

TOWN OF ELIZABETHTOWN

Scheduled Meeting

May 6, 2013

The Elizabethtown Town Council met for their scheduled meeting on May 6, 2013 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, Ray Allen, Ricky Leinwand, Paula Greene, and Attorney Goldston Womble. Department Heads present included Public Services Director Pat DeVane, Finance Director Jan Lennon, Police Chief Bobby Kinlaw, Fire Chief Byron Graham, Zoning/Code Enforcement Officer Bryan Martin and Town Manager Eddie Madden.

Mayor Campbell called the meeting to order and Mayor Pro Tem Rufus Lloyd was called upon to lead the invocation for the evening meeting.

Mayor Campbell presented the May 6, 2013 agenda and supplemental for approval. A motion was made by Council Member Ray Allen, and seconded by Council Member Dicky Glenn to approve the agenda and supplemental as presented (Unanimous).

Item #1: Approval of Previous Minutes

Mayor Pro Tem Rufus Lloyd presented to Council, the minutes of the April 8, 2013 Noon Work Session and the April 8, 2013 Regular Meeting minutes. A motion was made by Council Member Dicky Glenn and seconded by Council Member Herman Lewis to approve the minutes as presented (Unanimous).

Item #2: Public Hearing: Final Approval of Comprehensive Pedestrian Plan

Mayor Campbell opened the public hearing and recognized Town Manager Eddie Madden to present this agenda item regarding the final approval of the Comprehensive Pedestrian Plan.

Mr. Madden stated that in 2011, the Town of Elizabethtown was awarded a Pedestrian Planning Grant from the NC DOT at which time the Town solicited the services of Withers & Ravanel. Mr. Madden stated that Withers & Ravanel Representative Jennifer Wagner was present for the evening meeting in which a presentation would be submitted regarding the Final Approval of the Comprehensive Pedestrian Plan. Mr. Madden stated that a committee was selected by Council in which information was

compiled and forwarded to the NC DOT for their final review and approval. Mr. Madden stated that a draft copy was available for Council's review during the evening meeting. Mr. Madden recognized Ms. Jennifer Wagner to present the Pedestrian Plan and expound on various changes that were requested by Council.

Ms. Wagner stated that various requests were made by Town Council to add to the Pedestrian Plan. Ms. Wagner reported that the report was re-formatted to make it user friendly to read and additional images were added to show locations of recommended projects throughout Town, approximate cost was added for top three recommended projects (by the steering committee). Ms. Wagner gave a detailed report of the revisions as well as the top five recommended projects that the steering committee was putting forth to Council. Ms. Wagner asked for questions or comments.

Mayor Pro Tem Rufus Lloyd asked if additional sidewalks were included to Swanzy Street from Poplar as well as Dunham Street.

Ms. Wagner stated that was correct and this could be located in the Pedestrian Plan on Page 51.

Mayor Campbell asked for additional questions, but none were noted. Therefore, the public hearing was closed.

Item #3: Public Hearing- 2009 CDBG Close-Out for the Pickney Street Project

Mayor Campbell opened the public hearing and recognized Town Manager Eddie Madden to present this agenda item regarding the closing out of Pickney Street.

Mr. Madden stated that The Adams Company has been overseeing this project which began in 2009 and is now completed. Mr. Madden stated that it would be necessary to have a public hearing to close out this project.

Mayor Campbell stated that Mr. Floyd Adams of The Adams Company signed up to speak; therefore, he was recognized at that time.

Mr. Adams stated that this was the final portion of the Pickney Street grant and he gave a rundown of the accomplished goals during this project with a cost of grant funds in the amount of \$850,000. Mr. Adams asked for questions and/or comments, but none were noted.

Mayor Campbell closed the public hearing.

Item #4: Proclamation Recognizing National Police Week

Mayor Campbell presented a Proclamation which would recognize National Police Week on May 15th. A motion was made by Council Member Ricky Leinwand, and seconded by Mayor Pro Tem Rufus

Lloyd to approve the Proclamation and recognize National Police Week (Unanimous). Copy of the signed Proclamation is attached hereto and incorporated herein by reference.

Item #5: North Carolina Domestic Violence Proclamation 100 Day

Mayor Campbell presented to Council the North Carolina Domestic Violence Proclamation in which June 15th would be dedicated as the "North Carolina Domestic Violence Proclamation 100 Day".

