

COUNCIL MINUTES

REGULAR MEETING

May 17, 2011

A Regular Meeting of the City Council of the City of Jacksonville was held Tuesday, May 17, 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.

RECOGNITION

Mayor Phillips recognized his mother, Patty Phillips, who was celebrating her 83rd birthday.

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 Councilman Bittner, seconded by Mayor Pro-Tem Lazzara, and unanimously approved to adopt the agenda as amended to remove Consent Agenda Item #9 – Cost Recovery Agreement and Amendment of North Marine Town Center (NMTC) Development Agreement with Bailey and Associates, Inc. – North Marine Town Center Water & Sewer Infrastructure and also remove Non-Consent Agenda Item #11 – Community Development Advisory Committee Re-Appointments/Appointment.

ADOPTION OF MINUTES

A motion was made by Councilman Thomas, seconded by Council Member Coleman, and unanimously adopted to approve the minutes of a Budget Workshop Meeting held May 2, 2011 as presented.

PRESENTATIONSPROCLAMATION – WATER CONSERVATION MONTH

Mayor Phillips read a Proclamation naming the month of May as Water Conservation Month in the City of Jacksonville. Following the reading of the Proclamation, Mr. Grant Sparks, Public Services Director, accepted the Proclamation. Mr. Sparks reminded citizens to come into City Hall and pick up the free water conservation kits.

MAYOR’S COMMITTEE FOR PERSONS WITH DISABILITIES: ANNUAL
POSTER, POETRY AND ESSAY CONTEST AWARDS

The Mayor’s Committee for Persons with Disabilities held their annual Poster, Poetry, and Essay Contest in the Onslow County and Camp Lejeune Dependent Schools to help promote “Disabilities Awareness Week.” The theme for this year was “We’re More Alike than Different.” Council Member Fannie K. Coleman, Council Liaison to the Mayor’s Committee, and Joe Traumer, Mayor’s Committee Chairperson, assisted the Mayor with presenting the awards. There were 24 winners from grades K through 12 and all winners received a Certificate and Cash Award as follows: First Place, \$25 and Second Place, \$15. The winning entries were scheduled to be on display in the lobby of City Hall May 17th – May 27th and in Center court of the Jacksonville Mall from May 28th – May 31st.

RECOGNITION OF JACOB WYMAN, BOY SCOUT TROOP 87

Mayor Phillips recognized Jacob Wyman, Boy Scout Troop 87 from Gum Branch, who was in attendance in order to complete requirements for his Citizenship in the Community Badge.

PUBLIC HEARINGSFISCAL YEAR 2011/2012 BUDGET

Mr. Richard Woodruff, City Manager, stated that the General Statutes required City Council to conduct a Public Hearing to receive public comment on the proposed budget prior to budget adoption. A copy of the proposed budget was delivered to the Jacksonville City Council on April 28, 2011. The proposed budget had been available for public inspection in the City Clerk’s Office since April 28, 2011, and at the Onslow County Library since April 29, 2011. On May 4, 2011, the proposed budget was also placed on the City’s website for public review. The

Public Hearing and Public Notice of Budget Availability had been duly advertised in the Jacksonville Daily News.

Mr. Woodruff provided a detailed overview of the proposed budget as outlined in the PowerPoint Presentation herein attached to these minutes as Exhibit A. Changes in the assumptions since the budget was initially delivered to Council more than a month ago included that there would be no increase in health insurance premiums for employees or the City. Currently no new employees or wage adjustments were included in the budget as these were matters Council would address prior to budget adoption. These decisions were not in front of Council at this time. As shown in Exhibit A, there was no increase in the property tax rate proposed this year. Mr. Woodruff reviewed the monetary effect of the current tax rate on the majority of homeowners in the City and provided an overview of the services provided to citizens in return for their investment. Depending upon Council direction, budget adoption was currently proposed for the Council's June 21, 2011 Regular Meeting.

Mayor Phillips recessed the regular meeting at 7:44 PM in order convene the Public Hearing.

