

**MINUTES/MEETING OF THE ROXBORO CITY COUNCIL
TUESDAY JANUARY 10, 2012 – 7:00 P.M. CITY COUNCIL MEETING
CITY HALL IN THE COUNCIL CHAMBERS - ROXBORO, NC**

Members Present: Mayor Marilyn P. Newell
Mayor Pro-Tem William Davis
Council Member Henry Daniel
Council Member Sandy Stigall
Council Member Mark Phillips
Council Member Byrd Blackwell

Others Present: City Manager Stephen Steese
Asst. City Manager Tommy Warren
City Clerk Trevie Adams
City Attorney Nick Herman

CALL TO ORDER:

Mayor Marilyn P. Newell called the meeting to order at 7:00 p.m. welcoming everyone in attendance. **Public Services Director Andy Oakley** provided the invocation.

PLEDGE OF ALLEGIANCE:

Mayor Marilyn P. Newell then led Council and those in attendance in reciting the Pledge of Allegiance to the Flag.

AGENDA ADOPTION:

Mayor Marilyn P. Newell presented the agenda and asked for any additions or changes and there being none **Council Member Mark Phillips offered a motion to approve the agenda as presented with a second by Mayor Pro Tem William Davis** and upon being put to a vote was carried unanimously.

CONSENT AGENDA ADOPTION:

Mayor Marilyn P. Newell presented the consent agenda and asked if anyone had any comments. A **motion was offered by Council Member Henry Daniel to approve the consent agenda as presented with a second by Council Member Sandy Stigall**, and upon being put to a vote, was carried unanimously.

PUBLIC COMMENT:

Mayor Marilyn P. Newell invited anyone interested in addressing Council to sign-up for the public record and to limit his or her comments to five minutes.

RECOGNITION:

Mayor Marilyn P. Newell presented **City Clerk Trevie Adams** with a plaque from the International Municipal Clerks Association denoting Ms. Adam's certification as a Certified Municipal Clerk (CMC).

PUBLIC HEARINGS & ORDINANCE MATTERS:

1. Budget Amendment

Interim Finance Director Dan Craig presented Council with Budget Amendment #3.
Clerk's Note: A copy of the budget amendment #3 is incorporated into the

minutes of this meeting. Following a brief discussion by Council a motion was offered by Council Member Mark Phillips to approve the budget amendment #3 as presented with a second by Council Member Byrd Blackwell and upon being put to a vote, was carried unanimously.

2. Close Out Cavel Village CDBG Grant – Public Hearing

Mayor Merilyn Newell opened the Public Hearing at 4:09 p.m. Planning Director Julie Maybee reported to Council that a public hearing must be held to receive public comments concerning the closeout of the Community Development Block Grant 2008 Cavel Village Phase I Neighborhood Community Revitalization Project. Mr. Michael Walsher with Upchurch & Associates reported to Council that the grant was applied for in 2008 and completed in 2011 with eight (8) houses rehabilitated, sewer infrastructure that consisted of 2,600 LF of new sewer lines installed with twenty-seven (27) service connections completed, and street resurfacing and drainage improvements were also addressed along the Hicks Circle area. After a brief discussion, **Mayor Newell asked for any questions or comments from the public and there being none at this time, Mayor Newell closed the public hearing at 7:12 p.m.**

OLD BUSINESS

3. Panhandling Ordinance

City Manager Stephen Steese presented Council with the proposed amendment to the City of Roxboro Code of Ordinances Title X, Chapter 93: Section 93.09. After some discussion **Council Member Sandy Stigall offered a motion that the amendment be approved with additions to section C and section F as recommended by City Attorney Nick Herman with a second by Mayor Pro Tem William Davis** and upon being put to a vote was carried unanimously. **Clerk's Note: A copy of the revised Ordinance Amendment is hereby incorporated into the minutes of this meeting.**

