMMENDATION: No Action Required – Informational Only.



UPDATE REGARDING THE BUCKET TRUCK INSURANCE CLAIM

AGENDA ITEM # 10F

As you know, the Service Bucket was involved in an accident on December 9, 2010. The truck has been determined to be totaled. I will update you on the status of our insurance claim and our search for a replacement truck.

RECOMMENDATION: No Action Required – Informational Only.



CLOSED SESSION

AGENDA ITEM # 11

I am requesting a closed session pursuant to N.C.G.S. 143-318.11 (a) (6) (7) (8).

RECOMMENDATION: