

COUNCIL MINUTES

REGULAR MEETING

July 19, 2011

A Regular Meeting of the City Council of the City of Jacksonville was held Tuesday, July 19, 2011 beginning at 7:00 PM in the Council Chambers of City Hall. Present were: Mayor Sammy Phillips presiding; Mayor Pro-Tem Michael Lazzara and Council Members: Jerry Bittner, Fannie K. Coleman, Randy Thomas, and Bob Warden. Councilman Jerome Willingham was 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; Mike Yaniero, Police Chief; 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 Thomas led the Pledge of Allegiance.

INVOCATION

Mr. John Carter pronounced the invocation.

ADOPTION OF AGENDA AND CONSENT ITEMS

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Warden, and unanimously approved to adopt the agenda as amended to include a Freedom Fountain presentation.

ADOPTION OF MINUTES

A motion was made by Councilman Thomas, seconded by Council Member Coleman, and unanimously adopted to approve the minutes of a Special Workshop Meeting held June 21, 2011 as presented and the minutes of the Regular Meeting held June 21, 2011 as presented.

RECOGNITION

Mayor Phillips recognized Paul Buchannan, Vice Chairman of the Onslow County Commissioners, who was in attendance.

PRESENTATIONS

FREEDOM FOUNTAIN PRESENTATION

Dr. Don Herring, Chairman of the Onslow Civic Affairs Committee, provided an update on the Freedom Fountain. He presented Council with a framed artist's rendering of the fountain in appreciation of their work and support, and thanked them for helping carry forth this Legacy project. Dr. Herring invited everyone to the groundbreaking set for 9:00AM on Thursday, July 28, 2011 at the site.

Mayor Phillips stated the fountain was going to be a good addition to downtown and Jacksonville in general. He asked Mr. Woodruff how the project would be financed. Mr. Woodruff stated the City provided the land and the funds to prepare the conceptual designs. Funds were being raised for building the fountain which represented freedom and not a particular war or event. It was designed to represent every citizen, and every citizen was being asked to contribute. Currently there was \$425,000 in pledges towards a \$600,000 goal for Phase 1. The vast majority came from individuals in amounts as low as \$5; every amount was appreciated. Donations were tax deductible and information could be found on the City website.

PROCLAMATION – HOLIDAY CITY DAY

Mayor Phillips read a Proclamation naming Tuesday, July 19, 2011 as Holiday City Day in the City of Jacksonville recognizing Kate LaVanche, Mickey Cohn, and staff members for their efforts to assist and support residents, perform clean-up and rebuild Holiday City Mobile Home and Apartments Community following the tornado of April 16, 2011. Mr. Cohn thanked all those who helped out. Ms. LaVanche invited everyone to an appreciation cookout on Saturday starting at 4:30 PM at Holiday City.

PROCLAMATION – DISABILITIES AWARENESS DAY

Mayor Phillips read a Proclamation naming Saturday, July 23, 2011 as Disabilities Awareness Day in recognition of the 21st anniversary of the Americans with Disabilities Act and invited the public to attend an Ice Cream Social at the Jacksonville Commons Recreation Complex on Saturday, July 23, 2011. Following the reading of the Proclamation, Gary Miner from the Mayor's Committee for Persons with Disabilities accepted the Proclamation.

PROCLAMATION – NATIONAL NIGHT OUT

Mayor Phillips read a Proclamation naming Tuesday, August 2, 2011 as National Night Out Day in recognition of the 28th Annual National Night Out event to promote police-community crime prevention efforts. National Night Out has been observed in Jacksonville for the past 13 years and has become the main community event. Following the reading of the Proclamation, Police Chief Mike Yaniero accepted the Proclamation.

OATHS OF OFFICE – POLICE DEPARTMENT PROMOTIONS – LIEUTENANT RANDALL NORDSTROM AND SERGEANT ANTHONY HORNE

Mayor Phillips reviewed the qualifications and past law enforcement service for Lieutenant Randall Nordstrom and Sergeant Anthony Horne. Mayor Phillips administered the Oath of Office to Lieutenant Nordstrom while his wife Vickie held the Bible. His wife then pinned on the Lieutenant badge and his sons, Connor, Cody, Christian and Brian, pinned on the rank insignia. Mayor Phillips then administered the Oath of Office to Sergeant Horne while his son Chase held the Bible. His wife Shirley pinned on the Sergeant badge and his children, Amber, Alyssa and Chase, pinned on the rank insignia. Chief Yaniero stated that both Lieutenant Nordstrom and Sergeant Horne worked very hard on the promotion process which is a very comprehensive process.

YARDS OF THE MONTH RECOGNITION

Mayor Phillips recognized David and Shawn Reintjes for the receiving the Residential Yard of the Month Award and John Forsmark and John Perry of Credo's Pizza and Ribs for receiving the Business Yard of the Month Award. The recipients were unable to attend to accept their awards.

OPERATION B-4 COMMITTEE PRESENTATION TO THE CITY

Alva Williams and Shirlene Kellum, chair and co-chair of the Operation B-4 Committee, presented a plaque to City Council thanking the City of Jacksonville for their support of the fundraising campaign for the April 16, 2011 Onslow County tornado victims. A total of over \$20,000 was raised for the victims. Ms. Williams stated that Councilman Thomas served as treasurer on the board. They were so successful that someone from the Governor's office along with a FEMA representative came to one of their meetings. They stated that they never saw a community come together the way that Jacksonville did. The Operation B-4 Committee was becoming a 501(c)(3) and would hold fundraisers throughout the year to help with any future

disasters. Mayor Phillips thanked the Committee for their community spirit and the great job they did.

REPORT TO CITY COUNCIL – PLANNING BOARD

Dr. Douglas Lesan, Chairman of the Planning Board, provided a brief report on the annual activities, accomplishments and goals of the Committee. Mayor Pro-Tem Michael Lazzara is the Council Liaison to the Board.

PUBLIC HEARINGS

REZONING FROM RA-20 TO CU-B-1 – 930 RAMSEY ROAD

Ms. Mary Sertell, Senior Planner, stated that Johnny and Jennifer Avila had submitted a request to rezone one parcel totaling 5.45 acres from Residential Agricultural 20 (RA-20) to Conditional Use Business 1 (CU-B-1). The subject site was located at 930 Ramsey Road.

Mayor Phillips recessed the regular meeting at 8:00 PM in order to convene the Public Hearing.

John Avila, 930 Ramsey Rd., stated he and his wife purchased the property in February 2011 and moved the coaches onto the property later that month. In April 2011 they received a Notice of Violation from the City of Jacksonville. They followed all the necessary steps after receipt of the notice to change the zoning. The Board of Adjustment heard their case in May 2011 and they were currently appealing that decision. At the property, they have a very small operation where they store the coaches. Their main operations were aboard the military bases in the area. There was no customer traffic on the property. A short video was shown on the property giving the sound decibel reading of the coaches both sitting in the yard and leaving the property. A view of the location of the neighboring properties was also shown. Mr. Avila stated they would add whatever buffering was needed to keep the noise down and maintain the aesthetic value of the property.

Mayor Pro-Tem Lazzara asked how many buses were on the property. Mr. Avila stated there were seven in operation and six in storage.

Mayor Phillips asked about the hours of operation. Mr. Avila stated that they did not have set hours of operation; hours were based on when they were needed.

Randy Rhoderick, 942 Ramsey Road, was elected as the spokesperson for those against the rezoning. He stated that since mid-March his family had been awakened at all hours of the night because of the noise and vibration of the buses. The engines of the buses were started and

ran for up to an hour and forty minutes to warm up, in addition to the other noises coming from the buses. When this first started, he went to 930 Ramsey Road to complain, but found that Mr. Avila did not reside there. It was not until he complained to the Sheriff's department that Mr. Avila came to speak to the nearby residents. Even when he was told at the beginning of April to move the buses in ten days because of the violation, the noise continued. Mr. Rhoderick described various problems that the other neighbors were experiencing.

With no one else desiring to speak, Mayor Phillips closed the Public Hearing at 8:25 PM and reconvened the regular meeting.

Mr. Carter informed Council that a formal protest petition had been filed and in order to pass the rezoning, five of the six Council members would have to vote for it.

Mayor Pro-Tem Lazzara stated he could see both sides of the issue, but felt this was more an issue of zoning and what was permitted and what was not permitted in the general area. The property was in a RA zone – single family residential property. The business owner should have made sure that the proper zoning was there for him to conduct his business before he bought the property.

