

AGENDA

Regular Meeting of the Sawmills Town Council Sawmills Town Hall

Tuesday, September 18, 2012
6:00 P.M.

1. Call To Order Mayor Bob Gibbs
2. Invocation Interim Pastor Jim Hamby
3. Pledge of Allegiance Mayor Bob Gibbs
4. Adopt Agenda Mayor Bob Gibbs
5. Approve August 21st Regular Meeting Minutes Mayor Bob Gibbs
6. Public Comment Mayor Bob Gibbs
7. Financial Matters:
 - A. Financial Report on FY 2011-2012 Budget Administrator Seth Eckard
 - B. Adopt Proposed Resolution Establishing a Capital Reserve Fund Administrator Seth Eckard
 - C. Capital Reserve Fund Budget Amendment Administrator Seth Eckard
 - D. State Contract Bid Award for a Commercial Mower and Deck Administrator Seth Eckard
 - E. Informal Bid Award for a Backhoe Loader Administrator Seth Eckard
8. Parks and Recreation Matters:
Approval of an 18-Hole Disc Golf Course Administrator Seth Eckard
9. Recognitions:
 - A. Yard of the Month Winners Mayor Bob Gibbs
 - B. Recycle Rewards Winner Administrator Seth Eckard
10. Public Hearing: Adopt Proposed Electronic Gaming/Internet Sweepstakes Ordinance
 - A. Open Public Hearing Mayor Bob Gibbs
 - B. Staff Recommendations Planner Johnny Wear
 - C. Public Comment Mayor Bob Gibbs
 - D. Closed Public Hearing Mayor Bob Gibbs
 - E. Council Action Mayor Bob Gibbs
11. Discussion:
 - A. Adopt Proposed Farmers Market Lease Agreement Administrator Seth Eckard
 - B. Speed Hump Petition on Waterworks Road Administrator Seth Eckard
 - C. Grass Clippings In Right-Of-Way Administrator Seth Eckard
 - D. Business Privilege License Administrator Seth Eckard
 - E. Recommendations for Alternate Board of Adjustment Members Administrator Seth Eckard
 - F. Coats for Kids Councilman Donnie Potter
12. Public Comment Mayor Bob Gibbs
13. Updates:
 - A. Code Enforcement Monthly Report Administrator Seth Eckard
 - B. Administrator's Report Administrator Seth Eckard
 - C. Council Comment Mayor Bob Gibbs
14. Adjourn Mayor Bob Gibbs

**TUESDAY, AUGUST 21, 2012
TOWN OF SAWMILLS REGULAR COUNCIL MEETING
6:00 PM**

COUNCIL PRESENT

Bob Gibbs
Trena McRary Kirby
Donnie Potter
Joe Wesson
Jeff Wilson
Johnny Wilson

STAFF PRESENT

Seth Eckard
Susan Nagle
Terry Taylor
Johnny Wear

CALL TO ORDER: Mayor Bob Gibbs called the meeting to order.

INVOCATION: Pastor Rick Crouse gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Gibbs led the Pledge of Allegiance.

ADOPT AGENDA: Mayor Gibbs asked for a motion to adopt the agenda.

Jeff Wilson made a motion, and Joe Wesson seconded, to adopt the agenda. All were in favor.

APPROVE JULY 24, 2012 SPECIAL MEETING MINUTES: Mayor Gibbs asked for a motion to approve the July 24, 2012 special meeting minutes.

Joe Wesson made a motion, and Johnny Wilson seconded, to approve the minutes. All were in favor.

APPROVE JULY 24, 2012 CLOSED SESSION MEETING MINUTES: Mayor Gibbs asked for a motion to approve the July 24, 2012 closed session meeting minutes.

Johnny Wilson made a motion, and Joe Wesson seconded, to approve the minutes. All were in favor.

PUBLIC COMMENT: Mayor Gibbs asked if anyone wished to speak during public comment.

Ava Bowman and Todd Bowman spoke in regards to discharging firearms in the town limits.

RECOGNITIONS:

YARD OF THE MONTH WINNERS: Mayor Bob Gibbs announced Debbie Murphy, from the 28630 zip code, and Byron and Pam Annas, from the 28638 zip code, as the August Yard of the Month winners. Mayor Gibbs stated that since the winners were not present, the certificates would be available at the Town Hall for them to pick up.

No Council action was required.

RECYCLE REWARDS PROGRAM WINNER: Town Administrator Seth Eckard announced Nicole and Scott Reuscher as the August Recycle Rewards winner. Administrator Eckard stated a twenty-eight dollar (\$28.00) credit will be added to their sanitation bill and their certificate would be available at the Town Hall for them to pick up.

No Council action was required.

FINANCIAL MATTERS:

BID AWARD FOR BASKETBALL COURT AT BAIRD DRIVE PARK: The Town received the following three bids for the construction of a basketball court at Baird Drive Park:

	<u>Asphalt Court</u>	<u>Concrete Court</u>
Neill Grading & Construction Co., Inc.	\$33,103.00	\$41,190.00
Bell Construction Co.	\$35,815.00	\$48,430.00
Moss Marlow Building Co.	\$42,214.00	\$56,644.00

Donnie Potter made a motion, and Joe Wesson seconded, to award the bid to Neil Grading & Construction Co., Inc., for an asphalt basketball court, in the amount of \$33,103.00 contingent on funds coming in from other resources. All were in favor.

PLANNING MATTERS:

ELECTRONIC GAMING/SWEEPSTAKES ORDINANCE: Town Planner Johnny Wear stated there is nothing in the Town's Ordinance pertaining to Electronic Gaming/Internet Sweepstakes businesses. The Planning Board discussed this matter and recommends Council call for a public hearing to adopt the enclosed proposed amendment using the Granite Falls Ordinance as a template.

Donnie Potter made a motion, and Trena McRary Kirby seconded, to call for a public hearing on September 18, 2012 at 6:00 pm at the Sawmills Town Hall to discuss an electronic gaming/sweepstakes ordinance. All were in favor.

RE-APPOINT PLANNING BOARD MEMBERS: Town Administrator Seth Eckard stated the term of appointment for Planning Board members Steve Duncan, Buford Pennell, David Powell, and Thad Hall has expired. Each one has given consent to serve another term.

Jeff Wilson made a motion, and Donnie Potter seconded, to re-appoint those members to the Planning Board for the term of two-years. All were in favor.

DISCUSSION:

ADOPT PROPOSED RESOLUTION IN SUPPORT OF A RURAL CENTER GRANT FOR THE HAYSTATION, LLC: Mayor Bob Gibbs stated the North Carolina Rural Economic Development Center, Inc. requires adoption of the enclosed resolution in order to apply for funding assistance on behalf of The Haystation, LLC.

Joe Wesson made a motion, and Donnie Potter seconded to adopt the resolution in support of an application for a Rural Center Occupied Building Grant on behalf of The Haystation, LLC. All were in favor.

FARMERS MARKET: Town Administrator Seth Eckard stated the Farmers Market Board has been given a lease agreement to discuss. The lease defines both the Town's role and the Farmers Market's role as well as protects the public. Once the Farmers Market Board reviews and adopts the lease, Council will receive a copy to also review for adoption.

The Council discussed the Mayor's role at the Farmers Market and decided that the Farmers Market Board does a good job and there is no need for the Mayor's, or the Town's, involvement.

REMOVAL OF OLD TREE ON SAWMILLS SCHOOL ROAD: Town Administrator Seth Eckard stated on August 3rd a portion of an old tree in the North Carolina Department of Transportation (NCDOT) right-of-way fell on Sawmills School Road striking a moving truck.

After much discussion, Donnie Potter made a motion, and Trena McRary Kirby seconded, to send a letter to NCDOT in Raleigh signed by the Mayor and Council along with a follow-up phone call a few days after asking them to remove the tree. Those in favor were Donnie Potter, Trena McRary Kirby, Jeff Wilson, and Johnny Wilson. Those opposed were Joe Wesson. The motion carried by a 4-1 vote.

PUBLIC COMMENT: Mayor Gibbs asked if anyone wished to speak during public comment.

Mr. William Eckard spoke regarding vehicles speeding on Water Works Road.

Mr. John Greene spoke regarding the basketball court at Baird Drive Park.

Kathey Drye spoke regarding a handicapped accessible playground.

UPDATES:

CODE ENFORCEMENT MONTHLY REPORT: The enclosed report shows the updated progress made throughout the Town by Code Enforcement Officer Johnny Wear.

No Council action is required.

ADMINISTRATOR'S REPORT: Town Administrator Seth Eckard stated the Festival Committee would meet on Wednesday, August 22nd at 2:30 pm.

COUNCIL COMMENT: Mayor Gibbs asked if anyone on the Council had anything to say.

Council discussed the earlier comments from Ava Bowman and Todd Bowman. Planner Johnny Wear will send the Bowman's neighbor a notice of violation.

ADJOURN: Mayor Gibbs asked for a motion to adjourn.

