

TOWN OF LA GRANGE, NORTH CAROLINA

TOWN COUNCIL AGENDA



**January 10, 2011
6:00 PM**



TOWN OF LA GRANGE

TOWN COUNCIL AGENDA January 10, 2011

1. **Call to Order** Mayor Gurley
2. **Moment of Silence**
3. **Welcome**
4. **Public Hearings** Mayor Gurley
 - a. Operation of Golf Carts on Streets within the Town.
5. **Board of Adjustments** Heith Harrison
 - a. **Variance Request – Wynn Odom Ford**
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; December 6, 2010
 - b. Certification of the 2010 Fire Department Roster
 - c. Approval of Slate of Officers for Fire Department
9. **New Business.**
 - a. Report of Effects of Regulator Installation and Voltage Regulation on Demand Charges
 - b. Committee Formation and Member Appointment – Study Cemetery Regulations
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. Dr. Martin Luther King, Jr. Holiday work schedule.
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.



**PUBLIC HEARING TO
CONSIDER ADOPTION OF ORDINANCE TO
ALLOW OPERATION OF GOLF CARTS ON
STREETS WITHIN CORPORATE LIMITS**

AGENDA ITEM # 4A

As you know, at the direction of the Town Council, I had prepared a draft Ordinance for consideration that would allow the operation of Golf Carts on streets within the corporate limits, the ordinance was based on the one that is utilized successfully by the Town of Winterville.

As I have mentioned before, I have received several comments on the possibility of operating golf carts on the streets, and would estimate that approximately half are supportive, and half are not.

The proposed ordinance meets the requirements of the enabling NC General Statute, but does not require any specific additional requirements over and above the minimum requirements other than to require that drivers possess a valid North Carolina Drivers License. I have provided a copy of the proposed Ordinance to Lieutenant Davis for his review.

The draft ordinance is attached for your review and consideration.

RECOMMENDATION: Receive Public Comment and Consider Adoption of Proposed Ordinance to allow the operation of Golf Carts on streets within the Corporate Limits.

Town of La Grange Golf Cart Ordinance

Whereas, the Town Council of the Town of La Grange, do hereby find and determine that the establishment of a golf cart ordinance is necessary to address the interest of public safety. Golf carts, herein "cart(s)," are not designed or manufactured to be used on public streets and roads, hereinafter "road(s)," and the Town of La Grange in no way advocates or endorses their operation on roads. The Town, by regulating such operation is merely trying to address obvious safety issues, and adoption of this Ordinance is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this Ordinance. All persons who operate or ride upon carts on roads do so at their own risk and peril, and must be observant of, and attentive to the safety of themselves and others, including their passengers, other motorist, bicyclists, and pedestrians. The Town of La Grange has no liability under any theory of liability, for permitting carts to be operated on roads under special legislation granted by the State Legislature.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of La Grange, North Carolina that the following Golf Cart Ordinance be approved and reads as follows:

(A) PURPOSE: The purpose of this ordinance shall be to establish a Golf Cart Ordinance within the Town of La Grange to promote the health, safety and welfare of persons operating cart(s) within the Town.

(B) DEFINITIONS: For the purpose of this section, the following words and phrases shall have the following meanings.

1. Golf Cart: A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 25 MPH.
2. Operator: Only persons that are over 16 years of age may operate a golf cart on Streets within the Corporate Limits of La Grange.

Section 1. Rules and Regulations:

1. Carts may be driven on roads only from official sunrise to official sunset unless the cart is equipped with two operating headlights (one on each side of the front of the golf cart) and two operating tail lights with brake lights (one on each side of the rear of the cart) which are visible from a distance of 500 feet.
2. Carts must be equipped with a rear vision mirror and rear triangle reflector of the same type required by North Carolina Law.

