

Town of Spring Lake
Special Meeting of the Board of Aldermen
Municipal Building
300 Ruth Street
Spring Lake, NC 28390

November 19, 2012

MINUTES

7:00 p.m.

The Spring Lake Board of Aldermen held a special called meeting in the Grady Howard Conference Room of the Spring Lake Municipal Building with Mayor Chris V. Rey presiding.

Board Members Present: Mayor Pro Tem Napoleon Hogans
Alderman James Christian
Alderman Richard Higgins
Alderman James O'Garra
Alderwoman Fredricka Sutherland

Others Present:

Tommy Burns, Town Manager	Tony Buzzard, Town Attorney
Byron Blumenfeld, Water Resource Manager	Allen Coats, Finance Director
Paul Hoover, Public Works Director	Troy McDuffie, Police Chief
T.J. McLamb, Fire Chief	Tina West, HR Director
Rhonda Webb, Town Clerk	

2. Invocation

Alderman Higgins gave a nonsectarian invocation.

3. Pledge of Allegiance

Mayor Rey led the meeting in the pledge of allegiance.

4. Approval of Agenda

The agenda was approved.

Action: The Board approved a motion to approve the proposed agenda.

Motion by: Alderman Higgins

Second by: Mayor Pro Tem Hogans

Vote: Unanimous

(A copy of the agenda is hereby incorporated by reference and made a part of these minutes – see attachment one.)

5. Approval of Minutes of November 5, 2012 Special Meeting

The Board approved the Minutes of the November 5, 2012 Special Meeting

Action: The Board approved a motion to approve the minutes of the November 5, 2012 special meeting.

Motion by: Mayor Pro Tem Hogans

Second by: Alderwoman Sutherland

Vote: Unanimous

6. Public Hearing

a. Public Hearing, Conveyance of Land in the Spring Lake Business and Industrial Center

Mayor Rey opened the public hearing.

No one spoke for or against the conveyance of Land in the Spring Lake Business and Industrial Center.

Action: The Board approved a motion to close the public hearing.

Motion by: Mayor Pro Tem Hogans

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the agenda memo is hereby incorporated by reference and made a part of these minutes – see attachment two.)

7. Resolution (2012) 36, Authorizing Sale of Real Property

Action: The Board approved a motion approve Resolution (2012) 36, Authorizing Sale of Real Property for Economic Development.

Motion by: Alderman Higgins

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the agenda memo and Resolution (2012) 36 is hereby incorporated by reference and made a part of these minutes – see attachment three.)

8. Resolution (2012) 37, Approving Economic Incentive Sale and Option to Purchase Contract

Action: The Board approved a motion to approve Resolution (2012) 37.

Motion by: Mayor Pro Tem Hogans

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the agenda memo, proposed contract and Resolution (2012) 37 is hereby incorporated by reference and made a part of these minutes – see attachment four.)

9. Certificate of Sufficiency, Paramount Investments, LLC Annexation

Ms. Webb advised Paramount Investments Property's petition is signed by all property owners and is therefore sufficient. She requested the Board to accept the Certificate of Sufficiency.

Action: The Board approved a motion to accept the Certificate of Sufficiency for Paramount Investments, LLC.

Motion by: Alderman Higgins

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the agenda memo and Certificate of Sufficiency is hereby incorporated by reference and made a part of these minutes – see attachment five.)

10. Feasibility Study, Paramount Investments, LLC Annexation

Mr. Rooney presented the feasibility study for Paramount Investments, LLC. He advised the property is located at the intersection of Chapel Hill Road and Lillington Highway and is approximately 3 acres in size. There is no significant cost to provide services to the property. Connection to the water and sewer system is the responsibility of the property owner. The revenue estimate is approximately \$740 based on what is currently on the property.

(A copy of the agenda memo and feasibility study is hereby incorporated by reference and made a part of these minutes – see attachment six.)

11. Board to Consider 2013 Holiday Schedule

Ms. West presented the 2013 holiday schedule and stated it mirrors the State's schedule with the exception of Presidents Day for the Town in place of one of the three days the State's schedule gives at Christmas. She requested the Board approve the proposed holiday schedule for 2013.

Alderman Christian stated this is something positive and a plus to have so many holidays off each year. He stated he is glad that we are able to do this for the employees.

Action: The Board approved a motion to approve the 2013 Holiday Schedule.

Motion by: Mayor Pro Tem Hogans

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the agenda memo and 2013 Holiday Schedule is hereby incorporated by reference and made a part of these minutes – see attachment seven.)

12. Resolution (2012) 38, Adoption of Municipal Records Retention and Disposition Schedule

Ms. Webb stated public records can only be destroyed pursuant to the North Carolina Department of Cultural Resources Municipal Records Retention and Disposition Schedule. She stated they updated the Schedule and requested the Board adopt the updated version.

