

Town of HOLLY RIDGE

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HOLLY RIDGE TOWN COUNCIL REGULAR MONTHLY MEETING April 12th, 2011

Mayor Padgett called the Regular monthly Meeting of the Holly Ridge Town Council to order at 7:00 pm. at the Town Hall. Council members present were Mayor Pro-Tem Hines, Councilwoman Bragg, Councilman Edwards, Councilman Wright, and Councilwoman Stanley. Manager Maiorano and Town Clerk Heather Reynolds were also in attendance.

Invocation and Pledge

Councilwoman Bragg gave the Invocation and Mayor Padgett led the Pledge of Allegiance.

Adoption of Minutes

A motion was made by **Councilman Edwards** and seconded by **Councilwoman Stanley** to adopt the minutes of the March 8th, 2011 Regular Town Council Meeting and the minutes of the April 2nd, 2011 Town Council Retreat. **All Agreed.**

Adoption of Agenda

Manager Maiorano made the recommendation to the Council to add "Change in Authorized Signers for All Drafts and Checks" to the Agenda under New Business as item 11. G.

A motion was made by **Councilwoman Bragg** and seconded by **Councilman Wright** to adopt the Agenda as amended. **All Agreed.**

Persons Wishing to Address the Council

Mr. Mason of 412 Highway 17 South was present to discuss issues with when paving was going to be done on Green Street because it is in really bad shape. Mr. Mason said he would also like to ask the Council to reconsider curbside recycling because a lot of times the container is full and he wouldn't mind paying more to have the curbside recycling.

Councilman Wright addressed the paving on Green Street and informed Mr. Mason that the Town has been doing a study on the streets to determine which ones would be top priority and the Town is addressing all the streets in Holly Ridge.

Mayor Pro-Tem Hines added to what Councilman Wright said by saying the Town is also working on developing a maintenance plan for maintain the streets and we have been working on it for three months now.

Presentation of Appreciation Plaque in Honor of Mr. Brown's Contributions to the Town

Mayor Padgett stated we have a plaque to present to the Brown family for things that Mr. Brown helped the Town with over the years and buildings we have that we wouldn't have had if he had not been in the area.

Mayor Pro-Tem Hines said he talked to Mr. Brown a lot over the years and he gave him a lot of advice on politics and his desire to help the Town of Holly Ridge could be seen. Mayor Pro-Tem Hines said he appreciates him and he was glad we had him down here.

Councilman Edwards stated he was impressed with Mr. Brown and he watched him when we built the Police Department and Mr. Brown was very active and would be passing boards and helping out any way he could. He also said he was a fine fellow and can only hope that when he is Mr. Brown's age he could be just as happy and active as he was.

Councilwoman Stanley said she didn't have the privilege of knowing Mr. Brown personally but she has had a lot of good things about him. Councilwoman Stanley said she appreciated Mr. Brown's family being here tonight.

Councilman Wright said Mr. Brown is a fine man and he saved the Town a lot of money and is so happy the family could be here tonight.

Councilwoman Bragg stated she had the honor of meeting Mr. Brown and as you look around Town and see the buildings and the different things he helped the Town with, then you know that his memory does really live on. She said the Town appreciates him and the family for being here

to accept the plaque.

Mayor Padgett said he met Mr. Brown about 40 years ago and when they met it was concerning Permuda Island and it ended up being sold to the State. Mayor Padgett said over the years he had the occasion where he would run into him. He said what he enjoyed the most were the last three or four years, because he actually worked for Mr. Brown and he has never worked for a better man in his life.

Mayor Padgett presented the Brown Family with a Plaque of Appreciation and said we would also put a duplicate plaque in the lobby here in the Town Hall.

Mayor Padgett read the plaque:

“In Memory of Contributions made to the Town of Holly Ridge by Herschal Brown for significant generosity in the building of the Holly Ridge Town in 1991, The Holly Ridge Police Department in 2007, and the Holly Ridge Community Building in 2008.”

