

Town of HOLLY RIDGE



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HOLLY RIDGE TOWN COUNCIL REGULAR MONTHLY MEETING May 14th, 2013

Mayor Padgett called the Regular monthly Meeting of the Holly Ridge Town Council to order at 7:00 pm. at the Holly Ridge Town Hall. Council members present were Mayor Pro-Tem Edwards, Councilman Hines, Councilman Wright, Councilwoman Stanley, and Councilwoman Dingler. Also present were Manager Maiorano; Front Desk Clerk, Tracy Martin; and Attorney Kitchen.

Invocation and Pledge

Councilman Hines gave the Invocation and Mayor Padgett led the Pledge of Allegiance.

Adoption of Minutes

A correction was made to the April Regular Monthly Meeting Minutes changing Mayor Padgett to Mayor Pro-Tem Edwards who led the Pledge of Allegiance.

A motion was made by **Mayor Pro-Tem Edwards** and seconded by **Councilman Wright** to adopt the minutes of the Regular Meeting held on April 9th, 2013 as amended. **All Agreed.**

Adoption of Agenda

An addition was made to the Agenda to add item 10.F Possibly Changing the Meeting Time under New Business.

A motion was made by **Councilwoman Dingler** and seconded by **Councilwoman Stanley** to adopt the Agenda as amended. **All Agreed.**

Persons Wishing to Address the Council

There were none.

Presentation of Proclamation for Police Week

Manager Maiorano read the Proclamation Declaring Law Enforcement Officers Week and Peace Officers Memorial Day.

Presentation of Proclamation Declaring Saturday, June 15th, 2013 as “North Carolina Domestic Violence 100 Day” on behalf of Mother’s on a Mission

Tracy Martin read the Proclamation for North Carolina Domestic Violence Proclamation 100 day.

Presentation of Proclamation Declaring May 2013 as Lyme Disease Awareness Month

Manager Maiorano explained the Proclamation Declaring May 2013 as Lyme Disease Awareness Month.

Parks and Recreation Report

Manager Maiorano said Camp Lejeune has cancelled their fireworks this year and this could increase the amount of people at the Town’s fireworks display and could increase the burden on the Town staff. Manager Maiorano stated last year giving the employees time and a half, essentially there was no profit. He went on to explain after talking he thought the Town could get some vendors to come in, and wanted to get a consensus from the Town Council and if they wanted to move in that direction then a fee schedule could be set. Manager Maiorano suggested charging the vendors a flat fee versus a percentage of their sales. He explained vendors would be required to have insurance and also obtain all of their permits through the health department.

Councilwoman Stanley asked if that meant the staff would essentially not operate any concessions. Manager Maiorano stated that was correct.

Councilwoman Stanley asked if the Town was not able to get any vendors, would the Town staff then operate the concessions. Manager Maiorano stated yes.

Manager Maiorano said staff has reached out to Ricky Maredey with Jones Onslow and power will not be a problem to have installed, but will cost the vendors more if needed.

The consensus of the Town Council was to move forward with using vendors for the 4th of July celebration.

ONWASA Report

Councilman Hines gave the following report:

- ONWASA has held their budget workshop and there appears to be no increase in the rates, and the staff was able to cut two million dollars from the budget.
- The Public Hearing for their budget will be held this week for final approval.
- ONWASA should be approving a contract for the design and construction services of the Summerhouse Plant.
- Friday, May 17th the groundbreaking will be held for the Northwest Regional Reclamation facility.

Public Hearings

Old Business

New Business

Possible Reappointment of John McIver to the Planning Board for a Four Year Term

A motion was made by **Councilman Hines** and seconded by **Mayor Pro-Tem Edwards** to re-appoint John McIver to the Planning Board for a term of four years. **All Agreed.**

Councilman Hines said Mr. McIver has been a good member and he is glad he wants to go back on the Board.

Mayor Padgett administered the Oath of Office to Mr. McIver.

