

# Town of HOLLY RIDGE

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## HOLLY RIDGE TOWN COUNCIL REGULAR MONTHLY MEETING October 10<sup>th</sup>, 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; Town Clerk, Heather Reynolds; and Attorney Stroud were also present.

Mayor Pro-Tem Hines said he would like to have a moment of silence.

### Pledge

Mayor Padgett led the Pledge of Allegiance.

### Adoption of Minutes

A motion was made by *Mayor Pro-Tem Hines* and seconded by *Councilman Edwards* to adopt the minutes of the Regular Town Council Meeting held on September 13<sup>th</sup>, 2011 as written and the Closed Session Minutes from September 13<sup>th</sup>, 2011 as written. *All Agreed.*

### Adoption of Agenda

A motion was made by *Mayor Pro-Tem Hines* and seconded by *Councilman Edwards* to adopt the agenda as presented. *All Agreed.*

**Persons Wishing to Address the Council**

There were none.

**Presentation by Auditor S. Preston Douglas & Associates on the Town's Annual Financial Report**

Wade Green gave the following report:

- LGC has accepted the Audit Report.
- The Audit findings were unqualified, which means the Town had a clean audit.
- Governmental Fund Balance \$1,273,186 with an increase of \$214,699.
- The Town had \$1,769,397 in revenues and \$1,554,698 in expenditures, which left the Town with a positive cash flow and this Town, is about the only one with positive cash flows.
- The Town has 74.45% of the Fund Balance available and the LGC only requires 8% and the Town has shown a steady increase over the past five years.
- Cash is at \$1,181,360
- \$1,072,244 in Capital Assets
- \$468,360 in Long-Term Debt
- Tax levies in 2010 were \$1,132,896 and in 2011 they are \$668,511.
- The tax collection rate has increased from 68.35% last year to 86.91% this year.

Mayor Pro-Tem Hines stated he sees the recommendation on upgrading the finance department's software. Mr. Green said the programs are around \$30,000 to \$100,000. Mayor Pro-Tem Hines asked if that was the only thing. Mr. Green said this is a small town and there really isn't much going on and the Town is in good shape. Mayor Pro-Tem Hines commended Manager Maiorano and Karen Metz, Finance Officer for their work with the finances.

**Friends of the Park Report**

Manager Maiorano gave the following report:

- October 20<sup>th</sup>, 2011 is the last day of Auditions and so far we have seven acts signed up to perform in the Talent Show.
- Next Friends of the Park Meeting will be this Thursday at 5:30 p.m. in the Town Hall.
- The County is requesting use of the Community Center for a Healthy Eating Class on November 10<sup>th</sup>, 2011 with admission being \$5.00 per person. Manager Maiorano asked if the Council wanted to approve the use of the Community Center. Mayor Pro-Tem Hines asked if this was in conjunction with the Park. Manager Maiorano said yes and Mayor

Pro-Tem Hines said if something is in conjunction with the Town's Friends of the Park then it shouldn't need to come to the Council. Mayor Pro-Tem Hines said Mrs. Trott with Onslow County has some ideas for senior activities as well and the Town needs to welcome these things. Mayor Pro-Tem Hines said anything the Parks can do the Town needs to support.

- Mayor Padgett said as long as the County is working in conjunction with the Town's Friends of the Park then requests do not need to come before the Council.
- County wishes to use the Community Center for a Christmas Movie and Santa day in November and the Town will coordinate with the County. The date is to be announced.
- Manager Maiorano invited everyone to volunteer for the Talent Show on October 22<sup>nd</sup>.

### **ONWASA Report**

Mayor Pro-Tem Hines gave the following report:

- Workshop planned for next week and the Regular Meeting will follow the following week.
- Restructuring ONWASA is underway and will improve the ability to operate and to serve the people.

### **Public Hearing**

There were none.

### **Old Business**

#### **Discussion of Waste Industries Contract**

Norma Yanez introduced herself and said she was present to answer any questions anyone may have. She also said Waste Industries has been providing the garbage services for the Town since 1993 and that is why a new contract has been presented. The contract issued in 1993 is still valid, but has only had amendments made to it over the years. Mrs. Yanez said the new contract is just an updated version of the paperwork.