Mr. Woodruff read into the record, a statement from Mr. Phil Lane, a copy of which is herein attached to these minutes as Exhibit B. Mr. Lane was unable to attend the meeting due to the illness of a family member.

With no one else desiring to speak, Mayor Phillips closed the Public Hearing at 7:48 PM and reconvened the regular meeting.

RESOLUTION ADOPTING REVISED DISTRICT MAPS FOR DISTRICT ELECTIONS AND AUTHORIZING THE SUBMISSION TO THE US DEPARTMENT OF JUSTICE FOR PRECLEARANCE

The City Council formed and instructed a Redistricting Committee to evaluate the current election districts for the City and to provide the City Council with a recommendation for bringing the wards into alignment and ensuring that the new plan would comply with provisions of the Voting Rights Act and subsequent court cases. The Committee held public input sessions in each of the wards as well as an interactive live session at City Hall where input was sought via Facebook, Twitter, email, phone and in person. From the sessions, public input was documented and used to form a set of criteria that the committee adopted before seeking adjustment of the ward maps. With three different plans to evaluate, the committee gave significant deliberation during a live broadcast of their meeting to the three proposals and eventually voted unanimously to recommend a single proposal to the Council for adoption.

Mr. Glenn Hargett, Communications and Community Affairs Director, provided the following review: The Jacksonville Redistricting Committee was formed by Council to allow citizen input in the requirement that the City's wards be adjusted after the Census and to bring to Council a recommended plan for action. They have done that with openness, enthusiasm, noteworthy debate and a desire to serve. From our discussions many months ago, we anticipated that the new Census would demonstrate a need for redistricting. This committee had to deal with a significant reduction in base population, a diverse community where there are fewer neighborhoods that are primarily minority and Census blocks that divided neighborhoods in illogical ways. However, the committee overcame these challenges and is now presenting a plan to you that will accomplish what is needed for approval and for the protection of one-person, one-vote within Jacksonville.

Mayor Phillips recessed the meeting at 7:50 PM in order to convene the Public Hearing.

Committee Chairman Robert Sandy provided the following review of the work of the Committee and the proposed districting plan: Our Committee wanted openness and transparency for the Redistricting Process. Every one of our meetings has been televised, streamed to the web, recorded and available for playback. To ensure an opportunity for everyone, the Committee wanted a public input session in every ward, and we have done that. We held the last public input session in Council Chambers, broadcasting live via the web and the Jacksonville-Onslow Government Channel. We sought questions and comments from Facebook, Twitter, email, by phone, and from those in attendance. We also sought input from the City's webpage where significant information was posted on the process, and from a specially created Facebook page, which also contained information about the redistricting process. The committee has been involved and has exercised significant deliberation. During our last session, we interacted with the computer program that helps devise the new districts. We experimented with moving the lines, considered options, and deliberated the consequences of those moves. Redistricting is required when a county falls under the Voting Rights Act, and for North Carolina, any jurisdiction like Jacksonville, is required under State law to evaluate our districts. The redistricting after a Census follows a concept of "one person, one vote" which the US Supreme Court held in a series of findings in the 60's. State statues follow this with a requirement that the same number of persons as nearly as possible should be in each district. The courts held that imbalanced districts could give voters different ratios of power and that the districts should be as nearly equal as possible. After each Census, the City is compelled to review the population of the wards and to determine if the deviation from the ideal ward size is significant. Such a review

was undertaken when the redistricting data was released from the US Census Bureau. With the Census population set at 70,145, and since we have four wards, the ideal size was determined to be 17,536. With our growth, and the significant reduction in the Census count aboard the bases because of the way the Census counted deployed troops, the Jacksonville wards were found to be significantly out of alignment from the ideal ward size. There is a review created by the courts called the ten percent rule which holds if the deviation of the largest and smallest wards are more than ten percent when added together, then redistricting is required. In the case of Jacksonville, the deviation for each of the wards was greater than ten percent when the 2010 Census data was applied to the current wards. It was obvious that redistricting was required for Jacksonville. For creation of the wards, everyone counts, all 70,145 persons identified in the Census.