Action: The Board approved a motion to adopt the Municipal Records Retention and Disposition Schedule dated September 10, 2012.

Motion by: Alderwoman Sutherland

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the agenda memo, Municipal Records Retention and Disposition Schedule Approval Sheet and Resolution (2012) 38 is hereby incorporated by reference and made a part of these minutes – see attachment eight.)

13. Resolution (2012) 39, Approval of Computer Tablet for Town's Management Team

Mr. Burns requested the Board's consideration to extend the option to purchase computer tablets to the Town's Management Team.

Action: The Board approved a motion to approve Resolution (2012) 39.

Motion by: Alderman Higgins

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the agenda memo and Resolution (2012) 39 is hereby incorporated by reference and made a part of these minutes – see attachment nine.)

14. Discussion, Spring Lake Bus System

Mr. Hoover provided the Board with an overview of the Spring Lake Transit System. It included the operational schedule, improvements that have been made, ridership and revenues for the past 12 months and operating costs. He advised the Town subsidizes each rider approximately \$9.67 per rider.

It was clarified the shelters and pads was a one-time cost unless we have to replace a shelter and pad or add one. There are maintenance costs that are on-going and will always factor into the subsidy the Town funds. Alderman Higgins expressed interest in knowing where the majority of the riders are boarding the bus. Mayor Pro Tem Hogans inquired if we have considered increasing the fare to help offset the costs to operate the bus and it was clarified that option has been considered and if the fee were doubled, it would generate an additional \$14,000. He stated the Board will have to make a call and determine if we are going to keep subsidizing this system. He also expressed concern that we do not have the citizens' consensus to use General Fund to subsidize this system and would like to hear what the citizens have to say. He requested information about putting this item on a ballot for the citizens to consider. Alderwoman Sutherland stated she believes the citizens spoke last year when the service was cut out and she stated the Board knew we would not make money on this but it is a service that we need to provide the citizens. She thanked Mr. Hoover for what he does in making this service available.

Mr. Burns stated transit is a difficult service to provide and there are very few in the Country that operate in the black.

Mayor Pro Tem Hogans stated his concern and inquiry about where the riders are going was to determine if increasing the fare for riders would be a viable option. He stated if the majority of the riders are going to the mall, a fare increase is not unreasonable. However, if they are just going across Spring Lake is would not be fair to pay that amount. His intent is to ask the citizens if they are willing to pay \$7 or more instead of the \$5 they currently pay to help fund this service. He stated we need to have options.

(A copy of the agenda memo and PowerPoint presentation is hereby incorporated by reference and made a part of these minutes – see attachment ten.)

15. Discussion, Water and Sewer Rates

Mr. Burns provided the Board with an overview of the water system. His overview included who is using the water by percentage and gallons used. He explained current and proposed construction projects that are possible due to the water rate increase and stated the three projects are critical to our sustainability. He provided a comparison of the old rate structure versus the new rate structure based on gallons used. It was clarified we previously did not have a 2000 gallon usage amount

and those residents who consistently use 2000 are now only paying for 2000 gallons and not the old flat rate for 3000 gallons as previously billed under the old rate structure. It was further clarified since we previously did not have a 2000 gallon usage, people who consistently used 2000 gallons should see a decrease in their bill because previously they paid for 3000 gallons whether they used that much or not. Under the old rate structure, you paid a flat rate of \$14.28 for up to 3000 gallons. Under the new rate structure you pay a flat rate of \$3.25 for up to 999 gallons. Anything over that you are billed the flat rate plus the per 1000 gallon charge. It was also clarified that we round down to the nearest 1000 gallons for reading purposes but the bill will reflect the extra gallons on the next month's bill. He also showed in the presentation that under the old rate structure, residents using 2000 gallons would have experienced an increase of \$8.12 but under the new rate structure their increase is \$4.84. Variables that could affect a bill were discussed. They include number of days on the billing cycle, usage spikes due to weather, lawn care, guests, leaks and human error in reading meters. He suggested people come in and let Ms. Turner review their history with them and show them the usage. He stated she will take time with citizens and help them see how they are being billed. Mayor Pro Tem Hogans expressed concern that water bills with the same usage should be the same amount and he is finding that is not the case. Mr. Burns stated it should be. Mayor Pro Tem Hogans stated the impression was left in the community that if you were an average user, you would see virtually no increase in your water bill and stated the rate increase was not communicated very well. He stated the community has the perception that we said something that was not true and the people came to believe they would not see an increase if they were an average user. Mr. Burns stated there are two objectives: a tiered rate structure so that the people who are putting the most stress on the system are paying for the impact and a conservation mechanism to promote less use. He also advised the water rates were briefed three times and each time it was stated the citizens who use 4000+ gallons would see the largest increase but that everyone would see some increase. He provided the Board with redacted copies of actual bills of a flat rate user, a 3000 gallon user and an 8000 gallon user. The bills showed the same account for the old rate and the new rate to show how much the bill increased.

