

MINUTES
VILLAGE OF LAKE PARK COUNCIL MEETING
3801 LAKE PARK ROAD, LAKE PARK, NC
REGULAR SESSION

7:00 P.M.

MAY 14, 2013

ATTENDING: Mayor Kendall Spence
Council Members: David Cleveland, Sandy Coughlin, Royetta Trull, Mark Phillips and John Barnes.
Finance Officer – Cheryl Bennett
Village Clerk/Tax Collector – Cheri Clark
Attorney Ken Swain

CALL TO ORDER: Mayor Kendall Spence called the Village of Lake Park May Regular Session Meeting to order.

PLEDGE OF ALLEGIANCE: Mayor Kendall Spence led the Pledge of Allegiance.

APPROVAL OF MINUTES: Sandy Coughlin made the motion to approve the April 9, 2013 Regular Session Council Meeting minutes. Royetta Trull seconded the motion. Vote – Unanimous.

PUBLIC COMMENT: Margaret Phillips – 6117 Trevor Simpson Drive – requested permission to put up a sign at the Clock Tower four days before the First Friday of each month to encourage residents to gather for lunch at Mama’s Mexican Café. The sign will be removed immediately following the event.

Darlene LeClair – 6800 Conifer Circle – expressed her concerns about the speeding between the Creft/Conifer intersection at Russell Park to Mother Teresa. After contacting multiple people at the Sherriff’s office, a radar trailer has been placed in her front yard. Speeds have been recorded up to 60 mph. Ms. LeClair would like the Village to research either the installation of speed bumps or at the minimum stop signs to slow the traffic down. At this point she is afraid that someone is going to lose control of their vehicle and end up in someone’s yard. Since Ms. LeClair moved in a year and a half ago, the problem has increased substantially.

Laurie McBroom – 3906 Brittany Court – shared her concerns as well for the speeding on Conifer Circle.

Mary Vance – 6600 Conifer Circle – has lived in the Village for the four years but in the last year and a half, people are just driving too fast. We do not want there to be an accident before action is taken.

CHANGES TO THE AGENDA: Sandy Coughlin made the motion to approve the agenda as presented. David Cleveland seconded the motion. Vote – Unanimous.

SECURITY REPORT: Deputy Haywood stated that there were 10 alarm calls during the month of April. There were a total of 124 calls in Lake Park during the month of April. There were 3 improperly parked vehicles, 4 property damage vandalism mischief calls, 4 animal lost stray unwanted and 4 trespassing calls. All 5 of the domestic disturbance calls were at the same address. There was 1 larceny at Lucas Landscaping. Someone broke into the outdoor drink machine and stole all the change. Two of the alarm calls were at the house with the dog situation.

Mark Phillips asked if Union County has an alarm ordinance. Deputy Haywood responded that currently Union County does not have an alarm ordinance only individual municipalities have established one.

In response to the speeding concerns that were discussed earlier in Public Comments, Deputy Haywood has caught a couple of cars speeding; however in the last three days the fastest car has been 27 mph. Mayor Kendall Spence asked if the speed trailer records the average speed in the machine. To Deputy Haywood's knowledge the machine does not record average speeds. Mayor Kendall Spence will look into the proposed ideas and report back at the June Council meeting. In the meantime, Mayor Kendall Spence requested that the deputies be very aware of the flow of traffic.

Deputy Haywood discussed the vandalism and language at the basketball court. He suggested that Parks and Rec not be as quick to repair the damaged goals. David Cleveland stated that Parks and Rec was concerned about punishing the families and kids that were not abusing the facility.

Deputy Haywood will be on duty for the Fourth of July. Officer Brett will be on light duty until January 2014. The Sheriff's office will have other deputies assigned to Lake Park and they will be able to issue citations.

Mayor Kendall Spence met with Banner Signs and would like to recommend that we install two stop signs on the Town Center side of Balsam Street, creating a four way stop and a 25 mph speed limit sign on Creft. There are two stop signs at the other intersection of Balsam and Creft and two yield signs that need to be replaced at the Kite Girl monument due to fading. Total for signs - \$1,216.01. Sandy Coughlin made the motion to approve the new stop signs and speed limit sign for Creft and Balsam and to replace the faded yield signs at the Kite Girl monument. David Cleveland seconded the motion. Vote – Unanimous.

UNIFIED DEVELOPMENT ORDINANCE (UDO): David Cleveland shared that Mayor Kendall Spence, Mayor Pro Tem David Cleveland, and Planning Board Chairman Greg Crosby attended the April 15, 2013 Union County Board of Commissioners meeting to request that the County relinquish their zoning and land use regulatory authority over the Village now that the Village has adopted its own Unified Development Ordinance. The motion was unanimously approved by the County Commissioners.