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Warden, and unanimously approved to deny the rezoning request based on findings of fact A, B, C, and D being found in the negative and that the rezoning did not advance the public interest.

COASTAL AREA MANAGEMENT ACT (CAMA) LAND USE PLAN

Ms. Mary Sertell, Senior Planner, stated that pursuant to State of North Carolina requirements in the Coastal Area Management Act, Jacksonville staff, residents, and consultants had created an update to the 1999 CAMA Land Use Plan. This updated Plan reflected demographic, environmental and development trends as well as goals, policies and maps to guide future development. The CAMA Land Use Plan would replace The Growth Management Element that was adopted in 2007.

Mr. Woodruff asked about the McCray property. Ms. Sertell stated it had been changed to mixed use development which allowed commercial and residential development in that area.

Mayor Phillips recessed the regular meeting at 8:32 PM in order to convene the Public Hearing

With no one desiring to speak, Mayor Phillips closed the Public Hearing at 8:33 PM and reconvened the regular meeting.

A motion was made by Councilman Bittner, seconded by Councilman Thomas and unanimously approved to adopt the CAMA Land Use Plan as a substitute for the Growth Management Element.

Resolution 2011-22, Bk. 6, Pg. 399

**CONDITIONAL USE PERMIT AND SITE PLAN – CAROLINA ALE HOUSE –
1649 WESTERN BOULEVARD**

Mayor Phillips recessed the regular meeting at 8:34 PM in order to convene the Public Hearing.

Mayor Phillips swore in Mr. Jeremy Smith, Senior Planner. Mr. Smith stated that HagerSmith Design had submitted a Conditional Use Permit and Site Plan application for a proposed 9,887 square foot restaurant. The 2.29 acre development site was located at 1649 Western Boulevard and within the City limits. The property was zoned Conditional Use-Business-1 (CU-B-1) and within this district any use required a Conditional Use Permit.

Mayor Phillips swore in Sharon Stroggin, Landscape Architect with HagerSmith Design, 300 South Dawson, Raleigh and she stated she would answer any questions that Council had.

Mayor Phillips asked if the building would look like the rendering. Ms. Stroggin stated that the other restaurants looked like the renderings, including one she had been involved with in Wake Forest.

With no one else desiring to speak, Mayor Phillips closed the Public Hearing at 8:37 PM and reconvened the regular meeting.

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Warden, and unanimously adopted to approve the Conditional Use Permit and Site Plan based on findings of fact A through G being found in the affirmative with conditions noted in the staff report as follows:

Conditions of Site Plan:

- 1) Revise the Site Plan per TRC comments in Exhibit B;
- 2) Submit a recombination for the proposed development lot prior to the issuance of a building permit.

**CONDITIONAL USE PERMIT AND SITE PLAN – REALO DISCOUNT DRUGS –
2680 HENDERSON DRIVE**

Mayor Phillips recessed the regular meeting at 8:38 PM in order to convene the Public Hearing.

Mayor Phillips swore in Mr. Jeremy B. Smith, Senior Planner. Mr. Smith stated that DDJ Investments, LLC, had submitted a Conditional Use Permit and Site Plan application for a proposed 20,000 square foot pharmacy and retail building. The 2.26 acre development site was located at 2680 Henderson Drive within the City limits. The property was zoned Conditional Use-Business-1 (CU-B-1) and within this district any use required a Conditional Use Permit. The proposed development would impact the City's Sewer Allocation Policy. Sewer allocations requests would be processed in accordance with the adopted policy.

Mayor Pro-Tem Lazzara stated he was at the Planning Board meeting and thought the original denial recommendation did not pass. Mr. Smith stated that there had been considerable discussion and it was finally denied. Mayor Pro-Tem Lazzara wanted to clarify the record and stated that the Planning Board minutes were confusing as he thought it had passed.

Mayor Phillips swore in Ryan King, Planning Administrator. Mr. King stated that the Planning Board recommended denial of the Conditional Use Permit and Site Plan. He had asked the Planning Board to state the reasons they were recommending denial so that if the applicant decided to amend the plans between the Planning Board meeting and when it was brought to Council it could be changed. The plan that City Council was looking at had been revised to incorporate the 30 foot buffer and the building had decreased in size. Mr. King stated that based on his opinion, revisions were made based on the biggest issues the Planning Board had.