Mayor Padgett recessed the meeting for a break at 7:15 p.m.
Mayor Padgett called the meeting back to order at 7:35 p.m.

Friends of the Park Report

Manager Maiorano gave the following report:

- Easter Egg Hunt will be held on April 23rd, 2011 in the Park at 11 a.m.
- Friends of the Park meeting will be held tomorrow April 13th, 2011 at 5:30 p.m. at the Town Hall if anyone would like to attend and we will be discussing the Easter Egg Hunt and anything else we have going on such as July 4th coming up.

ONWASA Report

Mayor Pro-Tem Hines gave the following report:

- Hudiberg Street design has been completed and ONWASA is waiting on funding to complete it.
- The Highway 17 South project construction started yesterday and the projected completion date is September 2011.
- The transmission line from Summerhouse to Holly Ridge is still in design but it should be going on pretty quick.
- A valve Replacement project for Holly Ridge is coming up and the new water tank is still in the planning stages.

- The Wachovia tract on Highway 50 has been purchased by ONWASA and is in the Planning Stage.
- ONWASA has made some changes and will be hiring a new Executive Director and Mr. Farmer has been doing an excellent job but he has let us know that the future is not real bright for us because of all the projects we have going on.
- There is a possibility of a rate increase because of all the projects going on. Although the goal is not to raise the rates.

Public Hearings

Request from Holly Ridge Associates for a Contiguous Annexation of 2.9 Acres on Crawford Street Parcel # 734A-15

A motion was made by Mayor Pro-Tem Hines and seconded by Councilman Edwards to go into a public hearing. All Agreed.

Manager Maiorano said this request is a contiguous annexation on Crawford Street and the area is down along the Municipal Park. This area is a staff reviewed project and has been recommended up to this point.

Mayor Padgett asked if there was anyone signed up to speak on this matter.

Mr. Dennis Hewitt of 119 N. Jenkins Street had a concern about the lot being part of Long Leaf Pines because the original deed restrictions of Long Leaf Pines said they land could not be divided in less than two acres.

Mr. Chris Rackley stated he is the listing agent of the property and there are different phases of Long Leaf Acres and this particular lot is the second phase and he has done the title search and couldn't find any restrictions for this phase.

Mr. Greg Singleton of 310 Crawford Street said his concerns are the same as Mr. Hewitt's because it says in his deed that the property could not be broken up.

Mayor Padgett said originally there had to be bigger lots made for septic tank purposes.

Mr. Singleton said it says in his deed that he has but not in the deed that was filed.

Mayor Pro-Tem Hines suggested this might be something for Attorney Stroud, although if the property has covenants on it the Town cannot really do anything to enforce those because that issue would be more of a civil issue.

Manager Maiorano asked for copies of the deeds. Mr. Hewitt said the owner of the property stated the Town had copies of the restrictions of this property. Mayor Pro-Tem Hines said the only way the Town can restrict things is through the zoning itself.

Taylor Greene of 701 Trade winds Dr. North Topsail Beach stated there are no deed restrictions and there never were on this phase.

Mr. Singleton asked if the zoning has been changed on the property.

Mayor Pro-Tem Hines stated the zoning has not been changed and tonight we are only looking at the annexation of the property.

Mr. Greene stated he would be asking for the same zoning as it currently is.

Mayor Padgett said he doesn't remember the Town putting any restrictions on the lots.

Mayor Pro-Tem Hines asked if the restrictions were possibly taken off when the property changed hands.

Mr. Rackley responded yes that appears to be what happened.

Mr. Singleton asked if this means he can cut his property up like the property in question.

Mr. Rackley said Mr. Singleton could go back to the people who sold him the property and see if the restrictions could be removed.

Mayor Pro-Tem Hines said that would still be a civil issue because the Town would not deal with deeds.

