

MINUTES
VILLAGE OF LAKE PARK COUNCIL MEETING
3801 LAKE PARK ROAD, LAKE PARK, NC
UDO PUBLIC HEARING

7:00 P.M.

JANUARY 14, 2014

ATTENDING: Mayor Kendall Spence
Council Members: David Cleveland, John Barnes, Sandy Coughlin, Mark Phillips and Fabian Szarko.
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 Text Amendments to the UDO Public Hearing to order.

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

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

PUBLIC COMMENT: Nobody signed up for Public Comment.

COUNCIL COMMENT: Mark Phillips stated that the text amendments affect the functionality of the Board of Adjustments found in Articles 2 and 3 of the UDO.

ADJOURN: David Cleveland made the motion to adjourn the UDO Text Amendment Public Hearing. John Barnes seconded the motion. Vote – Unanimous.

REGULAR SESSION OF COUNCIL

JANUARY 14, 2014

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

APPROVAL OF MINUTES: Sandy Coughlin made the motion to approve the December 10, 2013 Regular Session Council Meeting minutes. John Barnes seconded the motion. Vote – Unanimous.

PUBLIC COMMENT: Dave and Lisa Brown – 4019 Lake Charles Way – shared the results from the Lake Park Lights. For the 2013 season, Lake Park Lights raised \$4,152.52 for the Union County Christmas Bureau. The season was shorter than usual due to the late Thanksgiving, however; donations exceeded all but one other season. Mr. Brown thanked the residents of Lake Charles Way and the Village of Lake Park for their support and patience's during the season and the support of both the Lake Park Deputies and Lake Park businesses.

Since Lake Park Lights started almost \$22,000 has been donated to the Union County Christmas Bureau.

Todd Laney – Trash Control – Thanked the Council for the waste collection opportunity and also thanked them for their patience last week with all of the rain. God Bless the USA (GBUSA) has agreed to rent the trash containers and recycle bins to Trash Control for a dollar per household per month. According to GBUSA there are 1,200 carts and recycle bins in the Village. Sandy Coughlin stated that Covenant Waste invoices for 1,200 houses. Sandy Coughlin stated that she could account for all but 8 carts.

Julian Lindsay stated that he has started his own company – United Global Waste System. There are more than eight houses in the Village that have more than 1 cart, however; Covenant Waste did not a system to account for multiple containers per address.

CHANGES TO THE AGENDA: David Cleveland made the motion to adopt the agenda as presented. John Barnes seconded the motion. Vote – Unanimous.

WASTE COLLECTION: Sandy Coughlin stated that when the Village was notified by GBUSA that Covenant Waste had been purchased by them on January 3rd, the Village decided that a Special Council Meeting needed to be called. The decision at the January 7th Special Meeting was to put the contract out to bid rather than partner with a new company with only 15 months left on the existing contract. In order to provide the time to put an RFP out for waste collection, Trash Control offered to mirror the prior contractual agreement for an interim period of time – 90 days. Council reviewed the proposed interim contract, made a few clarifications to the contract and reviewed the performance description attachment mentioned in the 2010 Covenant Waste Contract. Sandy Coughlin made a motion to approve the interim 90 day contract between the Village of Lake Park and Trash Control. David Cleveland seconded the motion. Vote – Unanimous.

Council reviewed the proposed RFP and made a few edits to the RFP in the commercial roll-off containers, the number of copies to be submitted, requiring a picture of the proposed cart and recycle bin and the bid opening time and review. Sandy Coughlin made a motion to accept the RFP for Waste Collection with the discussed edits. David Cleveland seconded the motion. Vote – Unanimous.

Sandy Coughlin made a motion to appoint Sandy Coughlin, Cheri Clark and Chris Yeager as a Waste Collection Review Committee. David Cleveland seconded the motion. Vote – Unanimous. The committee will research and recommend a vendor to Council for a new 5-year contract at the February Council Meeting. Waste Collection RFP's will be invited by public notice on January 17th and are due from prospective vendors by noon on February 6th. The Committee will meet on February 7th at 5:30 to open submitted bids and meet again on February 10th to review and discuss the bids and prepare their recommendation to Council on February 11th. By mid April, once a new five year contract is in place, new carts and bins are expected to replace the Covenant containers. The containers do not belong to the Village or our residents and should be removed from the Village.

SECURITY REPORT: There were 15 alarm calls during the month of December. There were a total of 251 calls in Lake Park during the month of December. There were 8 - 911 hang ups or misdials, 7 improperly parked vehicles, 1 property damage vandalism mischief calls, 0 animal lost stray unwanted or bites, 1 trespassing calls and 5 traffic stops.