The Committee began with an organizational session during which a thorough evaluation of the law, court cases and other matters related to redistricting was presented. Staff, including the City Attorney, helped us understand the concepts of what would be needed to win approval of the US Justice Department for your revised ward district election plan.

Committee Vice Chairman Ernie Wright provided the following report on public input sessions, public educational materials and retrogression: The Redistricting Committee held sessions at the Northwoods Recreation Center for Ward Three, at the Bell Fork Elementary School for Ward 4, at Jacksonville Commons Recreation Center for Ward Two and at Kerr Street Recreation Center for Ward 1, in that order. During the sessions, input was received from a variety of residents and interested parties. Public input was documented with recordings of the sessions and via paper input received both at the sessions and subsequently through other means. A wealth of public input was received during the sessions. During the evening, public input session held here at City Hall, the event was broadcast live and input was solicited via Facebook, Twitter, email and from those in attendance. Past issues presented at other public input sessions was discussed and debated by the committee and those in attendance. The event was recorded and played back on the Jacksonville-Onslow Government Television Channel several times. Staff prepared informational material that was printed, posted to the City's website and at a newly created City Redistricting Facebook page. During the public input sessions, comments were also sought about the criteria that should be used to create new plans for the wards. Members of the Redistricting Committee made presentations at the sessions and engaged with the public about what should be considered when the districts were being realigned. A key issue that the Committee wanted to ensure was advanced was that of Retrogression. This is a review factor by the US Justice Department that holds that no action can be taken to lessen the chance of

a minority to be elected. In our case, two wards are historically minority-majority and from which minority candidates have been successfully and repeatedly elected. Therefore, no action can be taken to diminish that opportunity to be elected. During the public input sessions and in written public input forms, there was much support for ensuring that the concept of retrogression was advanced. The minority-majority ward system has served the City of Jacksonville well.

Committee member Tiffany Choice spoke about the development and adoption of criteria for realignment of the Wards. The committee was provided written documentation of the public input sessions at the third meeting when we deliberated criteria for the realignment process. After spirited debate, the committee unanimously adopted a set of criteria that would be used for the development of plans for compliance. The committee instructed staff to prepare three plans for consideration. Here are the key concepts contained within the criteria:

1. That each district shall contain as nearly as possible the same population within a specified percentage below the 'ten percent rule.' Your committee wanted for the districts to be equal, but nearly equal as possible while complying with the standards.
2. That the plan shall satisfy the non-retrogressive standard of Section Five of the Voting Rights Act.
3. That the plan shall not subordinate traditional directing criteria to race beyond the extent necessary to avoid Section Two Liability. Your committee did not consider race as a factor in building any wards other than 1 and 4.
4. That the plan shall attempt to keep together neighborhoods, areas of common interests and use notable geographical boundaries where possible. This effort was significantly debated by the committee before and after we reviewed plans. In the end, we had to divide some neighborhoods, but we believe this has been done without compromising the character and strength of the neighborhood.
5. That the plan shall attempt to avoid dividing Census blocks. Again, this was a driving criteria, but Census blocks had to be divided. As a note about Census blocks, there are more than 2200 in Jacksonville. A significant number of them are without population, some as small as a traffic island. Some Census blocks are huge and some span different neighborhoods. As we will demonstrate, in many cases, dividing the blocks was necessary to preserve a neighborhood, strengthen voting within a neighborhood or to create links for our wards to span together different geographies.
6. That the plan recognizes the incumbents were selected by the voters as their representatives, and that the plan will seek to avoid contests between incumbents. This criterion would only be followed after all other criteria had been satisfied. This was not a significant problem for the plan we selected.
7. That the plan account for growth of the City and allow reasonable expansion of the wards to accommodate growth with a concern that the wards will be able to grow proportionally. More about this later as the Committee has a recommendation for the Council about future growth of the City.
8. That the plan keeps current wards and compositions known to the people of Jacksonville as nearly as possible, and that divisions be logical and easily understood. The Committee wanted a plan that looked like the current plan and that did not follow some invisible line. We have selected to follow the path of a future new road into the base and we've used creeks and other natural boundaries where possible.

