

**Town of Farmville  
Board of Commissioners  
February 3, 2009**

The Farmville Board of Commissioners met in regular session on Tuesday, February 3, 2009 at 7:30 p.m. in the Municipal Building Courtroom with Mayor Robert L. Evans presiding. Present for the meeting were Commissioners Joe Kue, Joe Hillard, John Baker, John Moore and Charlotte Batton; Town Attorney Bill Lewis; Town Manager Richard N. Hicks and Town Clerk Amy B. Johnson.

Mayor Evans called the meeting to order at 7:30 p.m.

Pastor Rocky Stone, of the First Presbyterian Church in Farmville, offered the invocation which was followed by the pledge of allegiance to the flag.

Mayor Evans stated there were no citizen presentations at this time.

Town Manager Hicks stated he had no comments.

Finance Director, Amy B. Johnson gave the financial report for the month of December, 2008.

Amy Johnson and Megin Chapman gave their quarterly departmental reports.

Town Manager Hicks stated he had no changes/additions/deletions to the evening's agenda.

Public Hearings

**1. Adoption of Ordinance Accepting Extraterritorial Zoning Jurisdiction Extension**

Paul Ellis requested adoption of an ordinance to accept the extension of the Farmville Extraterritorial Zoning Jurisdiction as approved by the Pitt County Board of Commissioners in October, 2008.

*Commissioner Batton made a motion to adopt Ordinance (2009) 635, Ordinance Amending Chapter 27, Zoning Ordinance. The motion carried unanimously.*

**2. Public Hearing on Establishing Zoning for Extraterritorial Zoning Jurisdiction Extension**

Paul Ellis requested adoption of an ordinance to establish the zoning of each parcel in the extension of the Extraterritorial Zoning Jurisdiction, which was recently approved by Pitt County. Ellis stated most property is proposed to remain as Residential-Agricultural, with the exception of the Town's property that is recommended as industrial.

Mayor Evans declared the public hearing to be open at 7:44 p.m.

There being no further comments, Mayor Evans closed the public hearing at 7:45 p.m.

*Commissioner Kue made a motion to adopt Ordinance (2009) 636, Ordinance Amending the Official Zoning Map. The motion carried unanimously.*

**3. Public Hearing on Amendment to Zoning Ordinance**

Paul Ellis requested adoption of an ordinance to allow for pool halls and bars as a special exception in the Highway Business District.

Mayor Evans declared the public hearing to be open at 7:46 p.m.

Jean Heath, lessee of the building, spoke in support of the request.

There being no further comments, Mayor Evans closed the public hearing at 7:47 p.m.

*Commissioner Kue made a motion to adopt Ordinance (2009) 637, Ordinance Amending Chapter 27, Zoning Ordinance. The motion carried unanimously.*

Items for Consent

**4. Approval of Minutes**

To approve the minutes from the following session(s):

- January 6, 2009 (regular meeting)
- January 10, 2009 (special meeting)

**5. Adoption of Ordinance Amending 2008/2009 Budget**

To adopt an ordinance to show the receipt of funds for the bucket truck that was approved by the Town Board and the expenditure of those funds in the Capital Outlay account.

**6. Amendment of Division of Criminal Information Network Ordinance**

To adopt an ordinance restricting criminal history checks within the Criminal Information Network, per request of Chief Greene.

**7. Resolution for Mosquito Control Application**

To adopt a resolution to designate the Town Manager as the Town's agent regarding the Mosquito grant application and grant administration.

*On motion by Commissioner Hillard, the Board approved the following:*

- *Approved the minutes from the January 6, 2009 regular meeting and the January 10, 2009 special meeting*
- *Adopted Ordinance (2009) 638, Amending the FY 2008-2009 Budget Ordinance-Electric Fund*
- *Adopted Ordinance (2009) 639, Ordinance Amending Chapter 13, Licenses, Businesses and Permits*
- *Adopted Resolution (2009) 993, Resolution Designating Local Official to Sign Papers and Otherwise Represent Town Board in Connections with Mosquito Control*

*The motion carried unanimously.*

Items for Decision

**8. Adoption of Ordinance Amending Farmville Code of Ordinances- Chapters 1 & 2**

Assistant Town Manager for Economic Development Jeanne Bonds requested adoption of revised amendments to Chapters 1 and 2 of the Farmville Code of Ordinances. She stated the 2 chapters have now been combined into a single chapter entitled “Government and Administration.”