Whereas, the Village of Lake Park is a Planned Urban Development incorporated under the laws of the State of North Carolina in 1994; and

Whereas, the State of North Carolina has a rich history and desire for a democratic government; and

Whereas, cities and counties of North Carolina have worked in harmony with the leaders of the state government in North Carolina in order to produce a model that is recognized nationally for its sound governing methods; and

Whereas, a pattern of governance in the state over the last 250 years has resulted in a division of responsibilities for the cities, counties and the state of North Carolina systems that has yielded success for the citizens of North Carolina; and

Whereas, the function of the state of North Carolina, has primarily been financing education and highways; the function of counties and cities of North Carolina have been the responsibility for services that directly touch citizens such as police and fire protection and water and sewer service; and

Whereas, this system of government has resulted in a flexible governmental structure with sound finance principles, and minor areas of duplication; and

Whereas, the Village of Lake Park Council still adheres to these roles and responsibilities; and

Whereas, the Village of Lake Park has recently adopted a Unified Development Ordinance to preserve the unique character of the Village; and

Whereas, during the last several years the legislators of the General Assembly, have begun to erode the responsibilities of city and county governments by passing legislation stripping or limiting the authority of local government; and

Whereas, legislation under consideration by the General Assembly of NC such as HB150 could significantly and negatively impact the present and future development and property values within the Village of Lake Park, and

Be it resolved that the governmental unit of the Village of Lake Park is opposed to any measures that would further limit the degradation of the rights of local government as are needed to provide services and protection to their residents and their property.

Adopted this, the _____ day of _____ 2013

Mayor Kendall Spence

Town Clerk Cheri Clark

David Cleveland made the motion to adopt the resolution to support local government authority and that we send this to our local state legislators. Sandy Coughlin seconded the motion. Vote Unanimous.

RESOLUTIONS RATIFYING CONTRACTS WITH M&M COMPUTERS AND

BARNES: Attorney Ken Swain stated that since Lake Park is a small municipality with a population fewer than 15,000 and the contracted services are for less than \$40,000 within a 12 month period, the Village can by resolution in open session approve payment to M&M Computers (Mark Phillips) and to John Barnes. The officials entering into the contract with the Village does not participate in any discussion or vote concerning the contracts. The total amount of the contracts with each official must be specifically noted in the audited annual financial statement of the Village. The Village must also post in a conspicuous place in the Village a list of all contracts and show their total amounts. The list shall cover the preceding 12 months and shall be brought up-to-date at least quarterly. David Cleveland made the motion to adopt the Resolution ratifying contracts by and between Council Person Barnes and the Village of Lake Park for newsletter deliveries. John Barnes recused himself. Royetta Trull seconded the motion. Vote – 4 in favor with John Barnes abstaining. Sandy Coughlin made the motion to adopt the Resolution ratifying contracts by and between M&M Computers and the Village of Lake Park for computer repairs. Mark Phillips recused himself. Royetta Trull seconded the motion. Vote – 4 in favor with Mark Phillips abstaining.

FINANCE OFFICER’S MONTHLY REPORT: Cheryl Bennett during the month of April did a budget transfer moving \$150 to bank charges from contingency.

On the proposed 2013-14 budget, the final figure on insurance is \$250 higher than what is currently presented in the budget. Sandy Coughlin made a motion to appropriate \$250 from fund balance to insurance for the proposed 2013-14 budget. John Barnes seconded the motion. Vote – Unanimous. Sandy Coughlin made a motion for a Public Hearing on the proposed 2013-14 Budget prior to the June 11th Council meeting. David Cleveland seconded the motion. Vote – Unanimous.

	Apr 13	Jul '12 - Apr 13	YTD Budget	% of Budget
General Fund				
Revenues				
Property Taxes				
Ad valorem current year	1,054.19	535,093.48	531,902.00	100.6%
Ad valorem prior years	0.00	2,428.57	4,000.00	60.71%
Utility ad valorem	0.00	7,948.29	7,800.00	101.9%
Motor vehicle tax	4,343.58	47,109.08	51,347.00	91.75%
Penalties and interest	95.48	1,426.83	2,200.00	64.86%
Late List Fees	0.00	378.14		
Total Property Taxes	5,493.25	594,384.39	597,249.00	99.52%
Other Taxes				
Stormwater Fees- current year	60.00	43,590.00	43,130.00	101.07%
Stormwater fees - prior years	0.00	120.00		
Cable franchise-from Time Warne	0.00	1,925.00	2,800.00	68.75%
Total Other Taxes	60.00	45,635.00	45,930.00	99.36%