4. Christian Help Center

City Manager Stephen Steese presented Council with an offer received from the Christian Help Center to purchase approximately 2,500 square feet of City property next to their facility on Depot Street for \$8.00 and provided a 25% bond for this purchase. Public notice per NCGS 160A-269 was provided through the Courier Times with no additional bids received by the deadline. After some discussion, **City Attorney Nick Herman** suggested that whoever prepares the deed for the Christian Help Center include a "reservation of rights" whereas the City would have first option to purchase the property should the Christian Help Center ever cease to exist or move, this suggestion was made after **Council Member Henry Daniel** made the request that the City have the first option of purchase should something ever happen to the Christian Help Center. After further discussion, **Mayor Newell** repeated the request that included in the deed would be a "reservation of rights" whereas the City would have the right of refusal should the Christian Help Center cease operation or sell of the property. Second, that the Christian Help Center will be responsible for all cost associated with the preparation of the deed and the deed be brought back to Council for approval prior to finalization. **Council Member Henry Daniel offered a motion to approve the sale of the property to the Christian Help Center with stipulations to be met and brought back to Council for final approval with a second by Council Member Sandy Stigall** and upon being put to a vote was carried unanimously.

5. Appointment to Board of Adjustment & Planning Board

Planning Director Julie Maybee informed the Council that the Board of Adjustments presently has four (4) member vacancies and two (2) alternate member vacancies. Ms.

Maybee reported that five (5) applications have been received including three (3) incumbents. After some discussion, **Council Member Mark Phillips offered a motion that the following be appointed to the Board of Adjustments:**

Regular Member Terms: 7/1/10 – 6/30/13 Martha Butler and Debbie Barker
Regular Member Terms: 7/1/11 – 6/30/14 Don Morgan and Faith “Dolly” Denton
Alternate Member Term: 7/1/11 – 6/30/14 Margaret McMann

Leaving one alternate appointment available and to be advertised, with a second by Council Member Henry Daniel and upon being put to a vote was carried unanimously.

Ms. Maybee then informed Council that four (4) vacancies are available on the Planning Board with two (2) incumbents applying. After some discussion, **Council Member mark Phillips offered a motion that the following be appointed to the Planning Board:**

Appointment to complete Bob Carroll’s term: 6/30/08 – 6/30/13 Reggie Horton
Appointment to complete Bobby Hall’s term: 6/30/08 – 6/30/14 Tim Bonafair
3 appointments to serve a 5 year term: 7/1/11 – 6/30/16 Robert Trotter, Dan Butler, and William Bullock

With a second by Council Member Byrd Blackwell and upon being put to a vote was carried unanimously.

NEW BUSINESS

6. Budget Schedule – FY 2012-2013

City Manager Stephen Steese presented Council with the proposed schedule for the budget FY 2012-2013 for discussion explaining that this is a flexible schedule and may be changed. Mr. Steese also recommended that the meetings be set for 7:00 p.m. to start and the times can also be arranged to suit Council’s schedules.

7. Cemetery – Space Availability

City Manager Stephen Steese reported to Council that the City’s cemeteries are running low on space with about 12 spaces left in both Peace Gardens and the Eanes Oakley Cemeteries. Based on prior years purchasing of plots, all of these spaces should be gone by the end of 2012. If Council wishes to not expand or open any additional cemeteries, staff will need to notify the public about the pending closure of these cemeteries. If Council wishes to continue with any additional cemeteries, staff will begin looking for land and performing cost estimates.

Mr. Steese continued by stating in order for the City to continue in the cemetery business approximately five (5) acres would be needed that would provide 700-800 plots per acre. After a brief discussion, it was the consensus of Council to explore all possibilities to stay in the cemetery business.

8. Reserve Officer Policy

Police Chief Todd Boycher explained to Council that the purpose of the Reserve Officer Policy is to provide guidelines for the implementation and utilization o Reserve Police Officers.

The Roxboro Police Reserve is established for the primary purposes of assisting regular officers of the department in the performance of police activities, and of providing

additional trained and equipped officers when required by special events or emergencies. Reserve officers will, to the extent possible, not be assigned to duties which will require their extensive involvement in police investigations to independent arrests which could result in undue hardship to themselves or their employers because of extended court appearances. After some discussion, it was the consensus of Council that a reserve program is needed and asked that the **City Attorney Nick Herman, City Manager Stephen Steese and Chief Todd Boycher** to work on the policy and bring it back to Council for consideration.