A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to approve the Proclamation as presented (Unanimous). Copy of the signed Proclamation is attached hereto and incorporated herein by reference.

Item #6: Resolution to Continue Participation in the NC Small Town Main Street Program for 2013-2014

Mayor Campbell stated that the Town of Elizabethtown has been meeting with the NC Small Town Main Street Program for almost a year. Mayor Campbell stated that it was necessary to adopt the required resolution in order to remain in the program. Mayor Campbell reported there was no cost to participate.

A motion was made by Council Member Paula Greene, and seconded by Council Member Ricky Leinwand to approve the Resolution to continue participating in the NC Small Town Main Street Program (Unanimous). Copy of the signed Resolution is attached hereto and incorporated herein by reference.

Item #7: Budget Presentation for FY 2013-14

Mayor Campbell recognized Town Manager Eddie Madden to give a brief overview of the proposed budget. Mr. Madden stated that as required by General Statutes, he was presenting a proposed budget for FY 2013-14. Mr. Madden stated that the proposed budget consisted of General Fund, Utility Fund and Other Funds that are responsible for certain activities within the Town. Mr. Madden reported that the General Fund is proposed at \$4,049,013, the Utility Fund is proposed at \$1,387,933 for a total of all funds of \$5,436,946. Mr. Madden reiterated his concerns reporting that this proposed budget is significant lower than in prior years due to anticipating cuts in revenue for sales tax, gross receipts, hold harmless money and video sweepstakes. Mr. Madden conveyed his concerns for the uncertainty that comes with the upcoming new year as Legislature is still in the process of adopting their budget and how revenues are to be distributed across the State and how taxes are collected have a cause for concern. Mr. Madden advised that Council may need to look at the budget at a later time and make adjustments before July 1st. Mr. Madden stated that Council would consider the proposed budget on June 3rd at a public hearing and anytime after that public hearing, Council could adopt the budget.

Mayor Campbell asked if Council had questions and/or comments, but none were noted.

Item #8: Acceptance of Comprehensive Pedestrian Master Plan

Mayor Campbell presented the Comprehensive Pedestrian Master Plan for Council's approval.

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

Item #9: Close-Out of 2009 CDBG Pickney Street Project

Mayor Campbell presented the Closing Out of 2009 CDBG Pickney Street Project. A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to approve the Close-Out of the 2009 CDBG Pickney Street Project (Unanimous).

Item #10: Amend Resolution Recognizing Curtis L. Brown, Jr.

Mayor Campbell presented a Resolution that would need amending regarding the recognition of Col. Curtis L. Brown, Jr. Mayor Campbell stated that Col. Curtis L. Brown, Jr. was inducted into the Astronaut Hall of Fame in April and prior to that induction, the Town Council approved a Resolution in hopes of presenting to Col. Brown. A motion was made by Council Member Paula Greene, and Council Member Dicky Glenn to approve the amended Resolution as presented (Unanimous). Copy of the signed amended Resolution is attached hereto and incorporated herein by reference.

Item #11: Dog Ban at Leinwand Park

Mayor Campbell presented this agenda item regarding a Dog Ban at Leinwand Park in which situations with owners and their dogs kept occurring; therefore, the Recreation Commission made a request to Town Council that we place this matter on the agenda.

Council Member Herman Lewis requested that Council consider work dogs to be allowed in the park, this would pertain to individuals that are blind or handicapped.

A motion was made by Council Member Dicky Glenn, and seconded by Mayor Pro Tem Rufus Lloyd that Town Council honor the request made by the Recreation Commission to ban dogs from Leinwand Park (Unanimous).

Item #12: Two Hour Parking Update

Mayor Campbell stated that Town Council discussed in the noon meeting the matter of a two hour parking in the downtown area and a request was made to allow the downtown businesses to participate in a discussion with Town Council; therefore, it was requested to place on the agenda for June and give ample notice to the downtown business owners.

A motion was made by Council Member Ricky Leinwand, and seconded by Mayor Pro Tem Rufus Lloyd to table this agenda item (Unanimous).