Donnie Potter made a motion, and Joe Wesson seconded, to adjourn the meeting. All were in favor.

AGENDA ITEM 7A

MEMO

DATE:

September 12, 2012

SUBJECT:

Financial Matters:
Financial Report on
FY 2011-2012 Budget

Discussion:

Town Administrator will give a presentation on the FY 2011-2012 Budget.

Recommendation:

No Council action required.

AGENDA ITEM 7B

MEMO

DATE:

September 12, 2012

SUBJECT:

Financial Matters:
Adopt Proposed
Resolution Establishing a
Capital Reserve Fund

Discussion:

The purpose of the enclosed resolution is to set aside monies for the purchase of future capital outlay items and/or construction projects in excess of \$5,000.00

Currently, the Town does not have a capital improvement reserve fund.

Recommendation:

Staff recommends Council adopt the Resolution Establishing and Maintaining A Capital Improvement Reserve Fund.

AGENDA ITEM 7C

MEMO

DATE:

September 12, 2012

SUBJECT:

Financial Matters:
Capital Reserve Fund
Budget Amendment

Discussion:

Upon adoption of the Capital Improvement Reserve Fund resolution, a budget amendment will need to be approved for the transfer of funds.

The attached amendment will transfer a total of \$150,000.00 to fund 7 from the General Fund for future capital outlay items and/or projects.

Recommendation:

Staff recommends that Council approve a budget amendment in the amount of \$150,000.00.

AGENDA ITEM 7D

MEMO

DATE:

September 12, 2012

SUBJECT:

Financial Matters:
State Contract Bid Award
For a Commercial
Mower and Deck

Discussion:

Included in this year's budget are funds for the purchase of a commercial grade mower and deck for the Public works Department.

Normally, we would go out for bid on a purchase such as this. However, since this type of mower has been placed on State contract, there is no need to go through the bid process.

Currently, John Deere has a State contract for the type of mower the Town is interested in purchasing.

The cost to purchase this mower off State contract is \$10,622.00.

Recommendation:

Staff recommends that Council approve the purchase a John Deere Z960A ZTrak with 60" 7-Iron PRO Deck off State contract in the amount of \$10,622.00. There are sufficient funds, up to \$13,000.00, in the budget for the current fiscal year.

AGENDA ITEM 7E

MEMO

DATE:

September 12, 2012

SUBJECT:

Financial Matters:
Informal Bid Award
For a Backhoe Loader

Discussion:

Included in this year's budget are funds for the purchase of a Backhoe Loader for the Public Works Water Department.

This item is being purchased under the informal bid process.

Public Works Supervisor Ronnie Coffey has received a quote from Charlotte Tractor Co. for a New Holland Backhoe Loader with 4-wheel drive. Mr. Coffey then compared this bid with other contracts. The following shows the amount from Charlotte Tractor Co. as well as the comparison bids:

Charlotte Tractor Co.	\$76,300.00
Carolina Caterpillar	\$98,881.00
James River Equipment/John Deere	\$89,898.11

Recommendation:

Staff recommends that Council approve the purchase of a Now Holland Backhoe Loader with 4-wheel drive from Charlotte Tractor Co. in the amount of \$76,300.00. There are sufficient funds, up to \$85,000.00 in the budget for the current fiscal year.

AGENDA ITEM 8

MEMO

DATE:

September 12, 2012

SUBJECT:

Parks and Recreation
Matters:
Approval of an 18-Hole
Disc Golf Course

Discussion:

During the April 19, 2011 regular Town Council meeting, Council approved the first 7-holes of an 18-hole disc golf course for approximately \$8,000.00

Soon after approval, Duke Energy notified the Town that no new amenities could be added to Veterans Memorial Park. After several meetings with Duke Energy's staff, the Town was allowed to submit an application for an 18-hole disc golf course.

On August 30, 2012 Duke Energy granted approval for an 18-hole disc golf course at Veterans Memorial Park based on the low environmental impact it will have on the property.

Recommendation:

Staff recommends Council approve an 18-hole disc golf course at Veterans Memorial Park. There is \$23,000.00 in the budget allocated towards a basketball court and staff request that \$17,608.00 of that amount to be used for the construction of the disc golf course.

AGENDA ITEM 9A

MEMO

DATE:

September 12, 2012

SUBJECT:

Recognition:
Yard of the Month

Discussion:

Robert and Miranda Denning, from the 28630 zip code, and, Charles and Susan Babb from the 28638 zip code, are the September Yard of the Month winners. Mayor Bob Gibbs will present them with a certificate of appreciation.