Mr. Woodruff asked if the applicant had increased the buffer from what was originally proposed to meet the current standard of 30 feet and reduced the size of the building. Mr. King stated that was correct and the plan in front of Council was the one to be approved.

Councilman Thomas questioned the abandonment of easement. Mr. Smith stated there was an existing drainage easement; however, the City would not be inclined to grant an abandonment of easement which would allow the applicant to keep the buffering there and maintain it. Mr. Woodruff stated that not knowing the future needs of the City and knowing the fact that the Site Plan could be approved with the easement there, it was felt that it would be in the City's best interest to keep the easement giving the City more flexibility in the future.

With no one desiring to speak Mayor Phillips closed the Public Hearing at 8:46 PM and reconvened the regular meeting.

A motion was made by Councilman Thomas, seconded by Councilman Warden, and unanimously adopted to approve the Conditional Use Permit and Site Plan based on findings of

fact A through G being found in the affirmative with conditions identified within the Staff Report as follows:

Conditions of Conditional Use Permit:

- 1) Submit a recombination plat, combining the lots of the proposed development;
- 2) Install all required improvements recommended in the TIA.

Conditions of Site Plan:

- 1) Revise the Site Plan per TRC comments in Exhibit C prior to the issuance of a building permit.

**CONDITIONAL USE PERMIT AND SITE PLAN – BUFFALO WILD WINGS –
4175 WESTERN BOULEVARD**

Mayor Phillips recessed the regular meeting at 8:47 PM in order to convene the Public Hearing.

Mayor Phillips swore in Mr. Jeremy B. Smith, Senior Planner. Mr. Smith stated that Parker and Associates, Inc. had submitted a Conditional Use Permit and Site Plan application for a proposed 6,910 square foot restaurant. The 2.32 acre development site was located at 4175 Western Boulevard within the City limits. The property was zoned Conditional Use-Business-1 (CU-B-1) and within this district any use required a Conditional Use Permit.

With no one desiring to speak, Mayor Phillips closed the Public Hearing at 8:49 PM and reconvened the regular meeting.

A motion was made by Councilman Warden, seconded by Council Member Coleman, and unanimously adopted to approve the Conditional Use Permit and Site Plan based on findings of fact A through G being found in the affirmative with conditions identified within the Staff Report as follows:

Conditions of Site Plan

- 1) Revise the Site Plan per TRC comments in Exhibit C prior to the issuance of a building permit.

**CONDITIONAL USE PERMIT AND SITE PLAN – STATE EMPLOYEES CREDIT
UNION (SECU) – 114 NORTH PLAIN ROAD**

Mayor Phillips recessed the regular meeting at 8:50 PM in order to convene the Public Hearing.

Mayor Phillips swore in Mr. Jeremy B. Smith, Senior Planner. Mr. Smith stated that O'Brien/Atkins Associates, LLC had submitted a Conditional Use Permit and Site Plan application for a proposed 10,504 square foot bank. The 2.69 acre development site was located

at 114 North Plain Road within the City limits. The property was zoned Conditional Use-Business-1 (CU-B-1) and within this district any use required a Conditional Use Permit. The proposed development would impact the City's Sewer Allocation Policy. Sewer allocation requests would be processed in accordance with the adopted policy.

Mayor Phillips asked if there was any ingress, egress off Western Blvd. Mr. Smith stated access was only from North Plain Road.

Councilman Warden stated that the submittal does not show a connection between Buffalo Wild Wings and SECU. Mr. Smith stated that a connection could be added by Council as a condition on the Conditional Use Permit.

Dave Kaiser with Obrien Atkins, 5001 South Miami Blvd, Durham, addressed the issue of interconnectivity. In the Master Plan for the entire site, there was interconnectivity provided in the long range to access Western Blvd. The Credit Union felt it would impose a hardship and safety issue for the site if required.

Councilman Warden asked why it was felt the interconnectivity would be detrimental. Mr. Kaiser stated that by introducing the cross access, a greater traffic load would be created than planned.