3. No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions, and in no instance at a speed greater than 25 miles per hour.
4. No golf cart shall be operated on any street within the Town of La Grange with a posted speed limit of greater than 35 mph. However, carts may cross over roads that have a posted speed limit of greater than 35 mph.
5. The number of occupants in a golf cart shall be limited to the number of persons for whom individual seating is installed and provided on the golf cart. The operator and all occupants shall be seated in the golf cart and no part of the body of the operator or occupant shall extend outside the perimeter of the golf cart while the golf cart is in motion. No passengers shall be carried on the part of a golf cart designed by carry golf bags.
6. Children must be properly seated while golf cart is in motion and may not be transported in a negligent manner.
7. All applicable State Laws shall be adhered to, including the possession and use of alcoholic beverages and all other illegal drugs.
8. The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of North Carolina and the Town of La Grange which governs the operation of motor vehicles.
9. Carts are only allowed to park in handicapped parking spaces if the driver or at least one passenger has a valid handicap parking sticker or placard.
10. Carts will adhere to all traffic flow patterns, and will operate on the far right side of the roadway and must yield to all vehicular and pedestrian traffic.
11. Carts shall not be operated on sidewalks.
12. Carts shall not be operated on private property without the permission and consent of the property owner.

Section 2: Inspection and Fees:

The inspection by the Lieutenant in responsible charge of the La Grange Division of the Lenoir County Sheriff's Office, or his designee, will cover the following safety requirements and every cart operating on the Town of La Grange streets must have the following safety equipment.

1. Permits/Stickers issued to operators/owners of golf carts by the Lenoir County Sheriff's Office in La Grange.
2. In order to obtain a permit/sticker, each owner must present proof of ownership and sign a Disclaimer of Liability, releasing the Town of La Grange, its employees, and affiliates from all liability that may arise as a result of operating a cart inside the Town of La Grange. A current Disclaimer of Liability must be on file with the Town of La Grange, and must be renewed annually.
3. All carts must meet the requirements or minimum standards of safety equipment as set forth in section one.

4. Permits/Stickers will be issued annually, and are valid from January 1st to December 31st of each year. Permits/Stickers must be attached to driver's side of golf cart. The following fees shall apply:
 - a. Inspection by Sheriff's Office \$10.00 Annually
(Includes Permit/Sticker)
 - b. Re-inspection by Sheriff's Office \$5.00 each inspection
(If a cart fails the initial inspection)
5. Lost or stolen Permit/Stickers are the responsibility of the owner. A police report must be filed in the event of a Lost or Stolen Permit/Sticker. The Lieutenant in responsible charge of the La Grange Division of the Lenoir County Sheriff's Office will have the discretion in determining whether a Permit/Sticker may be re-issued in this instance. If no record can be found of a previous application, or the receipt of a Permit/Sticker, the Lieutenant may direct the applicant to re-apply, and also re-submit any and all fees necessary, before a replacement Permit/Sticker is issued.
6. Any person who operates a cart in the Town of La Grange and fails to receive and properly display a Town of La Grange Permit/Sticker will be subject to all applicable state laws, in addition to being in violation of this ordinance.
7. Cart owners must complete the attached registration form. This form will be maintained by the Town of La Grange.
8. The Town of La Grange retains the right to refuse to issue and/or revoke any permit/sticker from any cart at any time for any reason that he feels appropriate to ensure the safety and well-being of the citizens of the Town of La Grange.

Section 3: Penalty:

Any act constituting a violation of this ordinance or a failure to comply with any of its requirements shall subject the offender, upon conviction, guilty of a misdemeanor, and are subject to a fine not to exceed \$50.00. Each day that any of the provisions of this ordinance is violated shall constitute a separate offense.

Section 4: Severability:

If any section, sub-section, sentence or term of this Ordinance or any application thereof to any person or circumstance is adjudged to be unconstitutional or invalid, such adjudication shall not affect the validity of any remaining portion of the Ordinance or its application to any other person or circumstance. The Town Council does not intend a result through the enforcement of this Ordinance that is absurd, impossible for execution, or unreasonable. The Town Council intends that the Ordinance be held inapplicable in such case, if any, where its application would be unconstitutional under the Constitution of the State of North Carolina or under the Constitution of the United States of America.

Section 5: Enforcement:

It shall be the policy of the Town of La Grange to issue a written warning or a state citation against any person the officer has probable cause to believe has violated this Ordinance, whether the offending person is a juvenile or any other person.

This Ordinance shall be effective on _____.

Adopted this _____ day of _____.

Woodard H. Gurley, Mayor

Attested to:

Kyle J. DeHaven, Town Clerk



BOARD OF ADJUSTMENTS

AGENDA ITEM # 5

There is one Board of Adjustments case to be heard.

