

TOWN OF ELIZABETHTOWN
Re-Scheduled Meeting
April 10, 2012

The Elizabethtown Town Council met for re-scheduled meeting on Tuesday, April 10, 2012 at 7:00 p.m. in the Council Chamber of the Elizabethtown Municipal Building. Those in attendance were Mayor Sylvia Campbell, Council Members, Herman Lewis, Dicky Glenn, Ray Allen, Ricky Leinwand, Charles DeVane, and Attorney Kyle Melvin (sitting in for Town Attorney Womble). Department Heads present included Public Services Director Pat DeVane, Police Chief Bobby Kinlaw, Finance Director Jan Lennon, Fire Chief Byron Graham and Town Manager Eddie Madden. Absent: Mayor Pro Tem Rufus Lloyd, Zoning/Code Enforcement Officer Bryan Martin and Town Attorney Goldston Womble.

Mayor Campbell led the invocation for the evening meeting.

Mayor Campbell presented the April 10, 2012 agenda as well as supplemental for approval. A motion was made by Council Member Dicky Glenn, and seconded by Council Member Ricky Leinwand to approve the agenda as presented (Unanimous).

Item #1: Approval of Previous Minutes

Mayor Campbell presented to Council, the minutes of March 5, 2012 Regular Work Session, March 5, 2012 Regular Meeting and March 5, 2012 Closed Session. A motion was made by Council Member Ricky Leinwand and seconded by Council Member Herman Lewis to approve the minutes as presented (Unanimous).

Item #2: Public Hearing: Application to the NC Department of Commerce for a CDBG/Catalyst Grant - Second of Two Required Hearings

Mayor Campbell opened the public hearing and recognized Ms. Tammy Jones of The Adams Company, who has signed up to speak on behalf of this agenda item regarding application submission to the NC Department of Commerce for CDBG/Catalyst Grant.

Ms. Jones stated that two hearings are required for the application submission of the CDBG/Catalyst Grant; the first public hearing was held in February, 2012, this was to make the public aware of the Town's interest in submitting an application and citizens comments and interest were

welcomed at that time in an effort to find out where they would like to see funds used. Ms. Jones stated that a proposed application is requested for submittal on behalf of the Town of Elizabethtown; the application includes public facilities such as the Paul R. Brown Building located on Martin Luther King, Jr. Drive. Ms. Jones reported that the Paul R. Brown building would receive roof repairs, heating/AC repairs and cosmetic repairs for \$100,000. Ms. Jones also reported that the Town owned property on Morehead Street (Morehead Center) would also be eligible for the CDBG funds, this includes roof repairs, windows, asbestos and cosmetic repairs for a cost of \$300,000. Ms. Jones stated that in addition to the Paul R. Brown Building and Morehead Center, a proposed budget of \$100,000 would be geared towards the clean up of the entire town that would target blighted vacant houses and an administrative budget of \$50,000 for a total of \$550,000. Ms. Jones stated that a local match is not required for this application; however, a local match should be considered to ensure points that are needed and are necessary in an effort to obtain the grant funds.

Council Members asked how much of a local match would be needed. Ms. Jones stated that it would be a decision based on Town Council, due to the fact that it is not required. Ms. Jones stated that \$10,000 is the norm (10% of the requested amount) but the amount submitted will make the application look better.

Council Members asked when would the application be awarded. Ms. Jones stated that it would be in the fall; however, it could take longer because the process does take 6 months.

Mayor Campbell stated that Ms. Minnie Price signed up to speak on behalf of this agenda item and Ms. Price was called upon to approach Council.

Ms. Price stated that she was the President of Bladen County Youth Focus Project which owns the Paul R. Brown Building and conveyed her appreciation for Mr. Madden recommending their building in the grant application and asked if Council would consider the approval of the application that would be submitted for CDBG funds because repairs are desperately needed at the Paul R. Brown building.

Mayor Campbell asked for additional questions or comments, but none were noted; therefore, the public hearing was closed.

Item #3: Public Hearing: Ordinance #12-03: Amendment to the Code of Ordinances for Chapter 150: Building Regulations

Mayor Campbell opened the public hearing and recognized Fire Chief Byron Graham to present this agenda item regarding Ordinance #12-03.

Chief Graham stated that Ordinance #12-03 is proposed for updating the Town's Building Code Ordinance, presently the Ordinance dates back to 1991. Proposed Code of Ordinance amendment this evening is to combine 150.02 and 150.07 into one that states: "The NC State Building Code and Fire Code, as adopted by the North Carolina Building Code council as amended from time to time, is hereby

incorporated by reference into this Code as if fully set forth herein, and Appendices B, C and D are specifically adopted and incorporated herein by reference".