Jamie Applequist, SECU District Manager, 1404 South Stagecoach Trail, Jacksonville, stated that at the current site there was a cross access easement. There have been multiple accidents and fender benders with traffic coming through the site and it has become a hazard. He felt if cross access was allowed at the new site, the same problem would continue.

A brief discussion on interconnectivity was held.

With no one else desiring to speak, Mayor Phillips closed the Public Hearing at 9:01 PM and reconvened the regular meeting.

A motion was made by Councilman Bittner, seconded by Councilman Warden, and unanimously adopted to approve the Conditional Use Permit and Site Plan based on findings of fact A through G being found in the affirmative with conditions identified within the staff report as follows:

Conditions of Conditional Use Permit

- 1) Install all required improvements recommended in the TIA

Conditions of Site Plan

- 1) Revise the Site Plan per TRC comments in Exhibit C prior to the issuance of a building permit.

SPECIAL USE PERMIT AND SITE PLAN – AIR STATION STORAGE – 1121 OLD
MAPLEHURST ROAD

Mayor Phillips recessed the regular meeting at 9:02 PM in order to convene the Public Hearing.

Mayor Phillips swore in Mr. Jeremy B. Smith, Senior Planner. Mr. Smith stated that Bailey and Associates, Inc., had submitted a Special Use Permit and Site Plan application for a proposed 48,000 square foot warehouse, personal storage facility. The 2.65 acre development site was located at 1121 Old Maplehurst Road within the City's Extraterritorial Jurisdiction. The property was zoned Business-1 (B-1) and within the district warehouse, personal storage facilities required a Special Use Permit.

With no one desiring to speak, Mayor Phillips closed the Public Hearing at 9:04 PM and reconvened the regular meeting.

A motion was made by Councilman Thomas, seconded by Councilman Warden, and unanimously adopted to approve the Special Use Permit and Site Plan based on findings of fact A through G being found in the affirmative with conditions identified within the staff report as follows:

Conditions on the Site Plan

- 1) Revise the Site Plan per TRC comments in Exhibit C prior to the issuance of a building permit.

PUBLIC COMMENT

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

NEW BUSINESS

CONSENT ITEMS

PRELIMINARY AND GENERAL PLAN – TUSCANY VILLAS – CARRIAGE DRIVE

John L. Pierce and Associates had submitted an application for a proposed Preliminary and General Plan that indicated 2.68 acres being divided into 32 townhouse lots on Carriage Drive. The Preliminary and General Plan also identified a private drive to service traffic for the townhouse lots internally. The proposed development would impact the City's Sewer Allocation Policy. Sewer allocation requests would be processed in accordance with the adopted policy.

Council moved to approve the Preliminary and General Plan for Tuscan Villas – Carriage Drive.

PRELIMINARY AND GENERAL PLAN – LOT 4 OF HDX SUBDIVISION –
HENDERSON DRIVE

Liberty Healthcare Properties of Onslow County had submitted an application for a proposed Preliminary and General Plan that indicated 13.89 acres being divided into 4 commercial lots near the corner of Indian Drive and Henderson Drive. The proposed development was located in the City limits. There were no extensions of sewer and water facilities therefore this would not impact the City's Sewer Allocation Policy.

Council moved to approve the Preliminary and General Plan for Lot 4 of HDX Subdivision – Henderson Drive conditioned on the items identified within the staff report as follows:

Plan Conditions

- 1) Tracts 1 and 2 are required to utilize the existing driveway (shared) that currently serves as an access for Liberty Commons Healthcare Facility;
- 2) The access easement be extended to the northwest to provide for adequate stem length as required by NCDOT;
- 3) Provide 12 foot access easement along the rear of all property lines.

RELEASE OF NON-PERSONNEL CLOSED SESSION MINUTES

The Non Personnel Closed Session Minutes listed in the staff report had been reviewed by the City Attorney, City Clerk and City Manager and were recommended for release, in accordance with Resolution 2003-01 and N.C. General Statutes.

Council moved to approve releasing the Closed Session Minutes for April 17, 2007; January 22, 2008; March 18, 2008; February 2, 2010; and September 21, 2010.