State Shared Revenues				
Sales and use tax	10,628.88	86,753.46	147,000.00	59.02%
Telecom. Franchise	0.00	552.42	2,400.00	23.02%
Elec. franchise tax	0.00	37,047.14	70,000.00	52.92%
Video Prog. (Cable from State)	0.00	10,565.93	22,000.00	48.03%
Piped Gas	0.00	3,277.00	8,800.00	37.24%
Solid Waste Disposal Tax	0.00	1,842.94	2,400.00	76.79%
Total State Shared Revenues	10,628.88	140,038.89	252,600.00	55.44%
Parks & Recreation Revenue				
Program Fees	328.00	1,344.00	1,800.00	74.67%
Facility Rentals	286.00	3,391.00	3,000.00	113.03%
Daily swim fees	35.00	5,176.00	7,000.00	73.94%
Season pass pool fees	9,572.00	10,189.00	48,000.00	21.23%
Total Parks & Recreation Revenue	10,221.00	20,100.00	59,800.00	33.61%
Other revenues				
Commercial Waste Coll. Extras	0.00	1,200.00	1,800.00	66.67%
Approp. Fund Balance	0.00	0.00	87,855.00	0.0%
Civil Penalties	160.00	635.00	700.00	90.71%
Investment revenue	55.34	559.51	700.00	79.93%
Miscellaneous	39.99	402.99	2,675.00	15.07%
Total Other revenues	255.33	2,797.50	93,730.00	2.99%
Total Revenues	26,658.46	802,955.78	1,049,309.00	76.52%
Gross Profit	26,658.46	802,955.78	1,049,309.00	76.52%
Expense				
General Government				
Other Expenditures				
Economic Development	0.00	516.65	5,000.00	10.33%
Contingency	0.00	0.00	9,850.00	0.0%
Stormwater Expense				
Advertising	0.00	77.11	100.00	77.11%
Dues and Permits	0.00	175.00	1,100.00	15.91%
Prof. Fees - Engineering	226.25	7,442.75	10,000.00	74.43%
Repairs & Maint. Services	1,791.88	11,673.81	28,930.00	40.35%
Cap.Outlay- Pet Waste Stations	0.00	0.00	3,000.00	0.0%
Total Stormwater Expense	2,018.13	19,368.67	43,130.00	44.91%
Total Other Expenditures	2,018.13	19,885.32	57,980.00	34.3%

Planning and Zoning				
Zoning Admin. Services	0.00	0.00	5,715.00	0.0%
Code Enforcement Services	0.00	0.00	10,000.00	0.0%
Legal Services	0.00	2,018.75	2,500.00	80.75%
Advertising	0.00	169.16	200.00	84.58%
Postage	0.00	585.00	585.00	100.0%
Supplies	0.00	1,832.10	2,000.00	91.61%
Training	0.00	0.00	500.00	0.0%
Total Planning and Zoning	0.00	4,605.01	21,500.00	21.42%
Gen. Govt. Personal Services				
Adm Assistant	0.00	96.00	500.00	19.2%
Clerk/Tax Collector	4,683.34	47,495.90	56,200.00	84.51%
Council	0.00	8,775.00	11,700.00	75.0%
Finance Officer	1,225.83	12,258.30	14,710.00	83.33%
Mayor	0.00	3,187.50	4,250.00	75.0%
Payroll Expenses	452.06	5,493.65	6,300.00	87.2%
Total Gen. Govt. Personal Services	6,361.23	77,306.35	93,660.00	82.54%
Professional Fees				
Auditing Services	0.00	4,700.00	4,700.00	100.0%
Legal Services	3,745.00	11,306.77	15,500.00	72.95%
Total Professional Fees	3,745.00	16,006.77	20,200.00	79.24%
Supplies and Materials				
Office	0.00	1,604.30	3,000.00	53.48%
Total Supplies and Materials	0.00	1,604.30	3,000.00	53.48%
Services				
Advertising	0.00	42.00	500.00	8.4%
Membership and dues	0.00	3,571.00	3,750.00	95.23%
Bank charges	40.57	618.30	750.00	82.44%
Elections	0.00	629.25	700.00	89.89%
Insurance/bonds	0.00	7,246.49	7,300.00	99.27%
Miscellaneous oper. exp.	0.00	120.00	400.00	30.0%
Newsletter/website/flyers	0.00	180.12	350.00	51.46%
Printing & Delivery Newsletter	259.00	2,160.14	2,600.00	83.08%
Postage	0.00	282.01	500.00	56.4%
Tax collection	66.65	1,418.33	1,600.00	88.65%
Telephone	256.97	2,406.80	3,000.00	80.23%
Training	0.00	240.00	800.00	30.0%