RECOMMENDATION: N/A



BOARD OF ADJUSTMENTS CASE

AGENDA ITEM # 5A

Mr. Wynn Odom of Wynn Odom Ford is requesting a setback variance request. Attached for your review and consideration is a copy of Mr. Odom's application for the variance, as well as a staff report from Heith Harrison, Town Planner. Heith will be present to make his presentation and answer any questions that you might have.

RECOMMENDATION: Consider Variance Request.



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; December 6, 2010.
- b. Certification of 2011 Fire Department Roster.
- c. Approval of 2011 Slate of Officers for Fire Department.

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; December 6, 2010

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 December 6, 2010, 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: 0

Guest: 30

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

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

ITEM 4: PUBLIC HEARINGS

A.) Consider Extension of Extraterritorial Jurisdiction to one (1) full mile. Zoning of properties brought into the ETJ as AR (Agricultural-Residential).

Manager Craft explained that the reason for extending the ETJ is to allow the enforcement of Stream Buffers and Impervious Surface Limits in the area of the new interchange for Phase 2 of the Goldsboro Bypass. This extension will allow the new highway to pass required environmental reviews so the Bypass can begin preliminary construction in 2011, with a projected completion date of 2015.

Manager Craft explained to the council that this public hearing was advertised in the Weekly Gazette and notices were mailed to the affected property owners a second time. He also mentioned that the planning board received public comment and unanimously recommended the Town Council to extend the ETJ as proposed.

Manager Craft added that this is not an annexation, Property owners will not pay taxes to the Town of La Grange, nor will they have to change utility providers as a result of the extension of the ETJ. He then stressed that this is not a precursor to annexation.

The town staff recommends the extension of the ETJ with all properties that would be included in the extended ETJ to be zoned as AR (Agricultural Residential) effective January 1, 2011.

Mayor Woodard Gurley opened the public hearing.

Matt Tribula of 4720 Shelley Drive, La Grange stated that he was against the extension of the ETJ in areas unaffected by the Goldsboro Bypass. He pointed out that he was against the idea of extending the jurisdiction to govern him where he has no vote or say. He then revealed a petition with signatures opposing this extension of the ETJ that he left for council review.

Brian Laney, of 4296 Five Points Rd. stated that he was for extending the ETJ for those affected by the new bypass, but didn't understand why extending the full ETJ was necessary. He asked that the council only extend the ETJ where necessary.

Thomas Perry of 3852 Waters Mill Rd. stated that the town was losing its character and that he was totally against extending the ETJ to the east because it affected his property.

Carl Hinson of 209 W. Washington St. stated he owned a farm affected by the ETJ. He stated he didn't understand what business the Town had outside of the corporate limits when there were more important things to take care of inside the city limits.

Motion to close the public hearing was made by Council Member Holmes, Seconded by Council Member Gladney. Motion carried unanimously.

Motion to extend the ETJ to one full mile around the Town of La Grange was made by Council Member Harrison, Seconded by Council Member Wooten. The Motion Carried 4-2 with Council Members Gladney and Holmes voting in opposition.

ITEM 5: BOARD OF ADJUSTMENTS

None

ITEM 6: PUBLIC COMMENT PERIOD

Fred Burger spoke about the regulations at Fairfield Cemetery. Mr. Burger stated he felt a better solution to resolve the cemetery issue was possible. He mentioned creating an ad hoc committee to create ideas that could better satisfy both the Town of La Grange and the citizens with loved ones in the cemetery.

Marie Smith spoke about the regulations at Fairfield Cemetery. Mrs. Smith stated she has kept her plots looking as nice as the day she purchased the property, 65 years ago, and would continue to maintain it in that same fashion.

Pam Rose of 6113 Little Wiggins road, spoke about the regulations at Fairfield Cemetery. Mrs. Rose stated that she, too, maintained her own plot and wished to continue to put items around her husbands plot and maintain it herself.

Lisa Alphin spoke about the regulations at Fairfield Cemetery. Mrs. Alphin requested that the Town leave the cemetery as it is, if possible. She then mentioned a possible

window during the non-mowing season where items of remembrance and affection could be placed at the respective grave sites. She also suggested that a 6-8 inch buffer from the grave stone remain as a place where remembrance pieces and such can be placed.