ACCEPTANCE OF PUBLIC IMPROVEMENTS: KENSINGTON PARK SECTION II

The Engineering Division staff had personally observed the work performed, approved the construction and filed inspection reports recommending the approval of Kensington Park Section II. The improvements included: water mains; sewer mains; sewage pumping station; fire hydrants; roads; curb and gutter; sidewalks; and that portion of the storm drainage system that drained City streets excluding the stormwater detention pond which was to be maintained by the Homeowners Association. If approved, these improvements, with the exception of sidewalks, would be covered by a warranty that would expire 18 months from this date.

Council moved to approve for City maintenance the public improvements in Kensington Park Section II.

AUTHORIZATION 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: Aragona Village, Section IX-B; Eastgate; Emerson Park Section I of Williamsburg Plantation; Fieldstone at Haws Run, Section I; Maynard Manor Phase V; Maynard Manor Phase VI; Schilsky Tract/Western Boulevard; Southeastern Steel Choppers, Inc. and The Home Depot. 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 moved to authorize 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.

ACCEPT LAND DONATION FROM JACKSONVILLE POLICE TRAINING
ACADEMY INC. AND APPROVE THE SPECIAL WARRANTY DEED

Jacksonville Police Training Academy Inc. had offered to donate the land that comprised the Jacksonville training grounds and facility. This parcel totaled about 10 acres. The conveyance was made subject to the following condition: “In the event the City of Jacksonville elects to sell the property described herein, all of the net proceeds of said sale shall be earmarked to be used by the City for law enforcement firearms training.”

Council moved to accept the land donation and approved the Special Warranty Deed.

COST RECOVERY AGREEMENT AND AMENDMENT OF NORTH MARINE
TOWN CENTER (NMTC) DEVELOPMENT AGREEMENT WITH BAILEY
AND ASSOCIATES, INC. – NORTH MARINE TOWN CENTER WATER &
INFRASTRUCTURE

On September 23, 2009, the City and Bailey and Associates, Inc. entered into a development agreement for improvements at North Marine Town Center (NMTC). Bailey and Associates desired to execute a Cost Recovery Agreement whereby they could recover a portion of the cost of sewer infrastructure that would benefit offsite properties. Any recovery would be a prorated share of the cost Bailey and Associates had incurred to construct the infrastructure. An amendment to the existing NMTC Contract would establish a partnership between the City and the developer to extend a water line on Dixie Trail across US 17 and up US 17 to Piney Green Road and turn down Piney Green Road to North Marine Town Center’s connection point on the

south side of Piney Green Road. This partnership would allow City water to be available to existing and future residents in this area.

Council moved to approve the Cost Recovery Agreement, amendment to the NMTC Improvement Contract, and the budget amendment as presented.

REVISIONS TO WATER AND SEWER EXTENSION POLICY

The Manual of Specifications, Standards and Design (“Manual”) was approved by Council on June 6, 2006. The materials, standard details and design methodology were the minimal requirements for the City of Jacksonville. It was intended to facilitate ease of use by both design engineers and contractors. Staff requested two modifications to the Water and Sewer Extension Policy (“Policy”) which was a component of the Manual. These two revisions included updating how facility charges were accessed and to add language to allow facility charges that had been accessed to be transferred to a new parcel when the initial service was eliminated.

Council moved to approve the revisions to the Water and Sewer Extension Policy found within the Manual of Specifications, Standards and Design as presented.

NON-CONSENT ITEMS

ELECT CITY REPRESENTATIVES TO THE ONSLOW WATER AND SEWER AUTHORITY (ONWASA)

There were two positions reserved on the Onslow Water and Sewer Authority (ONWASA) Board of Directors for members of the Jacksonville City Council. The ONWASA Bylaws provided for appointments to three year staggered terms. Any member could be reappointed by their representative government for subsequent terms. On October 21, 2008, Council adopted Ordinance 2008-45 amending the Jacksonville City Code to add DIVISION 15 – Section 2-450 to govern the City’s appointment process to ONWASA. Section 2-450 provided for Council appointments to ONWASA to be elected annually by Council at their second regular meeting in July. At such time, a current ONWASA appointee may be re-appointed or replaced by Council. Any change in appointment was effective August 1. On January 4, 2011, Mayor Pro-Tem Michael Lazzara was elected to fill an unexpired ONWASA term due to expire July 31, 2012. On July 20, 2010, Councilman Jerry A. Bittner was elected to a three year ONWASA term expiring July 31, 2013.