Mayor Campbell asked for questions or comments, but none were noted. No one signed up to speak; therefore, the public hearing was closed.

Item #4: Public Hearing for Ordinance #12-04: Amendment to the Code of Ordinances concerning Driveways Adjacent to Public Streets, Chapter 100, Streets and Sidewalks

Mayor Campbell opened the public hearing and recognized Public Services Pat DeVane to present this agenda item regarding Ordinance #12-04.

Mr. DeVane stated that Ordinance #12-04 proposes changes to the ownership of private driveways that are in the Town's right-of-way that is connected to the streets. Mr. DeVane reported that this has been an issue in the past and continues to be a problem; therefore, Ordinance #12-04 is presented for Council's consideration to give clarification on ownership of driveways and Town right-of-ways.

Mayor Campbell asked for questions or comments, but none were noted. No one signed up to speak; therefore, the public hearing was closed.

Item #5: Ordinance #12-03: Amendment to the Code of Ordinances Amendment for Chapter 150: Building Regulations

Mayor Campbell stated this Ordinance was presented for Council's consideration to amend the Code of Ordinance concerning Chapter 150.02 and 150.07 in which the Building and Fire Regulations would be combined into Chapter 150.02.

A motion was made by Council Member Ricky Leinwand, and seconded by Council Member Herman Lewis to approve the attached Code of Ordinance amendment: Building and Fire Code Regulations to Chapter 150.02 (Unanimous).

Item #6: Ordinance #12-04: Amendment to the Code of Ordinances Concerning Driveways Adjacent to Public Streets, Chapter 100, Streets and Sidewalks

Mayor Campbell stated this Ordinance was presented for Council's consideration to amend the Code of Ordinances concerning driveways adjacent to public street Chapter 100. A motion was made by Council Member Herman Lewis, and seconded by Council Member Ricky Leinwand to approve the attached Code of Ordinance amendment as presented (Unanimous).

Item #7: Resolution (#R-12-02) for Surplus Property Disposal through GovDeal.com

Mayor Campbell presented surplus property that is requested to be sold by internet auction, the items include the following:

2004 Snapper Riding Lawn mower

1998 Ford Crown Victoria

Mobile Office Unit-Located on Morehead St.

Public Services Director Pat DeVane stated that the 2004 Snapper is eight (8) years old, extensively used and weather worn, the Snapper has been replaced with a newer mower. Mr. DeVane stated that the 1998 Crown Victoria served as a Public Services vehicle for several years; however, this vehicle will not be replaced until another vehicle is found for Public Services to use. Mr. DeVane stated that the Mobile Office Unit was approved for surplus in March through negotiated sale; however, very little interest was shown. Council is requested to declare this item as surplus and authorize the Town Manager or Public Services Director Pat Devane to handle the sale through Govdeal Auction. If unsuccessful, an auction will be conducted at the location of the mobile office unit. A motion was made by Council Member Ricky Leinwand and seconded by Council Member Dicky Glenn to approve the specified property as surplus and authorize Public Services Director Pat DeVane or Town Manager Eddie Madden the authority to handle the sale via attached Resolution #R-12-02 (Unanimous).

Item #8: CDBG/Catalyst Grant Approval

Mayor Campbell stated that a public hearing was previously held on this agenda item regarding the submission of an application to the NC Department of Commerce for a Catalyst Grant to address issues related to suitable housing and expansion of economic opportunities, especially for low to moderate income families. Mayor Campbell stated that when considering approval for the application to include matching funds amount.

A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to approve the application for the CDBG/Catalyst Grant to include a \$50,000 local match (Unanimous).

Item #9: Bid Awards for CDBG Construction along Pickney and McKay Streets

Mayor Campbell recognized Town Manager Eddie Madden to present this agenda item regarding the CDBG Construction. Mr. Madden reminded Council that in the March Council Meeting

regarding this agenda item, bids were presented by The Adams Company on the construction work to build structures along Pickney and McKay Streets which were identified as Unit 09-01, Unit 09-02 and Unit 09-03. However, in presenting the bids two (2) of the dwellings came in over the allowable amount and were not approved. This agenda item recognizes the two properties that were previously submitted in March and re-bid. Ms. Tammy Jones of The Adams Company stated that they did re-bid Unit 09-01 and Unit 09-02 and they did come in much lower; therefore, we are allowed to move forward with this project. Ms. Jones reported that Mr. Charles Coleman submitted bids contingent on receiving approval from the state for substantial rehabilitation.

A motion was made by Council Member Herman Lewis, and seconded by Council Member Dicky Glenn to approve the lowest bidder for this project, Mr. Charles Coleman (Unanimous).