Travel	23.75	855.33	1,000.00	85.53%
Total Services	646.94	19,769.77	23,250.00	85.03%
Capital Outlay				
Clock Tower Repairs	2,635.00	2,635.00	7,000.00	37.64%
Website Software Package	0.00	0.00	4,000.00	0.0%
Reserve for Capital Replacement	0.00	0.00	10,000.00	0.0%
Total Capital Outlay	2,635.00	2,635.00	21,000.00	12.55%
Total General Government	15,406.30	141,812.52	240,590.00	58.94%
Parks & Recreation				
Parks/Rec. Supplies & Materials				
Janitorial /Cleaning Supplies	0.00	263.02	1,950.00	13.49%
Food/Provisions - events	0.00	961.08	967.00	99.39%
NNO Food/Supplies	0.00	0.00	1,000.00	0.0%
Pool Supplies	0.00	0.00	1,000.00	0.0%
Park Materials & Supplies	0.00	182.90	1,000.00	18.29%
Benches, Tables, Etc.	0.00	5,468.00	6,000.00	91.13%
Total Parks/Rec. Supplies & Materials	0.00	6,875.00	11,917.00	57.69%
Parks/Rec Services				
Water/Sewer	81.31	3,412.84	4,250.00	80.3%
Natural Gas	111.77	657.67	1,000.00	65.77%
Comm. center maintenance	222.00	3,378.00	6,500.00	51.97%
Pool management fee	7,285.50	23,949.00	48,570.00	49.31%
Pool Operations	747.27	4,662.27	11,500.00	40.54%
Seasonal Decorations	0.00	10,402.00	10,425.00	99.78%
Events Services	0.00	0.00	583.00	0.0%
Total Parks/Rec Services	8,447.85	46,461.78	82,828.00	56.09%
Maintenance of Common Areas				
Landscaping	10,525.00	110,912.00	137,700.00	80.55%
Park maintenance	13,765.00	29,250.75	39,000.00	75.0%
Pond maintenance	1,488.00	3,256.00	43,300.00	7.52%
Electric Maintenance	100.00	2,251.93	5,000.00	45.04%
Repairs of Common Areas	114.12	758.73	2,000.00	37.94%
Total Maintenance of Common Areas	25,992.12	146,429.41	227,000.00	64.51%
Parks/Rec Capital Outlay				
Pool Renovations	12,000.00	21,800.00	22,000.00	99.09%
Flags and Banners	0.00	4,443.00	4,500.00	98.73%

Security System/Camera System	0.00	549.00	700.00	78.43%
Total Parks/Rec Capital Outlay	12,000.00	26,792.00	27,200.00	98.5%
Total Parks & Recreation	46,439.97	226,558.19	348,945.00	64.93%
Public Services/Safety				
Electric bills	7,464.60	79,726.65	100,000.00	79.73%
Street Signs	0.00	0.00	2,000.00	0.0%
Waste Collection	16,684.00	151,356.00	203,000.00	74.56%
Law enforcement	38,693.50	154,774.00	154,774.00	100.0%
Total Public Services/Safety	62,842.10	385,856.65	459,774.00	83.92%
Total Expense	124,688.37	754,227.36	1,049,309.00	71.88%
Net General Fund	-98,029.91	48,728.42	0.00	100.0%
Powell Bill				
Powell Bill Income				
Interest - Powell Funds	0.00	57.02	200.00	28.51%
Powell Bill Revenue	0.00	94,456.36	90,000.00	104.95%
Total Powell Bill Income	0.00	94,513.38	90,200.00	104.78%
Powell Bill Expense				
Street Exp. - Powell Bill	0.00	14,979.00	90,200.00	16.61%
Total Powell Bill Expense	0.00	14,979.00	90,200.00	16.61%
Net Powell Bill	0.00	79,534.38	0.00	100.0%
Net Excess of Rev. over Exp.	-98,029.91	128,262.80	0.00	100.0%

TAX COLLECTOR'S REPORT: Cheri Clark requested a tax refund due to Union County releasing the 2012 paid tax bill - \$53.13. Sandy Coughlin made a motion to approve the tax refund. John Barnes seconded the motion. Vote – Unanimous.