A motion was made by Councilman Warden and seconded by Councilman Thomas to re-appointment Mayor Pro-Tem Michael Lazzara to an existing term expiring July 31, 2012 and Councilman Bittner to a three year term expiring July 31, 2013.

Councilman Warden and Mayor Phillips expressed their appreciation for the work that Councilman Bittner and Mayor Pro-Tem Lazzara have done with ONWASA

A vote was taken on the motion and was passed unanimously.

PUBLIC COMMENT

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

REPORTS

TAC MEETING

Mayor Pro-Tem Lazzara stated that the draft report of the transportation project list was adopted at the Traffic Advisory Committee (TAC) meeting today. There was still a prioritization process to follow through for possible future funding from NCDOT. A copy would be provided to the Council members. He also stated that Anthony Prinz, MPO Administrator, and staff were doing a tremendous job. Councilman Warden echoed Mayor Pro-Tem Lazzara's comments.

CITY MANAGER AND PLANNING BOARD

Councilman Thomas thanked the City Manager and Planning Board for the great job they were doing. Tonight five projects were approved which would add millions of dollars to the tax base of the City. In addition, of those five Conditional Use Permits and Site Plans, the majority were only 70 days old and the conditions placed on the items were at a minimum. Working with the developers was showing.

ICE CREAM SOCIAL

Council Member Coleman reported that the Mayor's Committee for Persons with Disabilities was hosting an Ice Cream Social this Saturday from 1PM to 4PM at the Jacksonville Commons. She also noted that she would be out of town from August 3 through August 6.

DEVELOPMENT

Mayor Phillips commended Mary Sertell and the Planning Department for putting together the Downtown Design Standards that were reviewed at the Special Workshop. He also commended the staff for moving the projects along. He has seen more and more businesses being added to Jacksonville that were accommodating the desires of the people in our community.

CITY MANAGER

Mayor Phillips felt the style of management that Mr. Woodruff brought to the City of Jacksonville has helped to assure that we were working with and not against people and commended him for his extreme efforts. Councilman Bittner stated he believed Mr. Woodruff was up for his evaluation. Mayor Phillips stated it should be scheduled for discussion at a closed session at the next Workshop.

NATIONAL NIGHT OUT

Mayor Phillips encouraged everyone to come out for National Night Out on Tuesday, August 2, 2011 starting at 5:30 PM. This was the City's main community event. Many service organizations from the community would be there. Last year there were in excess of 10,000 people at the event.

NEXT COUNCIL MEETING

Mr. Woodruff stated that the next Council meeting would be on Wednesday night, August 3, 2011 instead of Tuesday night.

GROUND BREAKING CEREMONY

Mr. Woodruff stated that on Wednesday, August 3 at 4:30 PM there would be a ground breaking ceremony for a new institution being built at the Jacksonville Business Park. This was the first private sector development at the Business Park.

OPEN HOUSE FOR WATER PLANT

Mr. Woodruff stated that on Wednesday, August 3 at 5:00 PM there would be an Open House/Ribbon Cutting for the new water plant.

REDISTRICTING PLAN APPROVAL

Mr. Woodruff commended Mr. Carter and Mr. Hargett for their work on the Redistricting Plan. Notice had been received that the Redistricting Plan was approved by the Federal government. This morning confirmation was received by the State elections office that the City's upcoming elections could be held on schedule. Starting Monday, July 25 at noon and ending August 12, anyone desiring to run for one of the three seats could register.

COMMUNITY DEVELOPMENT HOUSES

Mr. Woodruff stated that all four of the Community Development houses were now under construction. One had a sales contract that has closed, one had a contract that should be signed soon, and several other homes in that area were still available. Tours would be set up

during National Night Out to see the homes. The neighborhood was moving along extremely well.

ADJOURNMENT

A motion was made by Mayor Pro-Tem Lazzara, seconded by Council Member Coleman, and unanimously adopted to adjourn the meeting at 9:19 PM.

Adopted by the Jacksonville City Council in regular session this 3rd day of August, 2011.

Sammy Phillips, Mayor

ATTEST:

Carmen K. Miracle, City Clerk