With no further comment, Mayor Gurley closed the Public Hearing

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

Manager Craft recommended the approval of the printed agenda with the addition of item;

-10H: Progress Energy scheduled power outage.

-10I: Reminder of regional meeting

Motion to approve the agenda as printed with the addition of agenda items 10H and 10I made by Council Member Wooten, Seconded by Council Member Harrison. The motion carried unanimously.

ITEM 8: CONSENT AGENDA

Manager Craft recommended the approval of the November 1, 2010 Regular session minutes as well as a Resolution to adopt the 2011 Regular Meeting Schedule of the Town Council of the Town of La Grange.

Motion to approve the consent agenda which included the November 1, 2010 Regular Session Minutes and a Resolution to adopt the 2011 regular meeting schedule of the Town Council of the Town of La Grange was made by Council Member Gladney, seconded by Council Member Rouse. The motion carried unanimously.

ITEM 9A: OFFER TO DONATE REAL PROPERTY

Motion to excuse Mayor Gurley from this agenda item was made by Council Member Wooten, Seconded by Council Member Lee. Motion Carried Unanimously.

Manager Craft explained that Woodard H. and Ruby Gurley were interested in donating Lenoir County Parcel Number 15060 to the Town of La Grange as a Nature Trail & Recreational Area for the town. He then explained that the aforementioned parcel of land contained approximately 56.05 acres.

Manager Craft went on to explain that this plot of land had several trails in it that had been used for hunting that could easily be used for nature trails. He went on to explain that additional trails could be added to interconnect the existing trails at little expense to the town. He also mentioned that access to Bear Creek could be provided with limited bush axe work.

Manager Craft further explained that with the minimal addition of picnic tables, trash bins, and a few benches, an excellent recreational resource could be realized for the town. The necessary upkeep of this area would be occasional bush hogging of the trails as well as trash

collection. Other initial expenses the town may incur are property/liability insurance for the property, and some leveling of the main walking areas.

Manager Craft then explained the only real issue the town faced in this issue was that of access to the area after hours which could be controlled by a gate. He mentioned parking could be the area originally cleared for a home at the access point of the area.

Previously, Council members discussed the donation of this property and directed the Town Manager and Attorney to take the necessary steps to accept this donation. The Council Specifically directed the Town Manager to have the property appraised, which was completed, and valued at \$103,000, and the Town Attorney to complete a title search and prepare a deed that would formalize the donation.

Manager Craft recommended the accepting of this property to be used as nature center with conditions established by the deed, immediate posting of the property to prohibit hunting and fishing, and beginning the annexation of the property and the 62 acres of park property to be used for the Multi-Purpose Recreation Facility. He further recommended the council determine options to control access to the property, and have the Public Works department clear an area to create a parking area and connect existing paths, and to bid a contract to cut additional paths to make a "loop" in the property by early summer in the 09-10 budget, if sufficient, or in the 10-11 budget, if needed.

Motion to receive the property as a donation and to begin work to the desired area for paths and parking was made by Council Member Gladney, Seconded by Council Member Rouse. Motion carried unanimously, 6-0

Motion to name property after Mayor Gurley and his wife made by Council Member Gladney, Seconded by Council Member Holmes. Motion carried unanimously.

ITEM 10A: UPDATE ON PARTF

Manager Craft refreshed the council, explaining that the grant had not been funded in the previous funding cycle, and he had been re-directed to complete the current application and apply again in the next cycle. He then stated the town should know if we have received the funding in July 2011, and construction would begin in the spring of 2012.

ITEM 10B: UPDATE ON WWTP IMPROVEMENTS

Manager Craft explained that that the pump station has been completely built and we are waiting on the pumps to be delivered, tentatively, December 15th with hopes we can spray our park and associated farm lands between those areas in January. The force main is completed and has been for some time.

Manager Craft further explained that our clarifier headwork's and control system is completely built, the piping to connect clarifier four with the distribution box and running back along to the filter building have been completed. We are still waiting on materials from

Lakeland Co. which will finish our project. Expected arrival time is the third week in January. Control system improvements are to begin very soon. Project completion is expected to be in early February.

ITEM 10C: UPDATE ON TAIL CROSSING SIGNALIZATION AND CLOSING

Manager Craft explained that the pavement was complete down North and South Railroad Street. Curb and guttering has begun and should be complete in a couple weeks. The signals will be installed on Charles St. shortly.