Possible Adoption of Ordinance Regulating Excessive Noise

Manager Maiorano said on this particular ordinance under 4-35 Amplified Sound, the Town Attorney has drawn up some wordage for any type of issues, and this ordinance requires a permit to be obtained from the police department. This permit would allow a person to operate an amplified device, but there is only one amplified device per parade, per group demonstration, and the fireworks. Manager Maiorano said if you look at Section "C" you will see the wording "A permit shall not be issued for a location that is within 100 feet of another location for which a permit has been issued for the same time or that is within 100 feet of the area permitted for a parade, picket line, or group demonstration." Attorney Kitchen explained that a parade is defined as any exhibition or exhibition area, so you could not have multiple permit holders for any event.

Manager Maiorano said if this ordinance is approved tonight, the ordinance will be taken to the District Attorney and see if it is enforceable. Councilman Hines asked if the District Attorney will not enforce the ordinance, will the Town just do away with the ordinance. Attorney Kitchen said no because the ordinance can still be enforced with civil penalty of not more than \$500.00.

Councilman Wright suggested a change under Section 4-34, (b), item 4 – to change the verbiage to add the word “of”, so it reads the following: “the keeping of any animal which, by causing.” Attorney Kitchen stated Section 4-34 was in there just for information, but it can be added in there tonight. Manager Maiorano said it can be taken care of.

A motion was made by *Councilman Hines* and seconded by *Councilman Wright* to adopt the Ordinance as amended. *All Agreed.*

Possible Adoption of Ordinance Amending General Use of Parks and Recreation Facilities

Manager Maiorano stated this ordinance is again related to the fireworks. He went on to say everyone knows Mayor Pro-Tem Edwards saw last year some issues with some dogs at the park when the fireworks were going off. Manager Maiorano referenced an issue with a pit bull becoming scared while the fireworks were going off and running from its owner. Manager Maiorano stated Attorney Kitchen added to the end of the ordinance the following verbiage under Section 3-15,(7) “No dog or other animal shall be permitted to be in any area of the park during a fireworks exhibition.” Attorney Kitchen wanted to clarify this ordinance does not apply to service animals.

Mayor Pro-Tem Edwards asked for clarification about whether or not the animals can be allowed in the park prior to the fireworks going off and then having to ask them to leave. Attorney Kitchen said he felt this ordinance included before the fireworks actually going off.

A motion was made by *Mayor Pro-Tem Edwards* and seconded by *Councilwoman Stanley* to adopt the Ordinance. *All Agreed.*

Possible Adoption of Resolution Opposing Senate Bill 363 and 394

Councilwoman Dingler read the Resolution opposing Senate Bill 363 and 394.

A motion was made by *Councilman Wright* and seconded by *Mayor Pro-Tem Edwards* to adopt the Resolution opposing Senate Bill 363 and 394. *All Agreed.*

Possible Adoption of Resolution to Preserve and Defend the Right to Keep and Bear Arms

Councilman Hines said he brought this up because he was tired of hearing that the Council was against the right to bear arms.

Councilman Hines read the Resolution to Preserve and Defend the Right to Keep and Bear Arms.

A motion was made by *Councilman Hines* and seconded by *Councilman Wright* to adopt the Resolution to Preserve and Defend the Right to Keep and Bear Arms. *All Agreed.*

Possible Time Change of Regular Scheduled Town Council Meeting

Manager Maiorano explained that there has been discussion about possibly changing the meeting time. Manager Maiorano said with the meetings being at 7:00 p.m. – this doesn't leave enough time for some of the staff to go home because they live so far away and the employees are stuck here but not working, just waiting. Manager Maiorano said his recommendation is to hold the meetings at 5:00 p.m. but he knows that is probably too early so 6:00 p.m. would be good as well.

Councilman Wright stated he is personally good with any time. Councilman Hines said he thinks if there becomes a time where there is more citizen participation, then the Council could go back to a later time. Councilman Hines said he felt that 6:00 p.m. was a fair time.

Councilwoman Dingler stated she does not agree with the 6:00 meeting because of meetings that she may have or someone that does work that may be on the Council at a later time.

Councilwoman Dingler said that 7:00 is better. Councilman Hines said unless the time change hinders some of the Board (he would be in favor). Councilwoman Dingler said 6:00 p.m. would be tight for her, but it is whatever the board decides. Councilwoman Dingler said even 6:30 because sometimes she has appointments that run later in Town.