*Commissioner Moore made a motion to adopt the amendments to Chapters 1 & 2 of the Farmville Code of Ordinances. The motion carried unanimously.*

**9. Adoption of Ordinance Amending Code of Ordinances- Chapter 19**

Town Manager Hicks requested adoption of an Ordinance Amending Chapter 19 of the Farmville Code of Ordinances, Parks and Recreation. He stated the recommended changes are the result of the work of the Committee that was recently appointed by the Town Board, consisting of Commissioners Hillard and Moore and Jeff Polaski, the Recreation Director.

Hicks stated the recommended Youth Division Members are:

- David Vendemia
- Brenda Ross
- Patrick Hobbs
- Jake Barrow
- Karen Eastwood

Hicks also stated the recommended Adult Division Members are:

- Miranda Beasley
- Jay Tyson
- Robert Sharpe
- Jamin Dixon
- Dan Carraway

*Commissioner Kue made a motion to adopt Ordinance (2009) 640, Amending Chapter 19, Recreation and Parks and to approve the recommended committee members. The motion carried unanimously.*

**10. Request for Additional Funding- Housing Authority Underground Project**

Town Manager Hicks informed the Board he had issued a purchase order to E&R Electric for the first phase of the underground cable replacement for the Farmville Housing Authority in the amount of \$45,000. He stated since then R.L. Willoughby has been contacted and indicated he would be willing to do Phase 1 and Phase 2 for \$75,000. Hicks also stated the Town has \$85,000 in the 2008/2009 budget, which would cover these costs and any associated engineering costs. Hicks requested authorization to complete both phases with the funds allocated in the 2008/2009 budget.

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*Commissioner Moore made a motion to authorize expenditure of funds to complete Phase 1 and Phase 2 of the Housing Authority Underground Project. The motion carried unanimously, with Commissioner Kue being absent from voting.*

#### **11. Proposed Increase in Electric Rates**

Town Manager Hicks stated effective February 1, 2009, the North Carolina Eastern Municipal Power Agency will increase wholesale power costs by 4%. Hicks continued by stating due to the Town's load factor and energy usage, the 4% rate increase will actually result in a 4.8% increase for the Town of Farmville. He recommended a 4.5% increase on energy and demand costs, effective February 1, 2009.

Commissioner Kue made a motion to increase the electric rates by 4.5%, with the effective date to be February 1, 2009. The motion carried unanimously.

#### **12. Update on Street Sweeper Repairs**

Town Manager Hicks provided the Board with a cost estimate for the repairs to the street sweeper.

Al Joyner answered questions from the Board regarding the condition and needed repairs on the street sweeper.

*Commissioner Hillard made a motion to authorize for the necessary repairs to be made to the street sweeper. The motion carried unanimously.*

#### **13. Review of Take Home Vehicle Policy**

Town Manager Hicks provided the Board with an updated list of employees that are currently being allowed to drive town vehicles home.

Chief Donnie Greene expressed his desire for his two investigators to be able to drive their cars home.

*Commissioner Kue made a motion to approve the list with the deletion of the Library Director vehicle and the addition of two police investigator vehicles. The motion carried unanimously.*

#### **14. Requests to Use Community Center**

Town Manager Hicks stated he has received two requests to use the Farmville Community Center, with both uses proposing to charge a fee to attend the class or attend the event. Hicks stated according to Community Center Policies, these requests must be approved by the Board.

*Commissioner Kue made a motion to approve the use of the center for both organizations, which are Black Beard's Guns and Victory Chapel Missionary Baptist Church. The motion carried unanimously.*

**15. Request to Reconsider Availability Fees**

Town Manager Hicks informed the Board that Commissioner Moore has requested to take another look at the Town's availability fees, due to the number of complaints being received. Hicks suggested appointing a group of citizens that have expressed a problem with the existing policy and some staff members to try and develop an alternative policy that meets the same objectives of the availability fee.