Manager Craft also mentioned that a traffic count was requested for Railroad St, but no information has been received.

ITEM 10D: REZONING OF 108 W. WASHINGTON ST.

Manager Craft explained the planning board unanimously recommended the rezoning of 108 W. Washington to R -10(Residential). This rezoning was prompted because of the inverse effects the property had on the surrounding properties and the environment. He further explained that Mr. Lang requested more time to see how the property could be used to benefit all parties.

Manger Craft then explained that the Langs have done substantial amounts of work in the presentation and cleanup of the property since the topic surfaced. The Langs do however oppose rezoning.

Manager Craft went on to give the option to the Council that if the property was rezoned, 108 W. Washington St. would be residentially zones, the property owner would be allowed to continue use of the property at its current use at time of rezoning, until such time that the building is destroyed or repair cost to maintain the structure exceeds 50% of the value of the structure. If the property is not rezoned, 108 W. Washington St. would continue to be Downtown District (DD), and the property owner would be allowed to continue to use the property for commercial operations allowed in the permitted use list for the DD.

Manager Craft then allowed Ms. Laura Tribula, Mr. Lang's daughter to speak on his behalf.

Laura Tribula stated that she agreed that the highest and best use for this property is to remain a commercial property. She stated that her father's health has deteriorated since this issue began. She then stated that she was in an interesting predicament where people did not want to rent it not knowing how it will be zoned, and she did not know how to proceed not knowing the same information.

Manager Craft then stated that after the work that went in to the beautification of that property, and the drastic cleanup that had occurred, He recommended that 108 W. Washington St. remain DD because its highest and best use could be realized zoned that way. He then asked that the council make its motion on how they wish this property be zoned.

Motion to maintain the DD zoning for that structure was made by Council Member Harrison, seconded by Council Member Wooten. Motion carried unanimously

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

PATTERN

Manager Craft explained that the Town Council had discussed a potential change to the traffic flow at the intersection of Charles and Railroad St. as requested by the NC Railroad. The Town Council had then directed the Town Manager to determine NCDOT's position and request a traffic count for the area to assess the need for this change. He then explained that no new information is available at this time because we are still awaiting determination by NCDOT and results of the traffic count.

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

Manager Craft explained that the Town has received funding from the state historic preservation and passed the state environmental protection review. We are awaiting permission from the Department of Commerce to proceed with the project. The contractor is ready to begin work as soon as the appropriate approvals arrive.

Manager Craft went on to discuss the Streetscaping Improvements grant that funded planters and benches that was a \$25,000 matching grant. The 09-10 budget included the town match, but the MSSF grant funds were not allocated for the streetscaping portion of that project.

Motion to install two planters made by Council Member Gladney, Seconded by Council Member Rouse. Motion carried 5-1 with Council Member Harrison in opposition.

Manager Craft then explained that with this grant, the council had discussed borrowing the funds from Southern Bank, but with the recent economic downturn, we could finance the project in house. An average investment rate for public funds is .042%, currently. We could still charge 5% interest on the building over ten years and yield 4.5% return on investment if financed in house.

Motion to finance the Harvey building grant project in house was made by Council Member Gladney, Seconded by Council Member Wooten. Motion carried unanimously.

ITEM 10G: CHRISTMAS & NEW YEARS HOLIDAY WORK SCHEDULE

Manager Craft explained that in accordance with the town's personnel policy, the Town of La Grange would be closed December 24, 27, & 28 in recognition of the Christmas Holiday, as well as January 3rd for the New Year's Holiday. Garbage collection during the Christmas holiday will be amended to

- Recyclables and Yard Waste will both run on Tuesday, December 21st
- Household Route for Southside will be collected on Wednesday December

22nd and the Northside route will be collected on Friday as normally scheduled.

Garbage collection for the New Year's holiday will run on normal schedule with the exception of Special Pick Ups, which will run on Tuesday the 4th, rather than Monday the 3rd.

ITEM 10H: PROGRESS ENERGY PLANNED ELECTRICAL OUTAGE

Manager Craft explained that he had been notified that Progress Energy has scheduled an electrical outage Tuesday, December 7th, 2010 at 9:30pm. This outage is anticipated to last only 5 minutes. The outage is to restore their system to its normal operations following the outage caused by one of the transmission lines falling down November 28, 2010. Work to replace the line was scheduled to take place today, December 6th, with the outage scheduled for Tuesday evening.