Councilman Hines said he was prepared to make a motion but if it infringes on any of the Town Council he will not make the motion, but he knows that it does burden some of the staff by not being able to go home.

Mayor Padgett, Councilman Wright, Mayor Pro-Tem Edwards all said they have no problem with any time. Councilwoman Stanley stated if it is a hardship on Councilwoman Dingler then to just keep the time at 7:00 p.m.

Mayor Padgett said if there was no further discussion, the time would be left as is.

Closed Session

None.

Police Department Comments

Lieutenant Jones gave the following report:

- The yearly stats were gone over for the Town Council.

Fire Department Comments

The Fire Department was not present for the meeting.

Town Manager Comments

Manager Maiorano gave Larry the opportunity to introduce Kristen Cutrell as the new Code Enforcement Officer and she is a level one with the state of North Carolina, has three years of experience, and is already an asset to the Town.

Council Concerns

Councilwoman Dingler asked if the houses around the park would be notified about the 4th of July. Manager Maiorano said there has been discussion about notifying the people who live next to the park about the festivities especially if they are new citizens. Councilwoman Dingler asked if since the Air Link now lands at the airstrip will the Fire Department still need to be present. Manager Maiorano stated he did not believe so because that is their actual base now. She welcomed Kristen aboard.

Councilman Wright welcomed Kristen aboard. He also wanted to thank the Town staff and he knows they work hard, and sometimes doesn't feel they are given enough credit. He thanked Bill for gearing up the Maintenance Department.

Councilwoman Stanley said she had a citizen ask her about a street light that has been out on S. Dyson Street and wanted to know if someone could report it. Manager Maiorano stated yes the Town could handle that, but staff would need to be notified. Tracy stated the light has been reported. Councilwoman Stanley thanked the town staff for the hard work on the budget.

Mayor Pro-Tem Edwards welcomed Kristen. He also asked Manager Maiorano has the Fire Department advised him they would not have anyone here tonight. Manager Maiorano stated no. Mayor Pro-Tem Edwards asked if an email could be sent letting him know that he is displeased about no one being present. He also mentioned the Fire Department needs to be painting the fire hydrants in Town.

Councilman Hines said he has been trying to get a bank here and he received a call from a bank letting him know that they were in fact interested in coming into Town. Councilman Hines said he doesn't really know what this bank is looking for but when he hears from him he will let Manager Maiorano know so that he may pass the information onto the Council.

Councilman Hines stated he is aware there is a bill about advertising on the internet versus advertising in the newspaper and the Manager was going to look into it and it will save us a lot of money and wanted to know if there could be a consensus from the board about seeing if the Town could be added to the bill.

Manager Maiorano said it is Senate Bill 287 and is specifically 10 counties that are in the western part of the State. He explained he called Senator Brown who has not called him back and he may be at some of the upcoming meetings and maybe the Council could mention it to him.

There was also discussion about another bill that was amended to still require Towns to advertise in the newspapers but the newspaper would be required to post to their websites.

The consensus of the Town Council was to proceed with trying to have the Town added to Senate Bill 287.

Councilman Hines asked for the Constitution, the State Constitution, and the Bill of Rights to be framed in the meeting room with the Resolution preserving the right to bear arms. Attorney Kitchen stated the State Constitution is a large document and it might be better to have the Declaration of Rights. Manager Maiorano said staff would look into it.

Councilman Hines said he was sorry Mrs. Royal was not here tonight because he would like to clear up some of the misinformation but he will get the chance to speak with her.

Announcements

Mayor Padgett gave the following announcement:

- Onslow Elected Officials Meeting – Wednesday, May 22nd, 2013 at 6:30 p.m. hosted by Holly Ridge
- Town Hall Closed Monday, May 27th, 2013
- Planning Board Meeting May 28th, 2013

Adjournment

A motion was made by *Councilman Hines* and seconded by *Mayor Pro-Tem Edwards* to adjourn at 7:55 p.m. *All Agreed.*

Attest:

Mayor Padgett

Heather Reynolds, Town Clerk

These minutes were recorded by Front Desk Clerk Tracy Martin and prepared by Town Clerk Heather Reynolds.