

TOWN OF ELIZABETHTOWN

Scheduled Meeting

January 6, 2014

The Elizabethtown Town Council met for their regular meeting on January 6, 2014 at 7:00 p.m. in the Council Chamber of the Elizabethtown Municipal Building. Those in attendance were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members, Herman Lewis, Dicky Glenn, Ricky Leinwand, Paula Greene, Dr. Darrell Page and Town Attorney Goldston Womble. Department Heads present included Police Chief Bobby Kinlaw, Fire Chief Byron Graham, Zoning/Code Enforcement Officer Bryan Martin and Town Manager Eddie Madden. Those absent: Public Services Director Pat DeVane and Finance Director Jan Lennon.

Item #1: Opening and Call to Order

Mayor Campbell recognized Mayor Pro Tem Rufus Lloyd to lead the invocation for the evening meeting. Mayor Campbell recognized the Color Guard Cadets of the Paul R. Brown Leadership Academy to present the colors and lead in the Pledge of Allegiance.

Mayor Campbell presented the January 6, 2014 agenda and supplemental for approval. A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to approve the agenda and supplemental as presented (Unanimous).

Item #2: Approval of Previous Minutes

Mayor Campbell presented to Council, the minutes of December 2, 2013 Noon Work Session and December 2, 2013 Regular Meeting in which they were approved in the noon meeting.

Item #3: Public Hearing: Case #RZ120313-4283 request by Steven Ussery to rezone property on Alexander Street/Walker Street from R-20 to R-10

Mayor Campbell stated that a request to rezone was submitted to the Planning Board, at which time it was approved to forward to Town Council for their consideration. Mayor Campbell stated that Mr. Steve Ussery wishes to rezone property located at the corner of Alexander Street/Walker Street from R-20 to R-10.

Mayor Campbell opened the Public Hearing and recognized Zoning/Code Enforcement Officer Bryan Martin to present this rezoning request.

Mr. Martin stated that rezoning case RZ120313-4283 was submitted to change from Low Density Residential to High Density Residential. Mr. Steve Ussery owns property with PIN #'s 1321.00.72.4283 and 1321.19.72.3161 and is in attendance this evening for questions and/or comments. Mr. Martin confirmed that notifications were sent to adjacent property owners that are situated within 250 feet from the property in question regarding the rezoning request. Additionally, this rezoning was advertised in two separate ads in the "Bladen Journal" on December 17th and 27th, 2013. Mr. Martin reminded Council that in deciding whether to adopt a proposed amendment, the central issue before the Board shall be whether or not the proposed changes advances the public health, safety or welfare. Also, Council will need to consider the entire range of uses allowed in the R-10 district. Mr. Martin reiterated the matter in which the Town's Land Use Plan of January 1996 recommends high density residential for the area in question.

Mr. Martin advised that protest petitions were received from surrounding neighbors of this proposed rezoning and it has been qualified. Protest Petition Statement is attached and incorporated herein by reference.

Mayor Campbell stated that Mr. Steve Ussery has signed in to speak (for the proposal).

Mr. Ussery stated that initially he had wanted to build apartments a few years ago; however, he placed this idea on hold. Recently, he was able to obtain a small business loan to build apartments on Alexander Street and Walker Street. Mr. Ussery felt that there was a need for additional rental property in the area.

Mr. Ken Register signed in to speak (for the proposal). Mr. Register stated that he did not have anything additional to say regarding the proposed rezoning.

Mr. Don Durden (against the proposal). Mr. Durden approached Council and stated that his mother-in-law resides on Walker Street Lot #7 and happen to notice that a dump truck was unloading debris and brush. Mr. Durden stated that he has nothing against progress but felt this area would not be suitable for building this apartment building.

Ms. Annette Strouse (against the proposal). Ms. Strouse stated that this was a nice neighborhood and they wanted to keep it a quiet neighborhood. Ms. Strouse further stated that a lot of the residents living on that street are widows and it should be kept quiet and safe.

Ms. Maria Bryant (against the proposal). Ms. Bryant stated that she lives in this neighborhood and her concern is about the wildlife that you can see in this area and there are several children playing in this neighborhood. Ms. Bryant conveyed to Council that she is not against progress but the area in question does not provide a very good sound foundation; therefore, a lot of building up is required and it would take away from other property.

Ms. Geneva Treadaway (against the proposal) did not speak.

Mayor Campbell stated that no one else had signed in to speak, Council was asked for questions or comments, but none were noted. The public hearing was closed.

Item #4: Zoning Map Amendment Request by Steven L. Ussery to Rezone Parcels 1321.00.72.4283 and 1321.19.72.3161 from R-20 Low Density Residential to R-10 High Density Residential. Rezoning Case #RZ120313-4283

Mayor Campbell requested that Council consider this rezoning for approval. A motion was made by Council Member Darrell Page, and seconded by Council Member Paula Greene that this is consistent with the objectives and policies in the adopted Land Use and Strategic Plans; however, the zoning map amendment is not reasonable and in the public interest at this time. Motion carried unanimously not to approve the zoning map amendment.

Item #5: Final Approval of PARTF Application for Leinwand Park

Mayor Campbell recognized Town Manager Eddie Madden to give an update on this agenda item regarding the PARTF application for Leinwand Park. Mr. Madden stated that this would be the final step in the submittal process of the application to the Parks and Recreation Trust Fund (PARTF). The information that has been conveyed to Council has included the amount of funds needed by the Town in order to make the match for this PARTF grant. Mr. Madden stated that the funds coming from the Town's match would be by way of property donation, Mr. Richard Allen of Fayetteville and the DeVane family. Mr. Madden stated that applications are due January 31, 2014 and reviewing of the applications will take place in March.