Attorney Ken Swain shared that immobilization devices cannot be employed to help prevent parking violations and to collect on unpaid citations unless the Village receives State Legislative approval. If the Village would like to pursue this action, then you will need to seek local legislative support.

PLANNING BOARD UPDATE: Mark Phillips stated that Planning Board did not meet in the month of December. Mark Phillips made a motion to amend Articles 2 and 3 of the UDO. David Cleveland seconded the motion. Vote – Unanimous.

FINANCE OFFICER’S MONTHLY REPORT: Cheryl Bennett stated that 91% of the 2013 Ad valorem taxes and Stormwater has been collected, the Village has received the first quarterly payment of the state shared revenues and expenditures look fine.

	<u>Dec 13</u>	<u>Jul - Dec 13</u>	<u>YTD Budget</u>	<u>% of Budget</u>
General Fund				
Income				
Property Taxes				
Ad valorem current year	94,624.10	489,258.76	535,510.00	91%
Utility ad valorem	3,048.70	3,048.70	7,800.00	39%
Motor vehicle tax	7,872.57	31,105.95	53,878.00	58%
Ad valorem prior years	0.00	0.00	2,000.00	0%
Prior years motor vehicle tax	500.30	3,827.09		
Penalties and interest	138.76	544.55	1,202.00	45%
Total Property Taxes	106,184.43	527,785.05	600,390.00	88%
Other Taxes				
Stormwater Fees- current year	6,925.00	38,630.00	43,130.00	90%
Cable franchise-from Time Warne	0.00	881.00	2,800.00	31%
Total Other Taxes	6,925.00	39,511.00	45,930.00	86%
State Shared Revenues				
Sales and use tax	13,335.20	42,383.21	150,000.00	28%
Telecom. Franchise	299.00	808.00	2,400.00	34%
Elec. franchise tax	21,227.86	20,895.88	70,000.00	30%
Video Prog. (Cable from State)	5,115.01	5,283.58	20,850.00	25%
Piped Gas	680.00	1,090.00	8,500.00	13%

Solid Waste Disposal Tax	0.00	868.90	2,400.00	36%
Total State Shared Revenues	40,657.07	71,329.57	254,150.00	28%
Parks & Recreation Revenue				
Program Fees	2.00	709.25	1,700.00	42%
Facility Rentals	600.00	3,555.00	3,000.00	119%
Daily swim fees	0.00	4,906.00	8,000.00	61%
Season pass pool fees	0.00	780.00	48,000.00	2%
Total Parks & Recreation Revenue	602.00	9,950.25	60,700.00	16%
Other revenues				
Commercial Waste Coll. Extras	300.00	600.00	1,800.00	33%
Approp. Fund Balance	0.00	0.00	92,461.00	0%
Civil Penalties	60.00	100.00	600.00	17%
Investment revenue	169.86	339.64	9,000.00	4%
Miscellaneous	100.00	285.00	1,000.00	29%
Total Other revenues	629.86	1,324.64	104,861.00	1%
Total Income	154,998.36	649,900.51	1,066,031.00	61%

Expense

General Government

Other Expenditures

Economic Development	450.00	1,018.28	5,000.00	20%
Contingency	0.00	0.00	10,000.00	0%
Stormwater Expense				
Advertising	0.00	0.00	100.00	0%
Dues and Permits	0.00	175.00	1,100.00	16%
Prof. Fees - Engineering	0.00	122.50	10,000.00	1%
Repairs & Maint. Services	0.00	3,371.93	28,930.00	12%
Cap.Outlay- Pet Waste Stations	0.00	0.00	3,000.00	0%
Total Stormwater Expense	0.00	3,669.43	43,130.00	9%

Total Other Expenditures	450.00	4,687.71	58,130.00	8%
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Planning and Zoning

Zoning Admin. Services	900.00	5,400.00	10,000.00	54%
Code Enforcement Services	0.00	0.00	10,000.00	0%
Consulting Fees	341.25	341.25	2,000.00	17%
Legal Services	0.00	0.00	3,500.00	0%
Advertising	0.00	0.00	200.00	0%