A motion was made by *Councilman Edwards* and seconded by *Mayor Pro-Tem Hines* to return to Regular Session. *All Agreed.*

A motion was made by *Councilwoman Stanley* and seconded by *Councilman Edwards* to contiguously annex parcel #734A-15 consisting of 2.9 acres on Crawford Street into the Town limits. *All Agreed.*

Request from Benjamin Harris to Re-Zone Parcel #'s 901-46, 901-48, and 901-49 from MRF to R15A located on Green Street

A motion was made by *Councilwoman Bragg* and seconded by *Councilwoman Stanley* to go into a public hearing. *All Agreed.*

Manager Maiorano stated this property is located behind the old ice cream shop and Mr. Mobley had this property a while back and he had the property re-zoned to MFR many years ago and there were plans to put townhomes in there and since then it had changed hands. We are requesting this property be changed from MRF back to R15A. Manager Maiorano also said there are plans to build 3 homes on the parcels.

Mayor Padgett asked Mr. Billy Rowe of 420 Highway 17 south so come up to the podium and speak about his concerns on this re-zoning request.

Mr. Billy Rowe said his concern is that R15A will allow a trailer or a house and he disagrees with re-zoning this property to R15A for that reason because he doesn't want to see any trailers. He would like to talk about having it zoned R15. Mayor Padgett stated it cannot be zoned R15 because there is no adjoining property zoned R15.

Mr. Ben Harris from 1707 Wrightsville Ave. Wilmington NC, who is requesting the re-zoning stated he will be building stick-built homes that are three bedrooms and three bathrooms with a garage.

Mr. Billy Rowe stated that trailers will down grade the value of the property.

Mr. Dallas Harris, the father of Ben Harris said they are from Wrightsville Beach and they build about 2,000 homes and building stick built homes is their intent and they will be applying for their permits tomorrow if this is approved tonight.

Councilman Wright stated on the application submitted to the Town under the section "Purpose", Mr. Harris wrote the purpose of re-zoning would be for building single family homes.

Mr. Mason of 412 Highway 17 south said if he isn't mistaken there is a R15 that borders the parcels.

Larry Willaford said the properties in question the only thing bordering them is R20, and the properties do not meeting the specifications for that zone because of the square footage and the only other thing abutting the parcels is R15A.

Mr. Mason asked why these lots cannot be zoned R15.

Manager Maiorano responded to zone these parcels R15 because it would be spot zoning if the parcels do not touch that zone.

Larry Willaford said the only zone abutting the parcels is R15A and R20.

Mr. Mason said this gentleman says he isn't going to put trailers there but he could. He also said he cannot imagine a trailer next to a house.

Mayor Pro-Tem Hines said he saw over and above from the employees' day in and day out and it was only a small part that he saw. Larry and Heather stepped up and showed dedication as well as John doing manager duties without being back paid. He said there were desperate times with a lot of problems and confusion but they handled it.

Councilman Edwards said he appreciates the extra effort but this happens every day in the private sector and it is nothing unusual for an employee to take on extra work. He said he had to do two jobs all the time and these are tough times. Councilman Edwards said he would like to see the employees receive a gift card.

Mayor Pro-Tem Hines said if the employees had said they couldn't do any extra, the next alternative would have been to hire temps which would have cost a lot more.

Councilman Wright stated if the employees had been here and doing the work versus the two employees taking on the extra work the cost would have been 19,000 dollars. He also said he left John's salary out of that because his compensation would be retroactive.

A motion was made by *Councilman Wright* and seconded by *Mayor Pro-Tem Hines* to approve the compensation for the three employees as presented. *Voting was as follows: Councilwoman Bragg- yes, Councilman Wright- yes, Councilwoman Stanley- yes, Councilman Edwards- no, and Mayor Pro-Tem Hines- yes.*

New Business

Discussion of Municode

Manager Maiorano said Municode has stifled us because he put five staff members on the project of going through the ordinances and in two hours we were still dumbfounded on what we were doing. Municode has and twisted and changed our ordinances and we would have to budget between \$5,000 and \$10,000 this year to make the changes and it could be higher. Manager Maiorano said right now we have the ability to make the ordinance change and have it available. Manager Maiorano recommended not throwing good money after bad money and to have the Council direct the staff to pick the ordinances back up and terminate the contract with Municode. He also said the staff has the capacity to manage the ordinances.