Item #10: Awarding of Demolition for CDBG Project on Pickney and McKay Streets

Mayor Campbell recognized Ms. Tammy Jones of The Adams Company to present this agenda item regarding the bid award for the 2009 Elizabethtown CDBG, Demolition Group #1, Pickney and McKay Streets.

Ms. Jones stated that on April 5, 2012, bids were opened for the CDBG housing demolition at 113 W. McKay Street and 511 Pickney Street. The bid tabulation summary and recommendation of award from Ms. Adams indicates that Register's Land Developing be awarded the bid; therefore, both structures would be demolished by Register's Land Development.

A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to approve the awarding of demolition to Register's Land Development (Unanimous). Copy of the signed recommendation from The Adams Company is attached.

Item #11: 2009 Elizabethtown CDBG Relocation Benefit

Mayor Campbell recognized Ms. Tammy Jones of The Adams Company to present this agenda item regarding the relocation benefits from the CDBG funds.

Ms. Jones stated that a housing allowance of \$82,250, will place a brand new structure (stick built) on Ms. Cynthia Campbell's lot, which will be comparable to existing structure. Ms. Jones stated that \$1,300 is available to Ms. Campbell to have the option of moving herself or to hire a moving company to come in and move her belongings and to move her back into her new home; whatever the cost is, that is what will be paid. The moving allowance is set by the state and based on the number of rooms in the house. Ms. Jones stated that their recommendation is based on the total amount of

\$83,550. Ms. Jones stated that the lowest demolition bid was submitted by Register's Land Development.

A motion was made by Council Member Herman Lewis, and seconded by Council Member Ricky Leinwand to approve CDBG relocation benefits for Unit #09-10-Cynthia Campbell 511 Pickney Street Elizabethtown (Unanimous).

Item #12: Municipal Agreement for Landscape Plantings

Mayor Campbell requested that Council consider the Municipal Agreement for landscape plantings on NC 87 Business and Peanut Road to Pine Street and NC 87 By-Pass from SR 1799 to SR 1704.

A motion was made by Council Member Herman Lewis, and seconded by Council Member Dicky Glenn to approve the attached Municipal Agreement for landscape plantings as presented (Unanimous).

Item # 13: Re-appointment of Mrs. Deborah Campbell and Mr. Joe Luther to the Elizabethtown Recreation Commission

Mayor Campbell requested that Council consider the expired terms of Recreation Commission members Mrs. Deborah Campbell and Mr. Joe Luther for re-appointment.

A motion was made by Council Member Ricky Leinwand, and seconded by Council Member Herman Lewis to approve re-appointment of Mrs. Campbell and Mr. Luther to the Recreation Commission Board (Unanimous).

Item #14: Tax Releases

Mayor Campbell requested that Council consider the following tax releases for approval.

2011 Johnson Machine Shop	516675
Reason	Not in City Limits
Released Value	\$1,661.00
Personal Property	
Tax Released	\$10.22

2011 Johnson Machine Shop 516675

Reason Not in City Limits

Released Value \$193.00

Personal Property

Tax Released \$1.19

2011 Woodhouse WW & Carol 5012127

Reason Only 31.27 Acres In City Limits

Released Value \$82,085.00

Real Property

Tax Released \$504.82

Grand Total Tax Releases \$516.23

A motion was made Council Member Dicky Glenn, and seconded by Council Member Ricky Leinwand to approve tax releases as presented (Unanimous).

Item #15: Capital Project Budget Ordinance - Water System Evaluation and Preliminary Engineering Report

Mayor Campbell presented the Capital Project Budget Ordinance for the Water Supply Evaluation and Preliminary Engineering Report which will include an in-depth study of the well system in which a \$40,000 grant was awarded to the Town in March, 2012. Mayor Campbell stated that in addition, the Town will provide \$40,000 from the 2011-2012 budget thereby making a total of \$80,000 to fund the study.

A motion was made by Council Member Ricky Leinwand, and seconded by Council Member Dicky Glenn to approve the attached Project Ordinance as presented (Unanimous).

Item #16: Project Ordinance - 2011 NCDOT Pedestrian Planning Grant

Mayor Campbell presented the 2011 NCDOT Pedestrian Planning Grant in the amount of \$25,000 to include a Town match of \$5,000. Mayor Campbell stated that Withers & Ravenel are the consulting engineers for this project in which they are conducting meetings to provide direction on what the community needs and gather input from the Pedestrian Planning Grant Committee that was formed for this project.

A motion was made by Council Member Herman Lewis, and seconded by Council Member Ray Allen to approve the attached Pedestrian Planning Grant Project Ordinance as presented (Unanimous).