The Committee carefully considered these criteria and unanimously adopted them for the development of the districting plans.

Committee Member Margaret Brown provided a report on how the Plans were developed after the Criteria was approved by the Committee as follows: **Minority Wards** - The system to construct the minority wards depends on the concept that persons aboard the bases are less likely to vote in municipal elections. Therefore, the creation of the minority wards seeks to aggregate minority intensive areas off base while the balance of the ward's population is spread on base. Inclusion of too many non-Black intensive areas dilutes the ability of Black voters to elect the candidates of their choice. Staff presented various items to the Committee that were used in the development of the plans provided to the Committee. Among them were items that had been requested by the Committee and others were used based on the criteria or from guidance from the UNC School of Government. **Precinct Lines** – While not an adopted criteria, some members of the Committee were concerned about the impact on candidates having wards span voting districts. In that the voting districts or Precincts are created by the Board of Elections, and are not created to be equal divisions of the City and can change at any time during the decade that the voting plan of the City of Jacksonville will be in place. Voting districts were created for the convenience of all elections, not just municipal elections thus creating a plan that depended on the voting districts would be unwise. Maps of the precincts and how they are aligned were presented to the Committee. It was noted that the Board of Elections group all registered voters aboard the bases into one precinct. Given that the bases have nearly one and a half times the number of the desired population of an ideal ward, any alignment that would use the precinct in which the base was located would be out of alignment. **Minority Intensive Census Blocks** – In that two districts must be created to provide a near majority of minority voters, staff developed maps that displayed the number of blocks where Black residents composed 35% or more of that Census block. The area covered by these blocks was less than in 2000, and minority majority areas were more difficult to find during the 2010 review of Census blocks than in 2000 and 1990. **Historical Black Voter Turnout** – The addresses of Black voters in the 2005, 2007 and 2009 municipal elections were compiled from voter records at the Onslow Board of Elections. The 2005 election also featured a school bond referendum and the 2009 election was the first election for the City where voters participated in the staggered system and where certain voters could vote in the race for one minority ward and one majority ward and everyone could vote for the two at large seats. The list was geocoded to maps and the plans depended heavily on reviewing areas where minority voters were aggregated. While some were

in the Census blocks with 35% or more Black residents, many were not. In creating the map, efforts were to include areas where it was likely Black voters lived.

Committee member Bob Warlick spoke about some of the challenges in creating the proposed plan as follows: As indicated, the number of minority intensive areas within the City has decreased during the last decade. The number of Census blocks – the lowest unit of enumeration for the Census Bureau – more than doubled within the City with the 2010 Census compared to the 2000 Census. The blocks with minority intensive areas did increase but not at the same rate as the doubling of the number of blocks. Census blocks with 35% or more Black residents increased from 100 to 116, but the area covered by the blocks was significantly less, and more dispersed than in 2000. Overall, Blacks were less populous in Jacksonville for the 2010 Census than were found in the 2000 Census. The Black only population dropped from 24% to 20% in the 2010 Census. In that the off base Black population is a key aggregate in the formula to devise the minority wards. Note that the off base Black population increased from 2000 for the 2010 Census, but in relation to the other growth of the City, the percentage of Black population off base, decreased from 30% to 26%. In 1980, Jacksonville was designated as the most racially diverse Metropolitan Statistical Area in the United States. The demonstration of diversity of residents continues to increase and the difficulty in locating Minority Intensive Blocks has increased. Three plans were presented to the Committee May 9, 2011. During the session, the differences in each plan were discussed. The Committee had significant, spirited and thorough discussion on the different plans. Maps of historical Black voter turnout, precincts, Census blocks with 35% or more Black residents and markers representing the residences of incumbents were provided to the Committee in large and hand-sized formats. The Committee was informed about the need to split Census Blocks, which was not preferred, but which was done in the plan created after the 2000 Census. In this case, Census Blocks with disparate populations were divided along known racial lines, or were divided to create bridges for areas of the ward. Committee members reviewed each split block and did not object to the division of the blocks. The Committee also reviewed the division of some neighborhoods and agreed that the divisions were not only necessary for the plan to work, but were logical divisions of sub-units of the neighborhood. A spirited conversation ensued about the various options. During the session, the committee reassigned blocks to different wards using a redistricting computer program that was in the room. Committee members were able to see real-time changes in the statistics of the wards including the potential effect on Black voters as they made their changes. After a significant review, the Committee unanimously elected to approve Plan “A” as presented