Postage	0.00	8.15	300.00	3%
Supplies	9.00	354.93	1,000.00	35%
Training	0.00	0.00	500.00	0%
Total Planning and Zoning	1,250.25	6,104.33	27,500.00	22%
Gen. Govt. Personal Services				
Adm Assistant	0.00	430.00	500.00	86%
Clerk/Tax Collector	4,850.00	29,100.00	58,200.00	50%
Council	2,390.00	5,178.33	11,950.00	43%
Finance Officer	1,256.67	7,540.02	15,080.00	50%
Mayor	1,085.00	2,170.00	4,340.00	50%
Payroll Expenses	801.80	3,853.07	6,835.00	56%
Total Gen. Govt. Personal Services	10,383.47	48,271.42	96,905.00	50%
Professional Fees				
Auditing Services	0.00	5,000.00	5,000.00	100%
Legal Services	0.00	3,227.00	15,000.00	22%
Total Professional Fees	0.00	8,227.00	20,000.00	41%
Supplies and Materials				
Office	15.00	1,119.43	3,300.00	34%
Total Supplies and Materials	15.00	1,119.43	3,300.00	34%
Services				
Advertising	0.00	0.00	200.00	0%
Membership and dues	0.00	3,886.00	4,036.00	96%
Bank charges	96.39	453.30	800.00	57%
Elections	2,506.32	2,506.32	3,710.00	68%
Insurance/bonds	0.00	7,641.74	7,650.00	100%
Miscellaneous oper. exp.	0.00	0.00	400.00	0%
Newsletter/website/flyers	236.92	464.03	750.00	62%
Printing & Delivery Newsletter	110.00	550.00	2,600.00	21%
Postage	1.32	20.56	500.00	4%
Tax collection	207.95	1,188.61	1,808.00	66%
Telephone	235.08	1,472.84	3,000.00	49%
Training	0.00	0.00	800.00	0%
Travel	82.62	429.34	1,200.00	36%
Total Services	3,476.60	18,612.74	27,454.00	68%
Capital Outlay				
Reserve for Capital Replacement	0.00	0.00	10,000.00	0%
Total Capital Outlay	0.00	0.00	10,000.00	0%

Total General Government	15,575.32	87,022.63	243,289.00	36%
Parks & Recreation				
Parks/Rec. Supplies & Materials				
Janitorial /Cleaning Supplies	0.00	0.00	500.00	0%
Food/Provisions - events	40.01	549.95	2,260.00	24%
NNO Food/Supplies	0.00	729.82	0.00	100%
Pool Supplies	0.00	0.00	3,000.00	0%
Total Parks/Rec. Supplies & Materials	<u>40.01</u>	<u>1,279.77</u>	<u>5,760.00</u>	<u>22%</u>
Parks/Rec Services				
Pool Attendant Salaries	0.00	0.00	750.00	0%
Water/Sewer	599.69	2,184.55	4,400.00	50%
Natural Gas	72.55	209.90	1,000.00	21%
Comm. center maintenance	431.76	2,446.70	12,400.00	20%
Pool management fee	0.00	12,142.50	48,570.00	25%
Pool Operations	2,882.00	3,146.46	11,100.00	28%
Seasonal Decorations	7,774.35	9,274.35	12,200.00	76%
Events Services	0.00	140.00	140.00	100%
Total Parks/Rec Services	<u>11,760.35</u>	<u>29,544.46</u>	<u>90,560.00</u>	<u>33%</u>
Maintenance of Common Areas				
Landscaping	11,275.00	69,600.00	140,700.00	49%
Park maintenance	3,492.00	14,857.30	35,750.00	42%
Pond maintenance	0.00	6,131.00	43,380.00	14%
Electric Maintenance	247.45	3,757.42	5,000.00	75%
Repairs of Common Areas	0.00	1,445.64	2,000.00	72%
Total Maintenance of Common Areas	<u>15,014.45</u>	<u>95,791.36</u>	<u>226,830.00</u>	<u>42%</u>
Parks/Rec Capital Outlay				
Council chambers video system	0.00	0.00	4,000.00	0%
Reserve for pool re-plastering	0.00	0.00	20,000.00	0%
Benches, Tables etc.	0.00	0.00	4,000.00	0%
Security System/Camera System	0.00	0.00	4,000.00	0%
Total Parks/Rec Capital Outlay	<u>0.00</u>	<u>0.00</u>	<u>32,000.00</u>	<u>0%</u>
Total Parks & Recreation	26,814.81	126,615.59	355,150.00	36%
Public Services/Safety				
Electric bills	7,564.32	49,157.22	103,000.00	48%
Street Signs	95.00	822.00	2,000.00	41%
Waste Collection	16,834.00	83,720.00	203,000.00	41%