Item #13: Budget Amendments 2013-08

Mayor Campbell recognized Town Manager Eddie Madden to present this agenda item regarding the Budget Amendments for May. Mr. Madden presented the following Budget Amendments:

Expenditures

Faircloth's Tree Service	\$860.00
Southern Land Maintenance	\$3,987.50
Merritt Brothers	\$4,500.00
Backflow Preventer for Southern Peanut Co.	\$4,984.56
Total	\$14,332.06

Revenues

Recreation FB Appropriation	\$8,857.64
Tory Hole Park Timber 1st check	\$ 489.86
Southern Peanut Co. (backflow preventer)	\$4,984.56
Total	\$14,332.06

	Late List	5.49
2011 Michael L. Skipper		5009118
Reason	Moved out of City Limits	
Released Value	\$8,930.00	
Personal Property		
Tax Released	\$54.92.	
	Late List	5.49
Grand Total Releases	\$232.35	

Council Member Dicky Glenn brought to Town Council's attention that tax releases for Michael L. Skipper noting that he had moved out of the city limits, was incorrect, as he still resides in the city limits of Elizabethtown and requested that tax releases for Michael Skipper for 2012 and 2011 not be approved.

A motion was made by Council Member Dicky Glenn, and Council Member Ricky Leinwand to approve the tax releases except for 2012 and 2011 for Michael L. Skipper (Unanimous).

Item # 15: Water Account Releases

Mayor Campbell recognized Town Manager Eddie Madden to present this agenda item regarding water account releases. Mr. Madden stated that the Town's Code of Ordinances, Council must consider making releases on water accounts that are deemed to be uncollectible. As with all other accounts, the Finance Department is charged with collecting delinquent accounts; however, some accounts cannot be collected due to bankruptcy, etc.

A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to approve the water account releases as presented (Unanimous). Copy of Water Account Releases are attached hereto and incorporated herein by reference.

Item #16: Monthly Financial Report

Mayor Campbell recognized Finance Director Jan Lennon to present this agenda item regarding the monthly financial report. Ms. Lennon gave a general overview of the General Fund monthly financial report and the Water fund monthly report.

Item #17: "Briefly"

Mayor Campbell recognized Town Manager Eddie Madden to give a brief update on upcoming events.

-Mr. Madden reminded Council that the White Lake Water Festival would take place on Saturday, May 18th at 10am. Council Member have been invited to participate in the parade.

-Town offices would be closed to observe Memorial Day on Monday, May 27th.

-The Town of Ayden, NC has submitted a Thank You note.

-Monthly Performance Status Report from The Adams Company

-Mr. Madden stated that a staff analysis of the Legislation-Public Enterprise Systems/Use of Funds reading material is attached for Council's reading.

-Mr. Madden encouraged Council to read the enclosed article written in the Fayetteville Observe featuring "Greenway Plan Cuts a Path to the Sea".

Item #18: Open Forum

Mayor Campbell opened the meeting to anyone wishing to speak.

Ms. Martha Midyette of Elizabethtown approached Town Council and conveyed her concern in a very in-depth conversation that her septic tank was causing problems and releasing a foul odor and had requested that the Town do something about her problem.

Public Services Director Pat DeVane stated that the Town has pumped Ms. Midyette's septic tank on numerous occasions; however, it was found by a licensed plumber that the septic tank was cracked and loosing water.

Ms. Midyette stated she wanted to be on the Town's sewer system but understood this would be a very costly matter. Ms. Midyette continued for a very lengthy time explaining her situation and wanted it rectified by the Town.

Mayor Campbell conveyed to Ms. Midyette that Council could not make a decision on this matter; however, Public Services Director Pat DeVane would obtain the necessary information in order to present in next months Council meeting.

Mayor Campbell asked for additional comments and/or questions from the audience.

Ms. Matilda Atkinson approached Council and conveyed her concern for her daughters situation regarding her septic tank as well as her own problems at her residence on Biggs Avenue in which soil erosion is occurring causing damage to her backyard.

Mayor Campbell stressed to Ms. Midyette and Ms. Atkinson that Public Services Director Pat DeVane would survey the problems and report back to Council in the next monthly meeting.

Item #19: Closed Session

Mayor Campbell requested that Council enter into closed session. A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to enter into closed session under NCGS 143.318.11 (a)(6) (Unanimous).

Council Member Ricky Leinwand, and seconded by Council Member Heman Lewis made a motion to return to open session. Upon a motion by Council Member Ray Allen, seconded by Council Member paula Greene, the Employment Contract for Town manager Eddie Madden was approved for a three-year term (Unanimous).

With no further business to conduct, the meeting was adjourned.

Sylvia Campbell, Mayor

ATTEST:

Sarah L. Baysden, Deputy Town Clerk