Manager Maiorano said on page 5 the contract addressed the cost per cart with an increase, the Town did not budget for that this year so therefore it would need to remain the current price until the next budget year. Mrs. Yanez said it can be changed to the current rate.

Manager Maiorano said on page 6 for "Adjustments, Section C." the wording states "The monthly fee shall be adjusted on an annual basis on the first day of July of each year of the term beginning on July 1, 2012 to reflect the annual adjustment based on Table 1 of the Consumer Price Index for all Urban Consumers (CPI-U): U.S. City Average for March, not to exceed 5% in any given year." Mrs. Yanez said this is a typical request that is made to everyone and it is based on CPU. She also said costs go up for disposals and they have to give their drivers increases. Mrs. Yanez also stated she has never seen the CPU go over 3.4%. Manager Maiorano asked if a date could be placed in the contract for the Town to receive the CPU increase request in writing from Waste Industries for the purpose of budgeting. Mrs. Yanez said the CPU comes out in March and the Town could have the request whenever is convenient for them as long as it is the same month in every year. Mrs. Yanez said she could add to the contract "The Town will receive the CPU increase by March 15<sup>th</sup> of each year".

Mrs. Yanez said there was a grammatical error on page 4 under section f. The wording currently states "Service locations exceeding 96 gallons of Acceptable Solid Waste weekly every other week shall be identified by the Contractor to the Town." The wording will be changed to delete every other week and only state weekly.

Manager Maiorano said he would also like to have the convenience containers rental fees waived. Mrs. Yanez stated with agreement of the new contract those fees can be waived. Mayor Pro-Tem Hines asked if it could be specified about what type of containers could be left. Mrs. Yanez said she looked at the containers when she came up, and she understands about the ones with the high doors and she would see what she could do about that.

Manager Maiorano page 6 under "Adjustments, Section A" the contract reads "The Town and Contractor recognize the Contractor's cost of doing business may change due to changes in government rules or regulations or events beyond the Contractor's control. In such cases, Contractor may present a request for adjustment to the Service Fee to the Town, and the Town will approve such changes as long as Contractor has provided evidence supporting the change and the impact to Contractor." Manager Maiorano said we are looking at wording as follows: "In such cases, contractor may present a request for adjustment to the Service Fee to the Town, and the Town may approve such changes as long as Contractor has provided evidence supporting the change and impact to the Contractor." Mrs. Yanez said the reason the current contract uses the words "may" and "shall" is because they have to show substantial evidence that there are things beyond their control such as the state saying their trucks cannot be driven on a certain road and their driver has to drive 30 miles out of the way in order to reach the landfill. Mrs. Yanez also said the current wording gives her something to fall back on.

Mayor Pro-Tem Hines asked Attorney Stroud his opinion. Attorney Stroud suggested the first sentence provides a basis because it states the events would be beyond the control of the Contractor, but he would suggest a modifier, such as the "Contractor will provide documented evidence".

Mayor Pro-Tem Hines asked if a collection day needs to be named in the contract. Mrs. Yanez stated it would be no problem to name the day of pick up as Monday unless agreed upon to change. Mayor Pro-Tem Hines also stated where the contract addresses pick up on holidays and it needs to specify if the pick-up will be held a day earlier or a day later. Mrs. Yanez said at the beginning of the year she could prepare a pick-up schedule and give to Manager Maiorano to be posted in the Town Hall. Mayor Pro-Tem felt the issue could be fixed by deleting “pick-up shall occur one day early or late” and changing the wording to “pick-up shall occur one day late”.