A motion was made by Council Member Dicky Glenn and seconded by Council Member Herman Lewis to approve the application as presented (Unanimous).

Item #6: Mr. Chris Roseboro-Request to appear before Council regarding excessive water bill concern

Mayor Campbell recognized Mr. Roseboro in which he had requested to approach Council regarding his high water bill. Mr. Roseboro stated that he lives at 119 N. Martin Street and he received a bill in the amount of \$741.54. Mr. Roseboro stated that he did have a water leak and it was his responsibility due to the location of the leak; however, he conveyed his concern for the cost involved, especially for next month's upcoming bill that would be high as well. Mr. Roseboro stated that the leak has been repaired, but he is still left with a very excessive water bill and asked for help in this area as it has created a hardship for him and his family. Mr. Roseboro conveyed to Council that he would appreciate any help he could get.

Mayor Campbell stated that normally the sewer cost is removed, which would decrease somewhat; and this has been taken care of by the Finance Department. Mayor Campbell recognized Town Manager Eddie Madden to give further direction on this matter. Mr. Madden stated that he has met with Mr. Roseboro and explained the adjustment that could be omitted from the water bill. The sewer cost was approximately \$151.00, current amount due is \$419.00. Mr. Madden stated that the current policy in place stipulates, if a leak occurs on the customers side of the meter and water and sewer are involved, that you make an adjustment to the sewer portion and that is based on an average consumption of sewer over a 12 month period. Mr. Madden stated that staff will typically work with the customer on the remaining balance on a payment plan over the course of a few months.

Mayor Campbell asked for further questions and/or comments.

Council Member Herman Lewis requested that the payment plan be extended more than a few months.

Mayor Campbell requested that Finance Director Jan Lennon work with the customer on a payment plan.

Item #7: Mr. Lewis Smith Request-Adjustment for Return of Extra Trash Container

Mayor Campbell stated that Mr. Lewis Smith contacted Town staff and stated that he would not be present to make a request to Council, he no longer had an issue with this item of business.

Item #8: Approve Budget Calendar

Mayor Campbell requested that Council consider approving the budget calendar for the upcoming year. A motion was made by Council Member Dicky Glenn, and seconded by Mayor Pro Tem Rufus Lloyd to approve the Budget Calendar as presented (Unanimous). Copy attached and incorporated herein by reference.

Item #9: Budget Amendment No. 2014-06

Mayor Campbell stated that Budget Amendment No. 2014-06 would be presented by Town Manager Eddie Madden.

Expenditures

Municipal Election Cost \$794.99

Swanzy/Morehead Closing	\$664.08
Purchase of 16-ft. ladder	\$693.88
HVAC Repair-Admin	\$2,000
Repairs-Equipment	\$2,000
Compreh. Master Plan Rec.	\$3,582.00
Total	\$9,734.95

Revenues

Fund Balance Approp.	\$6,152.95
Recreation FB Approp.	\$3,582.00
Total	\$9,734.95

A motion was made by Council Member Dicky Glenn, and seconded by Mayor Pro Tem Rufus Lloyd to approve Budget Amendment No. 2014-06 as presented (Unanimous). Copy of Budget Amendment is attached and incorporated herein by reference.

Item #10: Monthly Financial Report

Mayor Campbell stated that Finance Director Jan Lennon has submitted a copy of the December financial report for Council's review. Copy attached and incorporated herein by reference.

Item #11: "Briefly:

Mayor Campbell recognized Town Manager Eddie Madden to present a brief update on upcoming events, they are as follows:

-Monthly Performance Status Report

-NC DOT Letter which was received regarding improvements to the intersection at NC 87 by pass and 701 South.

-Martin Luther King holiday is Monday, January 20th, Town offices will be closed; however, Council will be participating in the MLK parade which starts at 11am.

-MCAB meeting will take place in Elizabethtown on Tuesday, January 28th at 7pm at San Jose restaurant.

Item #12: Open Forum

Mayor Campbell opened the meeting for anyone wishing to speak during this portion of the meeting.

Mr. Lonnie D. Rone approached Council and stated that he was speaking on behalf of his sister, Olivia Rone, who resides at Quail Street in the Town of Elizabethtown and received a water bill that was in the amount of \$1,400 (94,000 gallons). Mr. Rone stated that he visited Town Hall to talk to someone in the water department and they stated that they could not do anything about the water bill but encouraged Mr. Rone to visit the Town Manager's office for his direction. Mr. Rone talked with the Town Manager about his sister's bill and stated that there was no way his sister could use 94,000 gallons of water. Mr. Rone said that his sister was not able to pay the bill, she is a senior citizen and that it had created a hardship on her. Mr. Rone stated that 94,000 gallons could not be used in one month and somebody not know it. Mr. Rone stated that they hired a plumber and found a small leak right outside the door but nothing like 94,000 gallons could come from that. Mr. Rone was visibly upset in conveying his concern to Council and continued to convey his plight. Mr. Rone stated that the water was not visible on top of the ground.

Mayor Campbell requested that he meet with the Finance Director Jan Lennon and see if this can be worked out.

Mayor Campbell asked for additional business and/or questions but none was noted.

Mayor Campbell requested a motion to adjourn. A motion was made by Council Member Herman Lewis, and seconded by Council Member Dicky Glenn to adjourn (Unanimous).

Sylvia Campbell, Mayor

ATTEST:

Sarah L. Baysden, Deputy Town Clerk