Recommendation:

No Council action required.

AGENDA ITEM 9B

MEMO

DATE:

September 12, 2012

SUBJECT:

Recognition:
Recycle Rewards
Program

Discussion:

Gwendolyn Watson is the September Recycle Rewards winner. Town Administrator Seth Eckard will present her with a certificate of appreciation and a twenty-eight dollar (\$28.00) credit will be added to her current sanitation bill.

Recommendation:

No Council action required.

AGENDA ITEM 11A

MEMO

DATE:

September 12, 2012

SUBJECT:

Discussion:
Adopt Proposed
Farmers Market
Lease Agreement

Discussion:

Town Attorney Terry Taylor has drawn up the attached Farmers Market License Agreement between the Town of Sawmills and the Sawmills Farmers Market Association, Inc. The agreement will hold the Sawmills Farmers Market Association, Inc. responsible for the property belonging to the town during the operation of the Farmers Market.

Recommendation:

Staff recommends Council approve the Farmers Market License Agreement between the Town of Sawmills and the Sawmills Farmers Market Association, Inc.

AGENDA ITEM 11B

MEMO

DATE:

September 12, 2012

SUBJECT:

Discussion:
Speed Hump Petition
On Waterworks Road

Discussion:

On August 8, 2011 Mr. William Eckard initiated the process for a speed hump on Waterworks Road.

Mr. Eckard did everything required by the Town's speed hump policy including, obtaining all 14 signatures needed for the petition within the 60 days allotted. Mr. Jeffrey Starnes spoke with Mr. Eckard, after he signed the petition, and asked that his signature be removed. Once Mr. Eckard returned the petition, staff then verified the remaining signatures by phone. Upon verification, Mr. Gerald Shealy asked that his signature be removed.

The following information is based on a traffic count conducted by the Western Piedmont Council of Governments (WPCOG).

Traffic Counters were placed on Waterworks Road, left out for 72 hours, and averaged just a little fewer than 400 vehicle trips per day. There was an average of 386 vehicles per day over a three day period with the busiest hours being from 5:00 pm – 8:00 pm.

Day Counted	Vehicle Trips Counted
Tuesday	381
Wednesday	374
Thursday	405

The enclosed map shows the recommended location of the speed hump suggested by West Consultants.

Recommendation:

Staff recommends Council decide if they wish to install a speed hump on Waterworks Road based on the information provided above.

AGENDA ITEM 11B

MEMO

DATE:

September 12, 2012

SUBJECT:

Discussion:
Grass Clippings in
The Right-Of-Way

Discussion:

It has been brought to staff's attention that there are several properties in the town that mow their grass in such a way that the grass clippings go into the right-of-ways. This can cause serious problems with the stormwater drains.

Recommendation:

Staff recommends Council discuss this matter and decide if they wish to pursue this matter any further.

AGENDA ITEM 11D

MEMO

DATE:

September 12, 2012

SUBJECT:

Discussion:
Business Privilege License

Discussion:

Town Administrator Seth Eckard will discuss the possibility of the Town implementing a business privilege license. Administrator Eckard has enclosed the City of Mooresville's business license schedules as an example.

Recommendation:

Council recommends Council decide how they wish to proceed on this matter.

AGENDA ITEM 11E

MEMO

DATE:

September 12, 2012

SUBJECT:

Discussion:
Recommendations for
Alternate Board of
Adjustment Members

Discussion:

During the May 2012 regular Town Council meeting, Council re-appointed the five members who currently serve on the Board of Adjustment.

The Mayor would like to appoint two members to serve as alternates for a term of one year. One member would reside in the Town limits and one member would reside within the ETJ (Extra-territorial Jurisdiction).

Currently, there are no applications on file to serve on this board and anyone who wishes to serve may pick up an application at the Town Hall.

Recommendation:

Staff recommends Council return to the next meeting with recommendations to serve on the Board of Adjustment.

AGENDA ITEM 11F

MEMO

DATE:

September 12, 2012

SUBJECT:

Discussion:
Coats for Kids

Discussion:

Councilman Donnie Potter asked that this item be placed on the agenda for him to discuss with the Council.

Recommendation:

No Council action required.

AGENDA ITEM 13A

MEMO

DATE:

September 12, 2012

SUBJECT:

Updates:
Code Enforcement
Monthly Report

Discussion:

Town Administrator Seth Eckard will update Council on the attached report showing the progress that Planner Johnny Wear continues to make throughout the town.

Recommendation:

No Council action required.