Law enforcement	0.00	79,796.00	159,592.00	50%
Total Public Services/Safety	<u>24,493.32</u>	<u>213,495.22</u>	<u>467,592.00</u>	<u>46%</u>
Total Expense	<u>66,883.45</u>	<u>427,133.44</u>	<u>1,066,031.00</u>	<u>40%</u>
Net General Fund	88,114.91	222,767.07	0.00	100%
Powell Bill				
Powell Bill-Revenue				
Interest - Powell Funds	28.84	106.27	100.00	106%
Powell Bill Revenue	<u>47,766.89</u>	<u>95,533.79</u>	<u>90,000.00</u>	<u>106%</u>
Total Other Income	47,795.73	95,640.06	90,100.00	106%
Powell Bill Expense				
Street Exp. - Powell Bill	2,950.00	4,839.00	90,100.00	5%
Total Other Expense	<u>2,950.00</u>	<u>4,839.00</u>	<u>90,100.00</u>	<u>5%</u>
Net Powell Bill	<u>44,845.73</u>	<u>90,801.06</u>	<u>0.00</u>	<u>100%</u>
Net Excess of Revenues over Expense	<u><u>132,960.64</u></u>	<u><u>313,568.13</u></u>	<u><u>0.00</u></u>	<u><u>100%</u></u>

PARK AND RECREATION BUSINESS: David Cleveland shared that the Invitations to Bid for the Russell Park Pond Restoration project were sent out on January 2nd to five prospective bidders. The due date for the bids is January 17, 2014.

The list of trees that represent conflict with our street lights has been compiled. These 35 trees will need to be trimmed or removed to improve the visibility on our streets at night. The Union Power Manager of Vegetation Management and the Union County Urban Forester have both surveyed the trees on the list, and we have requested quotes from three vendors for the trimming and/or removal as needed.

There are three trees on private property and two between the sidewalk and the curb. It is David Cleveland understands that the Village has the right to prune these trees that are in conflict with the street lights. Attorney Ken Swain stated that if everyone is on board then Parks and Rec can just move forward with the project. If not then we will go from there. Does the Village need a document to release the Village from possible damage and written consent agreeing to the pruning? Attorney Ken Swain stated that the Village or the vendor would be responsible for damages incurred during the pruning on private property. John Barnes asked if the Village needs written consent from the homeowner to prune the trees. Attorney Ken Swain advised that written consent would be desirable. Urban Forester Bill Smith has offered to work with the company to remove the trees that are the wrong tree in the wrong place.

We have requested quotes from three painters to paint the following areas inside the Community Center: Foyer, Halls, Bathrooms, Kitchen, and Community Meeting Room – plus interior doors and trim. We have received two quotes ranging between \$2,000 and \$2175. David Cleveland made the motion that Council approve up to \$2500 for the aforementioned painting. Mark Phillips seconded the motion. Vote – Unanimous. The P&R Commission will review all quotes at our next meeting on January 27th before awarding the painting contract. The funds will come out of Community Center Maintenance.

P&R has ordered six safety vests for use by Council or P&R Commissioners when they are out in the Village on official business. Extra vests are stored in Cheri's office.

STREETS: Mayor Kendall Spence stated that the Village would have quotes for street repairs at the February Council meeting. Mark Phillips stated that there is an open area by the cul de sac on the Trevor Simpson.

WEBSITE: Mark Phillips stated that he has found the problem with the website unfortunately the fix took the website down. The data base website was not being supported. The good news is all of the data on the website has been saved except the Council biographies and waste collection information.

PUBLIC SERVICES (Street Lighting): John Barnes stated that the Village has twelve lights staying on during the day. Hopefully the sensors will be replaced soon.

ECONOMIC DEVELOPMENT: Sandy Coughlin stated that Economic Development did not meet in December but our meeting in January will be the 16th at 6:30.

COMMUNICATION: The deadline for articles and information for the January newsletter is Friday, January 17 at 5 p.m. Topics to be included: Common Heart, smoke alarms, waste collection, website, trees and street lights and Parks and Rec information.

Sean Lowther suggested that the Village consider expanding the newsletter to include local business advertising and the history of the Village. Sandy Coughlin stated that she would bring it up to the Economic Development Commission.

COUNCIL COMMENTS: Mark Phillips thanked everyone for coming out for the meeting tonight.

Sandy Coughlin shared that Fabian Szarko is signed up for Essentials of Government Municipal Training and that she is taking a one day Veteran's Council Training class. Both Sandy Coughlin and Fabian Szarko received scholarships for their training. Sandy Coughlin asked about the status of the sound system.

David Cleveland stated that the sound system is on the back burner, however; it is something that Parks and Rec is interested in pursuing. David Cleveland thanked Sandy Coughlin, Attorney Ken Swain, Mayor Kendall Spence and Cheri Clark for all of their efforts in the waste collection arena.

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

Respectfully submitted,

Mayor Kendall Spence

Village Clerk, Cheri Clark