

COUNCIL MINUTES

REGULAR MEETING

August 16, 2011

A Regular Meeting of the City Council of the City of Jacksonville was held Tuesday, August 16, 2011 beginning at 7:00 PM in the Council Chambers of City Hall. Present were: Mayor Sammy Phillips presiding; and Council Members: Jerry Bittner, Fannie K. Coleman, Randy Thomas, Bob Warden and Jerome Willingham. Mayor Pro-Tem Lazzara was out of town and unable to attend. Also present were: Richard Woodruff, City Manager; Ronald Massey, Assistant City Manager, Gayle Maides, Interim Finance Director; Glenn Hargett, Communications and Community Affairs Director; Rick McIntyre, Fire Chief; Grant Sparks, Public Services Director; Reggie Goodson, Planning and Development Services Director; Carmen Miracle, City Clerk; and John Carter, City Attorney. *An audio recording of the Council Meeting is presently available for review in the City Clerk's Office.

CALL TO ORDER

Mayor Sammy Phillips called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Councilman Willingham led the Pledge of Allegiance.

INVOCATION

Mr. John Carter pronounced the invocation.

ADOPTION OF AGENDA AND CONSENT ITEMS

A motion was made by Councilman Willingham, seconded by Councilman Bittner, and unanimously approved to adopt the agenda as presented.

ADOPTION OF MINUTES

A motion was made by Councilman Bittner, seconded by Councilman Thomas, and unanimously adopted to approve the minutes of a Special Workshop Meeting held August 3, 2011 as presented.

PRESENTATIONSPROCLAMATION – RIVERWALK FESTIVAL DAYS

Mayor Phillips read a Proclamation in recognition of the final summer festival being held by B.O.L.D. - Riverwalk Festival Days on September 3 and 4, 2011. With the assistance of

Councilman Thomas, Council Liaison to B.O.L.D., the Proclamation was presented to Carmen Spicer, Co-Executive Director of B.O.L.D.

JACKSONVILLE YOUTH COUNCIL OFFICERS OATH OF OFFICE

With the assistance of Carmella Fulcher, Community Programs Coordinator, Mayor Phillips administered the oath of office to Tony Brenan, Chairman; Logan John, Chairman Elect; Gabrielle Landi, Vice Chairman; Justin Barnes, Vice Chairman Elect; Ian Funk, Recorder; and Justin McGeorge, Secretary-Treasurer; while their parents held the Bible and family and friends looked on. Following the swearing in ceremony, the Mayor and Council congratulated them on assuming their leadership roles.

PUBLIC HEARINGS

ZONING TEXT AMENDMENT – SECTION 43 RESIDENTIAL DOWNTOWN 5; SECTION 49 RESIDENTIAL DOWNTOWN 3; SECTION 66 CENTRAL BUSINESS DISTRICT; SECTION 68 OFFICE AND MIXED USE; AND SECTION 109 SIGN REGULATIONS

Mayor Phillips reconvened the Public Hearing from the August 3, 2011 meeting at 7:18 PM and asked if anyone desired to speak.

With no one desiring to speak, Mayor Phillips closed the Public Hearing at 7:19 PM and reconvened the regular meeting.

Ms. Mary Sertell, Senior Planner, pointed out changes that had been made from what was presented at the August 3, 2011 regular meeting. Those changes involved garage standards.

A motion was made by Councilman Thomas, seconded by Council Member Coleman, and unanimously adopted to approve the Zoning Text Amendment as presented.

Ordinance 2011-47, Bk. 10, Pg. 433

PUBLIC COMMENT

Kevin O'Conner, 210 Newport Dr, requested that the Fire Safety Advisory Board be disbanded. He reviewed their minutes and found that all the major items discussed had been ignored. He felt Public Safety was a priority function of public government and not Public Services. The City needed Fire Station 5 and Fire Station 6. He asked Council for a copy of the end of the year report for the Fire Department to review the statistics.

NEW BUSINESSCONSENT ITEMSAUTHORIZATION TO CONDEMN FINANCIAL GUARANTEES

As directed by Council, staff requested authorization to process condemnation of the expiring financial guarantees held by the City if the developer was unable or unwilling to provide renewed financial guarantees: Carriage Run Section III-C at Carolina Forest; Carriage Run Section V-B at Carolina Forest; Kenneth Whichard Lot 1, Tract 2; Kensington Park Section II; Northwest Business Park; Onslow County Schools-White Oak High School; and Southpointe Section II-B at Carolina Forest. It was also recommended that Mayor and Council allow staff, if necessary, to extend the Surety Agreements and Warranties for up to one year.

Council authorized staff to process condemnation of the financial guarantee if the developer was unwilling or unable to provide proper surety and to extend the Surety Agreement.

INTERLOCAL AGREEMENT – JACK AMYETTE COMMUNITY PARK

The Recreation and Parks Department asked Council to approve the Interlocal Agreement with the Onslow County Board of Education for the Jack Amyette Community Park. This agreement would permit the City to make improvements to the Onslow County Public Schools property between Clyde Erwin Elementary School and the Jack Amyette Recreation Center and further establish the terms for the creation of Jack Amyette Community Park.

Council authorized the City Manager to sign the Interlocal Agreement with the Onslow County Board of Education.