A motion was made by *Mayor Pro-Tem Hines* and seconded by *Councilman Edwards* to approve the Waste Industries contract with the changes made. *All Agreed.*

### **Discussion of Progression on the Town’s Goals**

Manager Maiorano said it is time to get together and have a workshop to assess the Town’s goals and see if we are on track. Manager Maiorano stated if we look at our short term goals, we were able to maintain our tax rate, begin on the road maintenance plan, we have started revising Municode. Manager Maiorano said we are having an issue with upgrading the website, but staff would get to it. He also said the Business Owner Workshop we have also was not completed in the first 6 months, but we will. Manager Maiorano said the Parade of Lights was cancelled and the goal of utilizing the ball park has been started. He said hiring additional personnel for special projects and hiring additional personnel for building inspections was combined into one position which that position begins October 20<sup>th</sup>. Manager Maiorano stated additional personnel and equipment for the Police Department will be looked at next year and additional summer part-time help was accomplished. Manager Maiorano said 75% of our goals have been accomplished or are in the process of being accomplished. Manager Maiorano entertained the idea of having a workshop. Mayor Pro-Tem Hines asked if Heather could call around for a consensus of the board to set a date. Mayor Padgett asked the Council to give dates they would be available and Heather could find a date that everyone would be available.

### **Discussion of the Partf Grant**

Manager Maiorano said it is going to be a difficult competition because the PARTF funds were cut in half and stated the staff is looking for additional direction from the Council. Manager Maiorano asked what everyone envisions and he suggested a possible sidewalk around the property at the park. Manager Maiorano said he also knows the property was to be used as an additional soccer field, but the town needs to group needing the dirt with something else. Mayor Pro-Tem Hines said if you apply for a multi-functional area that can be used for the circus and other events and put fencing around it and fence around our playground as well. Mayor Pro-Tem Hines said if the town can prove attracting a substantial amount of people, the town can apply for funding from the county as well.

Manager Maiorano said he doesn't have a problem with the County's application for funds, but the PARTF application is very specific in what the Town asks for. Councilman Wright asked if they require on the application exactly what is going to be done. Manager Maiorano stated yes.

Councilman Edwards said he knows for a fact there have been grants all over North Carolina given for dog parks. Manager Maiorano said the staff would put something together and bring it back to the Council. Manager Maiorano also said he didn't want to add too much because the town is beholden to half of the money and we will have to sign a promissory note. Manager Maiorano said the ultimate goal is to the land leveled out and be able to be used for functions with a fence and possible sidewalk.

**Discussion of Four Year Staggered Terms for the Mayor and Town Council**

Manager Maiorano said staff has provided information on other towns which operate under four year staggered terms and there are 385 towns that currently do. Manager Maiorano said this is just for information because we have at least a year before any paperwork begins.

**Call for Workshop on Town Ordinances**

Mayor Padgett said a time and date for the Ordinance Workshop can also be done by consensus of the Board when the other workshop for Town Goal's is decided upon. It was agreed by the Council to set the time at 6:30 p.m. for both workshops, with the date to be determined.

**New Business**

**Proclamation Declaring the Month of October as National Disability Employment Awareness Month**

Manager Maiorano read the Proclamation declaring the month of October as National Disability Employment Awareness Month.

Mayor Pro-Tem Hines stated the Mayor can make a Proclamation without it being voted on by the Council. He asked if the Mayor could proclaim the dates and then have it presented to the Council.

Mayor Padgett proclaimed the month of October as National Disability Employment Awareness Month.

**Proclamation Declaring the Month of November as National Native American Heritage Month**

Mayor Padgett proclaimed the month of October as National Disability Employment Awareness Month and Heather Reynolds read the Proclamation.

**Proclamation in Support of Veterans Day**

Manager Maiorano read the Proclamation in support of Veterans Day.

**Closed Session**

There was none.

**Police Department Comments**

Major Bryant said there will be a checkpoint Friday, October 14<sup>th</sup>, 2011 in the Pine Ridge Subdivision area. Mayor Pro-Tem Hines asked if there was going to be a comment about the change at the Police Department personnel wise. Major Bryant stated Corporal Deel is now in Vass as the Chief of Police and he will be missed, he did a great job, and his replacement has not been named. Councilman Edwards said he still sees the one civil citation. Major Bryant said it is not the same person.

Mayor Pro-Tem Hines asked what the status is on the cars. Manager Maiorano said it has been about 30 days since the cars were ordered and they had a production time of 60 days. Manager Maiorano said we are probably looking at receiving the cars in around 45 days and they will be 2012 models.