A motion was made by *Mayor Pro-Tem Hines* and seconded by *Councilwoman Bragg* to terminate the current contract with Municode and have staff proceed with maintaining the Ordinances. *All Agreed.*

Discussion of Garbage Carts for Town Businesses

Manager Maiorano said in our ordinance concerning garbage carts it states businesses can have garbage carts but they may not exceed the limit of containers allowed, so we need to get a stipulation on the number of carts we are going to allow so we can put it in the ordinance. Manager Maiorano recommended two carts per business and that would satisfy the needs for businesses and in the event the business needs more than two then he would suggest they need a small dumpster. Manager Maiorano said this does not address the issue of recycling for businesses because businesses cannot use the recycling bin nor can they put recycling in their garbage cans. He said the businesses would have to carry their recyclables down to Old Folkstone road to the dump site.

Councilwoman Bragg asked if businesses would still have to have a cart if they already had a dumpster. Manager Maiorano said no, the businesses may contract privately to have a dumpster and then they are not required to have carts.

Mayor Pro-Tem Hines said riding around Town he sees we have a lot of small businesses and if we require businesses to have dumpsters, the small businesses may not have that much garbage. He thinks it will be fair to allow the businesses to have up to two garbage carts, but all business will have to have at least one cart.

Manager Maiorano said this doesn't solve the recycling issue for businesses. Mayor Pro-Tem Hines said one business he spoke to carries their recycling off to the dump site. Councilman Wright asked if the ordinance should read "up to two carts" and Manager Maiorano said correct.

A motion was made by **Mayor Pro-Tem Hines** and seconded by **Councilman Edwards** to change the garbage cart ordinance to allow up to two carts for both residents and businesses and businesses must have at least one cart or contract with a private service provider and businesses will not be allowed to use the recycling bin. **All Agreed.**

Proclamation Recognizing May 1st - May 7th as Municipal Clerks Week

Mayor Padgett read the Proclamation and recognized Heather Reynolds as the Town Clerk.

Appointment of Representation on Topsail Chamber of Commerce

Manager Maiorano said currently the Town has no one representing us at the Chamber of Commerce and Margaret Richmond the Administrative Assistant at the Police Department sits as an at-large member. Manager Maiorano recommended appointing Margaret to represent the

Town and the reason he is asking for an appointment is to give her the authority to represent the Town and Margaret would certainly like to do it. Mayor Pro-Tem Hines said this is one way to sell the Town and her being there will help promote and she is a great asset to do that. Mayor Pro-Tem Hines stated Margaret is eager and is the right person to do it.

A motion was made by **Councilman Wright** and seconded by **Mayor Pro-Tem Hines** to appoint Margaret Richmond as the Town of Holly Ridge's Representative for the Topsail Area Chamber of Commerce. *All Agreed.*

Mayor Padgett recessed the meeting for a break at 8:35 p.m.
Mayor Padgett called the meeting back to order at 8:43 p.m.

Contract Authorization for the July 4th Fireworks

Manager Maiorano said he is seeking clarification for authorization on the fireworks contract. He said it will be paid out of next year's budget but we have to sign the contract now. Manager Maiorano stated the amount is the same as last year.

A motion was made by **Mayor Pro-Tem Hines** and seconded by **Councilman Edwards** to proceed with the fireworks for the 4th of July. *All Agreed.*

Presentation of Mayor Pro-Tem Hines' Long Leaf Pine Award

Manager Maiorano said Mayor Pro-Tem Hines was awarded the Order of the Long Leaf Pine Award at the Fire Department last month and it is a great honor. He said the order of the Long Leaf Pine is among the most prestigious awards presented by the Governor of North Carolina. The Order of the Long Leaf Pine is presented to individuals who have a proven record of extraordinary service to the state. Contributions to their communities, extra effort in their careers, and many years of service to their organizations are some of the guidelines by which recipients are selected for this award.