The Board expressed the need to educate the citizens better the next time we do something with the rates.

Mr. Burns stated all the projects have come in under budget. This will affect the rates in the upcoming budget cycle.

(A copy of the agenda memo and PowerPoint presentation is hereby incorporated by reference and made a part of these minutes – see attachment eleven.)

16. Closing Comments.

Alderman O'Garra

- Happy to see everyone here this evening.

Mayor Pro Tem Hogans

- Wished everyone a Happy Thanksgiving.

Alderman Christian

- Echoed what Mr. Hogans said about having a Happy Thanksgiving.
- "As luck would have it I got selected for Jury Duty the day before Thanksgiving."

- Thank you Mr. Rooney for the report. I appreciate everything you do for us.
- Thanked the Recreation Department for the Veteran's Day Ceremony and for the brick for his father.
- Inquired about the call box at Mendoza Park.

Alderwoman Sutherland

- Thanked everyone and wished everyone a safe and Happy Thanksgiving.
- "Thank you to my colleagues. We have always tried to look out for the best interest of our employees. We are in a tight crunch with our infrastructure, the bus system and different things of that nature. We make sure we don't have furloughs and we don't lay you all off. There are a lot of municipalities that open from 8:00 a.m. in the morning to 5:00 p.m. in the afternoon and we give you the short days as well. We are here to service the citizens as well as you are and I always thank you for the great job that you do. It is hard to run a town but we have to work together for the citizens. We all have to keep that in mind. We close at 12:00 noon on different days and Fayetteville and other municipalities stay open until 5:00 p.m. So we always try to look out for the best interest of our employees but we have to make sure we are here for the citizens, that is who pays for your payroll. That's who pays us, that's who elected us, to be good advocates for them and so that is what we try to do and try to work together. If a citizen brings something to my attention, I know it has been said just have them come down to the Town Hall, but they have a right to speak to me because they elected me to be a voice for them. So, when they come to me with a concern, I bring it to whoever I need to bring it to. I take it serious when they bring issues to me like the water bills. I thank you for taking a look at it and for taking us serious and always knowing we have to respect one another in this job that we do and it does get hard sometimes. But, I choose to keep sitting here to be an advocate for our citizens because I love this great Town of Spring Lake and I will continue to do the best job that I can do here and I just wanted to put that out there. I thank the employees for what they do and know that we try to look out for their best interest as well."
- Inquired about Shop with a Cop this year and advised she has some names to provide. Chief McDuffie stated Ms. Hudson will be handling this project.
- Thanked the Town Manager for keeping the Board updated with text messages.
- I have turkeys in my vehicle and if you know anyone who is in need (we say, this is for the needy not the greedy) please let me know. I have 6 left and I need to get rid of them and I want to make sure that people who do not have a turkey or don't have a way to get one knows that I want to help them.

Alderman Higgins

- Happy Thanksgiving everyone.
- It is good to see everyone here tonight.
- Next month we will be one year into our term and it has been a very enjoyable time and I congratulate all of us.

Mr. Buzzard

- Clarified the parameters of the agenda. There are three sections: public forum section, the closing comments and the rest is the agenda items. Any Board Member can put items on the agenda and in the event there is a dispute as to whether it relates to Town business or whether it should be considered, as a general rule the Mayor is in charge of the policy and protocol but ultimately the Board has the vote. If in the future there were ever to be an issue the Board wants

considered at the agenda time and there is a dispute as to whether it should be considered, essentially the Board would vote as to whether it wants to consider that item. Otherwise, anyone is welcome during the public comments section, first amendment, free speech rights apply to the public comments section but the Mayor and Board can place limits on what can be said during the public comment time. There is nothing stopping any Board Member, just like any citizens, from putting it in the public comment time which is subject to some governance by the Mayor but generally free speech rights would apply here. I spoke with the Institute of Government and they agree with me.

Mr. Burns

- Remember my family during this holiday season, my father-in-law is really sick.

Mayor Rey

- Good work, Happy Holidays, God bless you all.
- Monday, December 3, 2012 at 6:00 p.m. is our annual Tree Lighting Ceremony at Veteran's Park.

18. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned at 8:25 p.m.

Motion: Mayor Pro Tem Hogans

Second by: Alderman O'Garra

Vote: Unanimous

Immediately following the meeting the Board received additional iPad training.



Rhonda D. Webb

Rhonda D. Webb, MMC
Town Clerk

ATTEST:


Chris V. Rey
Mayor