ASSET MANAGEMENT PROGRAM – UTILITY SERVICES – CONTRACT
ADDENDUM

On June 7, 2011, Council approved the concept of Asset Management and authorized the City Manager to execute three contracts with Utility Services Company (USC) to begin an active maintenance program on the Northwoods, Ellis, and Commons Tanks. After the contracts were executed, it was discovered that the contracts did not include language to incorporate all the labor and material necessary to install antenna retrofits on the three water tanks. This work, which would bring the tanks into compliance with OSHA standards as well as allow the City an opportunity to grow out IT infrastructure by constructing a 42-post antenna corral at the Commons Water Tank, had been previously identified and discussed. Staff was working with one cellular company to lease space on the Commons tank and was hopeful that other cellular

companies also would be interested in co-locating on this tank due to its height and location. All revenue received would help defray the cost of the design and construction of this corral.

Council approved the Budget Ordinance and authorized the City Manager to execute the addendums for the Northwoods, Ellis and Commons Tanks.

Ordinance 2011-48, Bk. 10, Pg. 506

NON-CONSENT ITEMS

BID AWARD – SOUTHWEST REGIONAL LIFT STATION PROJECT

Mr. Greg Meshaw, Senior Civil Engineer, stated that on August 3, 2011, staff received seven bids for the Southwest Regional Lift Station Project which, upon completion, would allow the sewer flow from the properties in the Springdale Subdivision to be discharged at the City's Treatment Plant. This project was required by an interlocal agreement between Onslow Water and Sewer Authority (ONWASA) and the City of Jacksonville that was executed on May 20, 2010. The agreement stated that the City would design and construct a lift station strategically located in the ETJ southwest of the City of Jacksonville's corporate limits and accept the sewer flows from Springdale Subdivision for treatment at the City's Land Application Facility. Staff recommended award of this project to Jacksonville Mechanical, Inc. of Jacksonville, NC based upon a review of the bids received.

Councilman Thomas asked where the lift station would be located. Mr. Meshaw stated it would be located across the road from the Blue Creek School Road Soccer field.

Councilman Thomas asked if it was usual for the huge variance between the bids. Mr. Meshaw stated that it was not unusual. There were a number of bids clustered together on the low end.

A motion was made by Councilman Bittner, seconded by Councilman Warden, and unanimously approved to award the bid to Jacksonville Mechanical, Inc. in the amount of \$684,972.32 for the construction of the Southwest Regional Lift Station

PUBLIC COMMENT

Henry White, 120 Dollar St, stated his concern about clean air, clean water, clean land and noise pollution.

There was no one else present desiring to speak at this public comment section.

REPORTS

CITY CLERK

Councilman Bittner congratulated Carmen Miracle, City Clerk, on recently concluding her term as the President of the NC Municipal Clerk's Association for the past year. She did a great job and followed in the tradition of two other City Clerks – Bill Hemmingway and Sabrina Guy. It was an honor for the City to be so recognized. Mr. Woodruff added that everyone was very proud of Carmen.

9/11 OBSERVANCE

Councilman Bittner stated that plans were made for the 9/11 observance at the recent Civic Affairs Committee meeting. More information would be received shortly.

CHRISTOPHER CAMPBELL PROCLAMATION

Councilman Bittner stated there would be a memorial service on Saturday, August 20, 2011 for Christopher Campbell, the Navy SEAL who passed away as a result of the helicopter being shot down in Afghanistan. The City was asked to present a Proclamation declaring Saturday as a day in his honor.

MAYOR PRO-TEM LAZZARA

Mayor Phillips stated that Mayor Pro-Tem Lazzara was unable to attend the meeting because of flight complications returning from California.

RECENT SPEAKERS

Mayor Phillips noted recent speakers in Council Chambers included Governor Perdue during the Regional Military Summit, Congressman Walter B. Jones who gave a legislative update for Forum Onslow, and UNCW's new chancellor Dr. Gary Miller.

NC GOVERNOR'S REGIONAL MILITARY SUMMIT

Mr. Woodruff stated that the Military Summit sponsored by the Governor was the second session held in the State. This session was specifically for the Camp Lejeune and the Jacksonville area. Governor Perdue was looking for specific ways that this community and her office could work together to ensure the long term stability of the function of the base. The bottom line was that Camp Lejeune had to be able to continue to train in order for the base to exist. Mr. Woodruff stated that as a community we must do everything we could to ensure encroachment did not occur. He commended the Governor for taking the initiative to do the sessions throughout the military community.

LABOR DAY

Mr. Woodruff stated that City Hall would be closed on Labor Day which would change the trash collection days. There would be no yard waste collection on Wednesday that week.

MOVIES IN THE PARK

Mr. Woodruff stated that the City Recreation Department and B.O.L.D. were working on a series of Movies in the Park that would occur at Riverwalk Park. More information would be forthcoming.

ANNUAL REPORTS

Mr. Woodruff stated that each year Council would be provided with an annual report given by the department heads highlighting the activities and accomplishments of their departments. The reports would begin in September and continue through October.

CITY ATTORNEY

Mr. Woodruff announced that John Carter was sworn in as the President of the NC Association of Municipal Attorneys. It was certainly an honor for the City.

PROPERTY DISCUSSION

Mr. Carter asked Council for their consensus for Mr. Woodruff and him to engage in conversations with the owner of 111 Marine Blvd., which was the former Todd's Auto Dealership. It is about a half acre lot that that was adjacent to the Onslow Inn City property. That particular site was now vacant and the agent of the owner had approach the City. Council indicated their consensus to proceed with conversations.

ADJOURNMENT

A motion was made by Councilman Willingham, seconded by Councilman Bittner, and unanimously adopted to adjourn the meeting at 7:46 PM.

Adopted by the Jacksonville City Council in regular session this 6th day of September, 2011.

Sammy Phillips, Mayor

ATTEST:

Carmen K. Miracle, City Clerk