Manager Maiorano said it was a wonderful ceremony at the Fire Department.

Authorized Check Signers

Manager Maiorano said this is a change in authorized signers for all checks and drafts. Manager Maiorano also said we have a Finance Officer now and we are getting situated. He said the

recommendation is to name Karen Metz to sign all drafts and checks, John Maiorano to sign all drafts and checks, and as a backup Heather Reynolds. Manager Maiorano said we would also place in effect the current people who sign to still check the reports before the checks actually go out.

Councilwoman Bragg asked if the employees are bonded. Manager Maiorano responded yes and it is also in accordance with the General Statues.

A motion was made by ***Councilman Edwards*** and seconded by ***Councilman Wright*** to change the authorized signers to Karen Metz, Finance Officer and John Maiorano, Town Manager with Heather Reynolds, Town Clerk as a back up. ***All Agreed.***

Police Department Comments

Councilman Wright asked how the roadblock went. Major Bryant said it was very successful. Councilman Edwards asked if we are having many golf cart permits issued. Major Bryant replied there are about six in Town.

Town Manager Comments

Manager Maiorano asked if the Council could entertain a date for the budget workshop.

A motion was made by ***Mayor Pro-Tem Hines*** and seconded by ***Councilman Edwards*** to hold the budget workshop on Tuesday, May 3rd, 2011 at 6:00 p.m. in the Town Hall. ***All Agreed.***

Council Concerns

Councilwoman Bragg said thank you to everyone.

Councilman Wright wanted to thank all the employees for the hard work in their presentations at the Retreat.

Councilwoman Stanley said she didn't understand the statement about the Powell Bill and asked if we would need to pay them or they owe us money. Manager Maiorano said the League went through the Powell Bill disbursements and found DOT had inadvertently had 5.6 million dollars that wasn't given out and the part we received was \$1800.00 in addition to the Powell Bill money. She also mentioned she called Heather about the Chamber of Commerce having the time

of the Town meetings wrong on their calendar of events. Manager Maiorano said an email was sent to the Chamber today. Councilwoman Stanley said thank you to everyone.

Councilman Edwards said he is not against providing necessary services for the Town and he is not against improving services but he is for reducing taxes to help increase the growth of the town. He also said he is against hiring a parks director and project manager and a waste of the taxpayer dollars.

Mayor Pro-Tem Hines asked for an update on Randy. Manager Maiorano informed the Council that the latest is the doctors do not know what the issue is and he is still in the hospital having tests ran. Mayor Pro-Tem Hines asked Manager Maiorano to please talk to Attorney Stroud about giving a presentation on procedural guidelines so that everyone is on the same page. Mayor Pro-Tem Hines also mentioned an employee assistance program that ONWASA currently has and asked Heather could look into the program and present this information at the next meeting. Councilwoman Bragg told the Council over at Conagra they have the same program and it is great.

Announcements

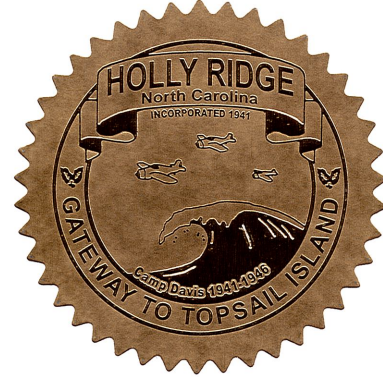
Mayor Padgett gave the following announcements:

- Four Town Meeting hosted by Topsail beach on Thursday, April 14th, 2011 at 6:30 p.m. at their Town Hall.

Adjournment

A motion was made by **Mayor Pro-Tem Hines** and seconded by **Councilman Edwards** to adjourn at 9:00 p.m. **All Agreed.**

Attest:



Elmer Padgett

Mayor Padgett

Heather Reynolds

Heather Reynolds, Town Clerk

These minutes were recorded and prepared by Town Clerk Heather Reynolds