9. Water Conservation Incentive Program

Assistant City Manager Tommy Warren reported to Council that 2004, the City initiated a Water Conservation Program with the intent that the program would encourage City Water and Sewer customers to install low flow water fixtures to help conserve water. The low flow fixture not only conserves water but reduces wastewater production. The program works by providing a \$10.00 per month credit on the customer's water bill for three months with the total amount of the credit being \$30.00.

When a customer participates in the program, they notify the City and when the low flow device is installed they price a copy of the receipt and the installation is inspected by the City. Once the low flow device installation is confirmed, they receive the credit on their next three water bills. This program benefits the older homes as the building codes requires low flow devices to be installed in all new buildings and the City gets credit for the program when applying for grants for water and sewer infrastructures improvements.

An ad will be published in the local paper this month to remind water customers that the program is still ongoing.

10. Urgent Repair Grant Application

Planning Director Julie Maybee explained to Council that on a competitive basis, monies are now available for the NC Housing Finance Agency (NCHFA) under the Urgent Repair Program (URP 12). This program provides funds to:

- Alleviate housing conditions which pose an imminent threat to the life of safety of very low-income homeowners with special needs; and
- Provide accessibility modifications and other repairs necessary to prevent the imminent displacement of very low-income homeowners with special accessibility needs, such as elderly and persons with disabilities.

With the assistance of Grant Administrator Michael Walser, of Hobbs, Upchurch and Associates, the City would apply for \$75,000 grant with a \$5,000 local match.

Continuing, Ms. Maybee explained that according to the URP12 Program Guidelines the City may spend between \$1 and \$6,000 of URP12 funds – depending upon need – for each household served. (Household incomes cannot exceed 50% of the medium income for Person County. The number of households to be served will depend upon the amount of funds spent on each unit. All of the City's match will be used towards hard costs and not for administrative services. A minimum of 14 households will be assisted under URP12 for homes with the City limits of Roxboro. After a brief discussion, **Council Member Byrd Blackwell offered a motion to approve the Urgent Repair Grant Application in the amount of \$75,000 with a local \$5,000 match with a second by Council Member Henry Daniel** and upon being put to a vote was carried unanimously.

**Mayor Marilyn P. Newell called for a 5 minute recess at 8:15 p.m.
Mayor Marilyn P. Newell called the meeting back to order at 8:20 p.m.**

11. Fireman's Assistance Grant

Fire Chief Kenneth Torain informed Council that the Roxboro Fire Department has applied for the Firefighters Assistance Grant for the past four years to be able to acquire some of the equipment needed in the operations of the department. Chief Torain announced that for the first time the Roxboro Fire Department has been granted this year's grant in the amount of \$56,669.00 which includes a 5% City match in the amount of \$2,833.00. This grant will make it possible for the purchase of a Bauer Cascade Fill Station and a OHD Fit Tester that is used to fit test the firefighters and anyone that will use a respirator, (the department is required to fit test the department by OSHA). After a brief discussion **Council Member Byrd Blackwell offered a motion to approve the Fireman's Assistance Grant in the amount of \$56,669.00 which includes a 5% City match in the amount of \$2,833.00 with a second by Council Member Mark Phillips** and upon being put to a vote was carried unanimously.

12. Revolving Loan Application – Niner Properties, LLC

Interim Finance Director Dan Craig presented Council with an application from Cecil Barker and Mark Duncan – Niner Properties, LLC in the amount of \$30,000 from the City of Roxboro's Revolving Loan Program. Niner Properties, LLC has purchased property located at 333 Old Durham Road and have plans in place to renovate this property and lease it for a restaurant/office use. The property tax listing value is \$40,224 and the renovation plans are in excess of that amount. They have demonstrated the ability to repay this loan. The note receivable, deed of trust, and related legal documents are currently ready to be in process to have this loan in place. After some discussion, **Council Member Henry Daniel offered a motion to approve the Revolving Loan Application as submitted by Niner Properties, LLC in the amount of \$30,000 with a second by Council Member Sandy Stigall** and upon being put to a vote was carried unanimously.