ITEM 10I: REMINDER OF REGIONAL MEETING

Manager Craft reminded the Council that the Town of Pikeville, Fremont, and Hookerton are meeting in the Town Council chambers tomorrow nights, December 7th, 2010 for an ElectriCities conference for like sized towns.

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 7:34pm was made by Council Member Holmes, seconded by Council Member Lee. Motion carried unanimously.

ITEM 11A: CLOSED SESSION

ITEM 12: ADJOURNMENT

Motion to adjourn the December 6, 2010 meeting at 7:43pm was made by Council Member Gladney, Seconded by Council Member Harrison. Motion carried unanimously.



CERTIFICATION OF 2011 FIRE DEPARTMENT ROSTER

CONSENT AGENDA ITEM # 8B

As you know, the Town Council serves as the Board of Directors for the Moseley Hall Fire Department. As such, you are required each year to certify the Official Fire Department Roster.

Acting in his capacity as Fire Chief, James W. “Wesley” Sutton has submitted the 2011 Roster for your review and consideration and recommends that the roster be certified as submitted. A copy of the recommended roster is attached for your review, and I also recommend that you certify it based on Chief Sutton’s recommendation.

RECOMMENDATION: Approval and Certification of 2011 Fire Department Roster.



APPROVAL OF 2011 SLATE OF OFFICERS FOR THE FIRE DEPARTMENT

CONSENT AGENDA ITEM # 8C

The bylaws of the Fire Department require that you, acting as its Board of Directors, approve the slate of officers as submitted for consideration by the Fire Department. The slate of officers is selected and recommended by a vote of the membership of the Fire Department.

The Fire Department is recommending and is requesting your approval of the following officers for calendar year 2011:

James Wesley Sutton	Fire Chief
Roy Smith	1 st Assistant Chief
John Mark Heath	2 nd Assistant Chief
Brad House	1 st Captain
C.J. Foster	2 nd Captain
Chris Riley	1 st Lieutenant
Michael Letchworth	2 nd Lieutenant

As a matter of information, David Holmes has retired from the Fire Department.

RECOMMENDATION: Approval of the 2011 Slate of Officers for Fire Department as part of the Consent Agenda.



REPORT OF EFFECTS OF REGULATOR INSTALLATION AND VOLTAGE REGULATION ON DEMAND CHARGES

AGENDA ITEM # 9A

As you will recall, the Town Council approved the purchase and installation of Regulators in an effort to reduce the operational cost of the electrical system back in 2008. The Installation was completed and the regulators were put online in July of 2008.

Since that time, we have had an opportunity to track the results of that installation, and the effects that the regulators and voltage regulation have had on the electric system operations. I will provide spreadsheets and graphs at the Council Meeting to better explain the results.

RECOMMENDATION: Informational Item Only – No Action is Required.



COMMITTEE FORMATION AND MEMBER APPOINTMENT – CEMETERY REGULATIONS

AGENDA ITEM # 9B

During the December 6, 2010 Council Meeting, members of the public spoke against enforcing the Cemetery Regulations as currently written. Since that meeting, we have discussed establishing a committee to consider the regulations and report back to the Council the committee's findings.

Mayor Gurley has recommended the following people be appointed to the committee:

1. Becky Berger
2. Lisa Alphin
3. Joe Price
4. Tyrone Morgan
5. John Craft
6. Mayor Gurley

It would be in order for the Council to consider approval of the creation of the temporary committee and the appointment of the committee members.

RECOMMENDATION: Approve Creation of Committee and recommended appointees.



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 (NCRR) 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.

NCRR 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.



DR. MARTIN LUTHER KING, JR HOLIDAY WORK SCHEDULE

AGENDA ITEM # 10F

In accordance with the Town's Personnel Policy, the Town Offices will be closed on Monday January 17, 2011 in observance of the Dr. Martin Luther King, Jr. Holiday.

As a result, the garbage collection schedule is amended as follows:

- Only the special pickups are affected, which will be collected on Tuesday, January 18, 2011. All other collection routes will run on their normal schedule.

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: