

NAVASSA REGULAR COUNCIL MEETING

June 17, 2010

7:30 P.M.

MEMBERS PRESENT

Mayor Eulis Willis
Councilman Michael Ballard
Councilman Jerry Merrick

Councilman Milton Burns
Councilman Antonio Burgess
Councilman Craig Suggs

STAFF PRESENT

Claudia Bray, Town Administrator
Travis Barnes, Planner
Copelen Taylor, Police Chief

Charlena Alston, Town Clerk
Al Beatty, Zoning Administrator

CITIZENS & VISITORS

William White

Jim Vithalani of Right Angle Engineering

Mayor called the meeting to order.

APPROVAL OF MINUTES

UPON A MOTION BY COUNCILMAN BALLARD AND SECONDED BY COUNCILMAN BURNS THE MINUTES FROM THE PREVIOUS MEETINGS WERE ACCEPTED AND ADOPTED WITH THE NECESSARY CORRECTIONS. ALL VOTED IN FAVOR.

VENDORS/VISITORS WITH TOWN BUSINESS

Jim Vithalani of Right Angle Engineering passed out the bid tabulation informing council that 11 bids were received. The bid tabulation was as follows:

T A Loving	230,180.00
TMC Taylor	223,830.00
Carmichael	198,670.00
State Utility	255,755.00
Castle	251,710.00
ECC	186,798.45
Elite	207,777.00
Port City	306,246.00
Sandy's	271,683.59
Cape Fear Paving	178,792.00
Sanford	237,311.00

Mr. Vithalani briefed the board about his unpleasant work experience and frequent change order request that caused a previous project to increase from the low bidder Cape Fear Paving. He recommends that council use the next lowest responsible bidder.

- Councilman Ballard stated that he understands that Mr. Vithalani prefers to work with a friendly contractor who is not change order oriented.
- Councilman Burns asked if the only problem he foresees would be the change orders that would increase the project cost.
- Councilman Merrick stated that the current project estimate came in \$30,000 lower than anticipated.
- Mr. Vithalani stated that there would be change orders on projects but not every step of the way.
- Town Administrator talked about the research done referring to G.S. 143-129-B. Based on the comments and experience that Right Angle has had with Cape Fear Paving she asked the question would they be responsible. The town realizes Cape Fear Paving is the lowest bidder however there are issues with them being responsible on the project.

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BALLARD TO AWARD THE CONTRACT FOR PHOENIX WATER TO ECC CONTRACTORS BASED ON THE INFORMATION FROM TOWN ADMINISTRATOR AND JIM VITHALANI. ALL VOTED IN FAVOR.

GOVERNANCE

Town clerk distributed the draft 2010-2011 budget to council. There will be a public hearing on June 30th at 6:30 p.m. for the adoption of the 2010-2011 Town Budget.

RESOLUTIONS & ORDINANCES

COUNCILMAN SUGGS MADE A MOTION SECONDED BY COUNCILMAN MERRICK TO ACCEPT AND ADOPT THE RESOLUTION ABANDONING DOVE COURT FOR EXTENSION OF M. BROWN LANE. ALL VOTED IN FAVOR. **(RESOLUTION #R-2010-13 LOCATED IN THE RESOLUTION BOOK IS HEREBY INCORPORATED INTO THE MINUTES OF THIS MEETING.)**

COUNCILMAN BURNS MADE A MOTION SECONDED BY COUNCILMAN SUGGS TO ACCEPT THE RESOLUTION APPROVING FINANCE TERMS FOR TRACTOR. ALL VOTED IN FAVOR. **(RESOLUTION # R-2010-14 LOCATED IN THE RESOLUTION BOOK IS HEREBY INCORPORATED INTO THE MINUTES OF THIS MEETING.)**

COUNCILMAN BURNS MADE A MOTION SECONDED BY COUNCILMAN BURGESS TO ACCEPT THE RESOLUTION THAT ALL NEW TOWN MUNICIPAL BLDGS OVER 3000 SQUARE FEET BE LEED CERTIFIED. ALL VOTED IN FAVOR. **(RESOLUTION #R-2010-15 LOCATED IN THE RESOLUTION BOOK IS HEREBY INCORPORATED INTO THE MINUTES OF THIS MEETING.)**

PUBLIC HEARING FOR COMMUNITY CENTER GRANT

Mayor briefed the board about the reason for the public hearing that will be held on June 25th at 3:30 p.m. with McDavid Associates.

PLANNING BOARD REPORT

The Zoning Administrator gave the following report:

- The Planning Board requests that the Town Council appoint each Planning Board Member to specific term limits pursuant to the adopted Planning Board Bylaws.
- The SAFE Built, Inc. contract has been submitted for review and a public hearing needs to be held to adopt the new fee schedule.
- The Leland Planning Department has asked if Navassa would be interested in working together to develop a new Collector Street Plan. The Planning Board feels that working together with Leland and the Town of Belville in order to develop a better transportation network is a good idea. The Planning board requests that the Town Council appoint someone to assist staff with this process. According to the MPO, there is currently no available grant funding for the update to the collector street plan, but the town's will be seeking grant funding in order to complete the project once such funding becomes available.
- Request an update on acquiring a Town Attorney.

Staff Report:

- Staff met with Mike Christenbury with the DWQ regarding the next update to the town's CAMA Land Use Plan. Work will begin in September to fix existing issues.
- The Environmental and Stormwater Advisory Committee has been working on a final draft of the Stormwater Ordinance which should be coming to council soon.
- Staff has been working on a Municipal Environmental Plan that once approved should enable the town to complete the Green Challenge.

OLD BUSINESS

Phoenix Park

- Mayor gave the brief that the public input portion of the project was completed and Howard Capps would be forwarding his report to Council to discuss at their July Meeting.

Approval of using Town funds for Tractor

- Mayor briefed board and public about using Town funds to pay for tractor to meet the payment deadline agreement with White Tractor and when the financing is completed the town would be reimbursed.
- COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN BURNS TO APPROVE USING TOWN FUNDS FOR THE TRACTOR. ALL VOTED IN FAVOR.

Agreement for Building Inspection Services

- SAFE Built will meet with town officials on July 6th to discuss the process of them taking over the building inspections for the town.

- COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BURNS TO ENTER INTO AGREEMENT WITH SAFE BUILT FOR BUILDING INSPECTION SERVICES. ALL VOTED IN FAVOR. **(THIS AGREEMENT LOCATED IN THE AGREEMENT BOOK IS HEREBY INCORPORATED INTO THE MINUTES OF THIS MEETING.)**

Awarding of Contract for Davis Creek Work

- Council will address topic at the recess meeting

Easements for Infrastructure work for Phoenix Water & Sewer

- Mayor updated the board that he cannot locate two of the land owners for Phoenix Water easements.
- A meeting is needed with Shane from Right Angle Engineering and Randy Rhodes the attorney regarding the sewer easements.
- Construction Grants and Loans have not sent the final drawings for sewer project.

NEW BUSINESS

RFP for Audit Services

- Town Administrator briefed the board that four proposals were sent out for RFP audit service.

COUNCIL MEMBER'S REPORTS

- Councilman Ballard thanked the Planning Board for working hard and the maintenance crew for working in District 3 area on the ditches.
- Councilman Burgess informed the board that more funding is needed for the Welcome to Navassa Sign.
- Awaiting the delivery of the tractor for the maintenance department.
- COUNCILMAN BURGESS MADE A MOTION SECONDED BY COUNCILMAN MERRICK TO GIVE AN ADDITIONAL \$1000 FOR THE WELCOME TO NAVASSA SIGN PROJECT. ALL VOTED IN FAVOR.
- COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN SUGGS TO HOLD A PUBLIC HEARING FOR THE FEE SCHEDULE FOR SAFE BUILT, INC AT THE NEXT REGULAR TOWN MEETING. ALL VOTED IN FAVOR.

EMPLOYEES

Chief Taylor clarified the issue regarding the teen court community service person that he instructed to wash the Administrator car without her knowledge. He informed the board that his intention was for the young man to wash all the employees' vehicles because he did not want to pick up trash along the streets. Chief Taylor stated he would accept the blame for his action but he was correct regarding his decision about the teen court duties.

CITIZENS

William White expresses concern over the following issues and stated he always address concerns with council because he would like to hear the answer directly from them.

- How was the new Pubic Work Supervisor chosen and why the current employees were not promoted?
- Were the disqualified applicants contacted and given a reason why they weren't hired?
- Why council moved the clerk in the back and gave her office to the Pubic Works Supervisor?

Mayor stated only four applicants had the water license criteria requirement and they are not obligated to contact other applicants. Councilman Burgess stated the position was offered to the employees and no one was interested in obtaining their water license. Also, the Public Work Supervisor is using the old Clerks office temporarily along with two contract people for the town. Councilman Suggs stated a lot of decisions made by council will not always please the public but citizens are asked to get understanding before jumping to conclusions.

EXECUTIVE SESSION

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BURGESS TO GO INTO EXECUTIVE SESSION TO DISCUSS LITIGATION AND PERSONNEL. ALL VOTED IN FAVOR.

COUNCILMAN SUGGS MADE A MOTION SECONDED BY COUNCILMAN BALLARD TO COME OUT OF EXECUTIVE SESSION. ALL VOTED IN FAVOR.

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN SUGGS TO ACCEPT THE RESOLUTION ALLOWING FOR THE PROVISION OF A SUPPLEMENTAL RETIREMENT BENEFIT FOR A CERTAIN CLASS OF TOWN OF NAVASSA EMPLOYEES. ALL VOTED IN FAVOR. **(RESOLUTION # R-2010-16 LOCATED IN THE RESOLUTION BOOK IS HEREBY INCORPORATED INTO THE MINUTES OF THIS MEETING.)**

UPCOMING EVENTS

Navassa Home coming festival is July 8th-11th.

RECESS

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BURGESS TO RECESS THE TOWN MEETING TO JUNE 30, 2010 AT 6:00 P.M. ALL VOTED IN FAVOR.