PARK AND RECREATION BUSINESS: Royetta Trull stated that the pool repairs have been completed, the pool decks have been pressure washed, and the pool has passed inspection. We have already received 129 season pool purchases for \$26,472.

The double doors and trim on the Pool House Chemical Room have been replaced.

Girls on the Run 5K was held on April 27, 2013.

The July 4th Celebration will begin at 11:00 AM. It will be preceded by Common Heart's 10K, 5K, and 1K runs and a children's firecracker dash scheduled to start at 7:30 and ending with awards at 10:15.

National Night Out is scheduled for August 6, 2013.

P&R has tentatively approved a musical benefit, "Make Some Noise for Dilbar's Boys", for August 10th at the Gazebo Park.

David Cleveland stated that Lucas Landscaping has completed the retaining wall at Sages Pond, and Matthews Fence has installed the safety fence. The completed project costs were as follows:

Engineering and Bid Phase Services	\$4,900
Construction of the Wall	\$21,950
Construction Phase Testing & Engineering	\$985
Safety Fence	\$3,890
TOTAL	\$31,725

Aquatic Resources will do a follow-up treatment of the ponds this week.

Volodko Architectural Metals will have the eight decorative benches for the Clock Tower and the Downtown area completed next week.

P&R approved \$900 in additional mulch for the holly area behind the new sidewalk at Veterans pond.

Lucas Landscaping completed the planting of shrubs and ground cover on the west bank of Balsam Pond to control erosion where Corkscrew Willows were removed last fall.

Parks and Rec is considering a proposal from Lucas Landscaping to upgrade the plantings at the front entrance to the Village. The current proposal is for \$4500. This will be discussed further at the next P&R Meeting on Tuesday, May 28th.

Mayor Kendall Spence inquired as to the status of the fountain in Connie's Pond. David Cleveland stated that the fountain ran fine for 4 months this winter and then the ground fault started tripping. The electrician has been out and replaced the breaker. At this point we may have to replace the wiring to the fountain.

John Barnes shared that Swim Team started Monday with Boot Camp for new swimmers. Swim Team is still taking swimmers for the season; however we have over 50 children. Regular practice starts on Wednesday.

WEBSITE: Mark Phillips discussed developing a policy for the Village to be able to send out mass e-mails to residents. Several towns have a list of residential emails that are used per the owners request to communicate town business. The largest concern about maintaining such a list has been that it is considered public information. With a policy, we can allow someone to

view the list but not copy the list in order to either sell or communicate with our residents. David Cleveland and Sandy Coughlin both felt that the Village communicates sufficiently with the residents in the monthly newsletter and by the website.

PUBLIC SERVICES (Waste Collection & Street Lighting): Sandy Coughlin asked how many carts are needed for the Fourth of July event and where should Covenant Waste leave the cans. Royetta Trull requested that the carts be left in Russell Park. Sandy Coughlin stated that she does not have a contact for port-a-johns.

John Barnes shared that the street lights repairs are being addressed as needed. The clock tower work has been completed: however we do need to replace some of the lighting fixtures that are broken.

ECONOMIC DEVELOPMENT: Sandy Coughlin provided Council with draft copies of the April EDC meeting minutes. Mama's Mexican Café is open 11 a.m. to 8 p.m. Monday – Saturday and 11 a.m. to 5 p.m. on Sunday.

Ira Bass was the EDC speaker for the April luncheon.

Lucas Landscaping has completed the landscaping and lighting work at the both of the business blade signs. The sign are located at Faith Church Road and Creft Circle and the other at Faith Church Road and Unionville Indian Trail Road.

The Business Breakfasts and Lunches are designed for businesses in the Town Center and are not structured to home businesses. The networking of the Town Center businesses is helpful especially as new businesses move into the Town Center.

COMMUNICATION: The deadline for articles and information for the May newsletter is Friday, May 24th at 5 p.m. Topics to be included: Budget Hearing, Speed limit within the Village, Stop Signs, Swim Team, Zoning Administrator, Volunteers for July 4th and National Night Out and Website.

COUNCIL COMMENTS: Mark Phillips wished Margaret Phillips a Happy Birthday tomorrow.

Sandy Coughlin shared that the Sages Pond improvements look great.

David Cleveland thanked Mark Phillips for keeping the website current and John Barnes for his work on the clock tower.

ADJOURN: John Barnes made the motion to adjourn the meeting. Sandy Coughlin seconded the motion. Vote – Unanimous.

Respectfully submitted,

Mayor Kendall Spence

Village Clerk, Cheri Clark