**Town Manager Comments**

Manager Maiorano followed up on the request for speed limit signs on highway 50 and DOT stated the signs that are currently on highway 50 are properly set and there was no need for additional signage. Manager Maiorano also mentioned the four way stop that was suggested at Green Street behind the Trade Mart. He said usually four way stops are discouraged, but Green

Street and Kraft Street is becoming dangerous and we can add the four way stop into our ordinances at the upcoming workshop. Councilwoman Bragg agreed it is very dangerous at the intersection from personal experience. Mayor Pro-Tem Hines suggested the stop signs be monitored.

Manager Maiorano said Heather contacted Congressman Jones' office about the terra cotta pipes on Camp Davis. His office is looking into it and hopefully we can get someone from his office to come here to the site.

### **Council Concerns**

Councilwoman Bragg said the movie in the park was really nice and everyone seemed to enjoy themselves. She also thanked the citizens of Holly Ridge and the town employees for the job well done.

Councilman Wright thanked the maintenance department for working hard and the ditch on Crawford Street they worked on looks very professional. He also said they have done a tremendous amount of work on the ball field. Councilman Wright also thanked Mayor Pro-Tem Hines for his hard work in working with the maintenance department on the ball field.

Councilwoman Stanley said she also went to the movie in the park and the band was very good. She said she hopes we can have more in the future. Councilwoman Stanley said she appreciates what everyone does and wished everyone luck at the upcoming elections.

Councilman Edwards stated he is very pleased with the direction the town is going in and is satisfied with the employees. He also thanked Karen Metz for a good job on the Town's financials.

Mayor Pro-Tem Hines asked Karen if the local option sales tax being lower is going to be a problem. Karen said if it continues to run below it could be a problem. Mayor Pro-Tem Hines asked if she anticipates it staying behind. Karen said she plans to research it to find out. Mayor Pro-Tem Hines asked if the County has given a figure on how much of the property taxes are going to be collected this year. Karen stated she has to look into Summerhouse and their percentage to the total. Karen said she would work on this and we are running a little lower than last year and we had to justify to the LGC. Mayor Pro-Tem Hines commended Karen for a good job.

Mayor Pro-Tem Hines asked about the status on the pond. Manager Maiorano suggested holding that for a Closed Session. Mayor Pro-Tem Hines asked if we would come to a resolution on the matter and Attorney Stroud stated yes. Attorney Stroud said the pond will be cleaned up one way or another.

Mayor Pro-Tem Hines said he had the opportunity to work with the maintenance guys and they are always doing something and they do a great job and wanted to commend them for their hard work and always staying busy. Mayor Padgett stated they are doing work now that should have been done 20 years ago. Mayor Pro-Tem Hines said James' ability to weld is a huge asset to the Town.

**Announcements**

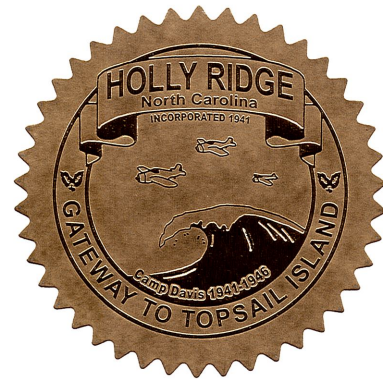
Mayor Padgett gave the following announcements:

- No Elected Officials Meeting this month
- Friends of the Park Monthly Meeting – October 13<sup>th</sup>, 2011 in the Town Hall at 5:30 p.m.
- Candidate Forum- October 14<sup>th</sup>, 2011 in the Community Center at 6:30 p.m.
- Committee of 100 Board of Directors Meeting- October 20<sup>th</sup>, 2011 in the Commerce Center in Jacksonville at 12:00 p.m.


**Adjournment**

A motion was made by **Mayor Pro-Tem Hines** and seconded by **Councilman Edwards** to adjourn at 8:25 p.m. **All Agreed.**

*Attest:*



  
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**Mayor Padgett**

  
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**Heather Reynolds, Town Clerk**

***These minutes were recorded and prepared by Town Clerk Heather Reynolds***