Commissioner Moore stated he would like to take another look at the availability policy to see if there are areas in which it can be improved upon.

*Commissioner Kue made a motion to appoint Commissioners Moore and Hillard, Mayor Evans, Danny Griffis, Frank Styers, David Stowe, John Matthews and two Town staff people to look at the availability policy and to bring back a recommendation at the May meeting. The motion carried unanimously.*

**16. Adoption of Firearms/Deadly Weapons Ordinance**

Chief Greene requested that the Board consider adopting a Firearms/Deadly Weapons Ordinance.

*Commissioner Batton made a motion to adopt Ordinance (2009) 641, Ordinance Amending Chapter 14, Miscellaneous Regulations. The motion carried unanimously.*

**17. Request for Clarification of "Work Units" in Personnel Policy**

Chief Greene requested the Town Board to revisit the interpretation of "work units" within the Police Department.

*After a general discussion, the Board asked for the Personnel Policy to be reworded to remove the term "work units" and replace with the statement of "no family member shall supervise another family member" and to bring the revision back to the Board at the March meeting for approval.*

**18. Request to Remove Tree**

Paul Ellis requested authorization to remove a tree beside the Farmville Police Department.

*Commissioner Hillard made a motion to approval the removal of the tree located beside the Farmville Police Department. The motion carried unanimously.*

**19. Request to Reconsider 25 MPH Speed Limit**

Commissioner Hillard requested for the Board to reconsider the 25 MPH speed limit that was approved several months ago.

*Commissioner Kue made a motion to place Chief Greene, Commissioner Hillard and Mayor Evans on a committee to review the speed limit and come back with a recommendation. The motion carried unanimously.*

**20. Approval of Lease Agreement for Dogwood Festival Rides**

Town Manager Hicks provided the Board with a copy of the letter received from Davis Enterprises regarding the lease of the former freezer locker property for the 2009 Dogwood Festival Rides. Hicks stated Mr. Stowe agreed to the Town's proposal to pay \$250 per month for four months beginning January, 2009. He also stated Mr. Stowe indicated their willingness to discuss the 2010 Festival use of the property with the appointed Dogwood Festival Committee.

*Commissioner Hillard made to approve the lease as proposed for the 2009 Festival. The motion carried unanimously.*

**21. Review of Contract Proposal- Waste Industries**

Town Manager Hicks stated at the January retreat, the Board instructed him to go back to Waste Industries and see if they would be willing to add some additional incentives to their proposal. Hicks informed the Board that the annual savings should be around \$25,000 per year due to the changes made and the resulting change in the fuel surcharge.

*Commissioner Kue made a motion to approve the Waste Industries contract renewal. The motion carried unanimously.*

**22. Citizen Presentations**

Mayor Evans commented at the January retreat, the Board suggested allowing citizens to make comments at the end of the agenda in the event anyone wished to add something regarding a previously discussed agenda item. Mayor Evans stated the Board would be adding this "Citizen Presentation" item for the next few months to allow time to evaluate its effectiveness.

*There were no citizen presentations at this time.*

**23. Closed Session**

*On motion by Commissioner Hillard, the Board adjourned into closed session at 9:12 p.m. pursuant to G.S. 143-318.11(a)(6) to discuss matters relating to personnel. The motion carried unanimously.*

*On motion by Commissioner Batton, the Board returned into regular session at 9:50 p.m. The motion carried unanimously.*

*Commissioner Hillard made a motion to grant a 5% increase for Finance Director/Town Clerk Amy Johnson and Code Enforcement/Safety Director Paul Ellis. Commissioner Hillard also included in the motion for Town Manager Hicks to review the current job title held by Paul Ellis. The motion carried unanimously.*

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*On motion by Commissioner Moore, the meeting was adjourned at 9:54 p.m.*

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Robert L. Evans, Mayor

Attest:

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Amy B. Johnson, Town Clerk