Item #17: Architectural Agreement between Town of Elizabethtown and Terry Cox for Fire Department

Mayor Campbell presented the Architectural Agreement between the Town of Elizabethtown and Architect, Terry Cox for renovations to the Elizabethtown Fire Department. Council Member Ray Allen conveyed his concern for renovations to the Fire Department in which change orders were very prevalent in past renovation projects and requested that the Town be more aware of construction and limit the amount of change orders.

Council Member Charles DeVane stated that it is very difficult to know what a contractor will encounter when renovating an existing structure.

A motion was made by Council Member Charles DeVane, and seconded by Council Member Dicky Glenn to approve the Architectural Agreement as presented (Unanimous).

Item #18: Engine #553 Replacement

Mayor Campbell presented this agenda item in which the Elizabethtown Fire Department hopes to purchase a Pumper Truck to replace the current Pumper Truck (Engine #553), which is in need of replacing. Mayor Campbell stated that Fire Chief Byron Graham, Assistant Fire Chief Jamie Smith and Town Manager Eddie Madden traveled to Jonesville, NC to inspect a prospective truck for sale in the amount of \$240,000; however, the warranty will not follow if purchased by Elizabethtown. Mr. Madden stated that the Fire Chief obtained paperwork on a new Pumper Truck from Whitakers Fire Department for a cost of \$300,000; however, this truck would not come equipped with pertinent items placing an additional cost on additional equipment. Mr. Madden further stated that if the Town were interested in the Whitakers Fire Department Pumper Truck an upset bid must be submitted by April 16th in the amount of \$252,500.

A motion was made by Council Member Charles DeVane, and seconded by Council Member Ray Allen to table this agenda item regarding a pumper truck for the Elizabethtown Fire Department (Unanimous).

Item #18 A: Proposal Additional Crackfilling for Streets

Mayor Campbell called upon Public Services Director Pat DeVane to give a report on the supplemental agenda item which includes additional street repair that involving crackfilling. Mr. DeVane stated that Remac, Inc. had completed Town street repairs with hot joint sealer; however, additional streets were in need of crackfilling for a cost of \$\$11,610.00; which this quote was good for only 30 days. Mr. DeVane stated that Remac, Inc. were in the position to complete additional repairs immediately, for they were needed on another job that would take them out of Town and not to return for several weeks, thus the \$1.29 per pound asphalt quote would not be guaranteed. Mr. DeVane consulted with Town Manager Eddie Madden for the additional repairs; therefore, Council is requested to consider this agenda item for approval of additional crackfilling for Town streets.

A motion was made by Council Member Dicky Glenn, and seconded by Commission Member Ricky Leinwand to approve the attached estimate in the amount of \$11,610 as presented (Unanimous).

Item #18 B: Resolution #R-12-05 - In Support of an Application to Participate in the North Carolina Small Town Main Street Program

Mayor Campbell recognized Town Manager Eddie Madden to present this supplemental agenda item regarding the submission of an application to participate in the NC Small Town Main Street Program. Mr. Madden stated that he attended a NC Small Town Main Street Conference and felt it would be in the Town's best interest to participate. Mr. Madden stated that if the Town of Elizabethtown should be selected as "Small Town Main Street Communities" this would provide technical assistance in downtown revitalization, utilizing the "Main Street Four-Point Approach" of organization, design, promotion and economic restructuring.

A motion was made by Council Member Herman Lewis, and seconded by Council member Dicky Glenn to approve the attached Resolution #R-12-05 which will allow the submission of the NC Small Town Main Street application (Unanimous).

Item #19: "Briefly"

Mayor Campbell recognized Town Manager Eddie Madden to briefly report on upcoming events.

- Mr. Madden stated that Spring Clean up Day would take place on Wednesday, April 18th for the Town of Elizabethtown.

- The Wellness Committee scheduled a "Jump Start your Lunch" for Thursday, April 19th in which employee's are required to walk a mile around Leinwand Park and enjoy grilled hamburgers and hotdogs and the grand prize winner of the Wellness drawing would win \$300.00.

- Mr. Madden scheduled Council Members for a Webinar Ethics Training on Wednesday, May 16th from 10am to 12:00 at the Elizabethtown Town Hall.

-Opening Ceremonies for Dixie Youth Baseball is Saturday, April 14th at Leinwand park beginning at 11 am; Council Members are encouraged to attend.

-Elizabethtown will be the location for AAA State Tournament that will take place at Leinwand Park beginning July 20th through July 28th.

Item #20: Open Forum

At this time Mayor Campbell opened the meeting to anyone wishing to speak during open forum, but no one approached Council.

Item #21: 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)(3) Attorney-Client Privilege (Unanimous).

Sylvia Campbell, Mayor

ATTEST:

Sarah L. Baysden, Deputy Town Clerk