Committee Reports:

Mayor Marilyn P. Newell reported that she had attended a special presentation at the NC Department of Commerce recognizing **Mr. Jim Stovall**. Mr. Stovall was presented the "Long Leaf Pine" award by the Lt. Governor. **Council Member Mark Phillips** reported to Council that he had attended the Chief's Association meeting that included Fire Chiefs from the Volunteer Fire Departments in the County, EMS and Sheriff's Department whose goal is to keep the County at an ISO rating of a four (4) to help with residents Home Owners Insurance ratings. Also, the Mayor reported that she and **Council Members William Davis** and **Byrd Blackwell** along with **City Manager Stephen Steese** and **Assistant City Manager Tommy Warren** attended the County Commissioners meeting to hear Rep. Winkie Wilkins report on the Round Table Committee on Monday January 9, 2012.

ADMINISTRATIVE REPORTS

13, Financial & Tax Report

Interim Financial Director Dan Craig presented Council with financial reports for November 30, 2011 and tax report for December 31, 2011. **Clerk's Note: A copy of said financial and tax report is hereby incorporated into the minutes of this meeting.**

14. Assistant Manager's Report

Assistant Manager Tommy Warren reported to Council that in 2010, the State required local governments that receive state grant funds to recycle fluorescent lights and mercury thermostats starting in 2011. To comply with the requirements, an employee from the City had to attend a class on complying with the law. Phillip Fish, Building Maintenance Worker, attended the class and has started a fluorescent lamp recycling program for City buildings. Last year Mr. Fish collected five (5) lamps to be recycled. The State has two companies on state contract to recycle the fluorescent lamps at a cost of \$0.04 per foot. The cost for last year will be \$0.080. In 2011, the law was revised to state that only local government buildings built with state grant funds had to recycle the fluorescent lamps. However, due to the low cost and to help deep mercury out of landfills staff intends to continue the program.

Continuing, Mr. Warren reported that the City is in negotiations with the majority property owner to acquire the necessary right way to construct a sewer line to serve the Patterson Drive area. Staff is working with the owner to design the sewer line location so it will be beneficial and not interfere with future development of their land.

15. Manager's Report

City Manager Stephen Steese reported to Council that at the last Council Meeting, it was stated that Council would be interested in some additional work sessions throughout the year. Mr. Steese proposed some additional dates along with the normal work sessions associated with the Budget. The additional dates proposed are as follows:

- February 28, 2012 – Work Session
- March 26th – 30th 2012 – Potential Work Session/Joint Meeting with County Commissioners
- May 15th and 29th, 2012 – Work Sessions for Budget
- August 28, 2012 – Work Session
- October 30, 2012 – Work Session/Potential Joint Meeting with County Commissioners

Mr. Steese asked Council to review the proposed dates stating that these are flexible dates and may be moved to accommodate Council Members and other parties that may be needed to attend the meetings. Also, more dates may be added as the need arises, but this would allow for some standing dates throughout the year.

Continuing, Mr. Steese reported that interviews for the Human Resources Manager are scheduled for January 11th and 12th with over fifty (50) applications were received and eight (8) are being interviewed for the position.

COUNCIL DISCUSSION:

Mayor Newell asked for any discussion or concerns from Council Members. **City Manager Stephen Steese** reported to Council that City staff is having some problems with receiving and sending e-mails. Mr. Steese will be meeting with the **Person County IT Director Gary Latta** to discuss some possible updates and other issues of concern.

ADJOURNMENT:

There being no further business to discuss, **A motion was offered by Council Member Mark Phillips with a second by Council Member Byrd Blackwell to adjourn this meeting** and, upon being put to a vote, was carried unanimously. Meeting adjourned at 8:56 p.m.

Mayor Marilyn P. Newell

ATTEST:

Trevie Adams, CMC
City Clerk

January 10, 2012