agreeing that the plan was the best option available to meet the criteria adopted by the Committee. And now the redistricting plan.

The current City ward map was displayed along with the proposed ward map and a detailed review of the substantial changes were presented as follows:

- Bell Fork Road is used as a dividing line between Ward 1 and 4. Census blocks created this dividing line and it will work effectively as there are only a few residences on Bell Fork Road. Residents on the Southwest side are now in Ward 1 where before they were in ward 4, the same as the North East side which remains in Ward 4.
- In the downtown area, the majority white shoreline areas were removed from Ward 1 and assigned to Ward 3.
- In Georgetown and US 17 south areas, used all of Broadhurst Road for Ward 1.
- All of the New River Air Station is now in Ward 1 instead of Ward 3
- Aboard Camp Lejeune, the border between Wards 1 and 4 shifts to that which will be created by the new entrance road, and south of Brewster, to Stone Street up to Main Service Road with areas to the west of these borders being in Ward 1, areas to the east being in Ward 4
- For Ward 4, more of Brynn Marr, south of power line to Pine Valley Road was added to the Ward. They had been in Ward 2.
- Other than the changes indicated for Ward 1, there were no other major changes.
- For Ward 2, Henderson Drive south and East of Mill Creek is no longer the dividing line between Wards 2 and 3; that now moves to Gum Branch Road. All of Gum Branch south and east is in Ward 3 from Henderson South.
- Henderson Drive extension, from Gum Branch to Western, continues as the dividing line between two and three.

The key concept is that all the majority Black areas have remained in Wards 1 and 4, and majority white areas, where possible, have been removed from these wards. In that the base was the principal area where a reduction in population occurred, larger areas of the base had to be assigned to Wards 1 and 4. No portion of Ward three has any portion of the base, and Ward two has part of the base housing split from the main part of the base. Shifts in population to mainly Ward three caused a shift in the area between the two wards around the Zack Circle and streets that connect to Marine Boulevard between Henderson and Gum Branch and the Houston Heights area.

Vice Chairman Ernie Wright discussed the effects of the plan. While the committee was concerned that they were not able to achieve a mathematical majority for Wards 1 and 4 of minority voters, we believe we are able to demonstrate that the Wards 1 and 4 will provide significant advantage to minorities. Ward 1 has an off base Black percentage of 48.3 while Ward 4 has an off base Black percentage of 44.8. This is for the total count of persons. As previously indicated, we are compelled to balance the Wards based on one person, one vote concepts that

include all persons. The count is of all people with the minority intensive areas of off base supplemented by a population on base that is unlikely to vote in municipal elections.

The mathematical advantage for Wards 1 and 4 achieved in the past for minority voters is achieved when the voting patterns of Jacksonville are evaluated.

Since 1993, the average number of votes cast in Ward 1 elections has been 255. For Ward 4, 162 votes were the average. This then becomes the universe of votes to be considered in determining an advantage to electing candidates desired by the minority community. The clear case for this construction of the wards comes from actual votes. In reviewing elections from 2003, the average turnout for Black voters is clearly higher than the majority for Wards 1 and 4. Even in 2009, when no Ward 4 candidate was on the ballot, 55% of the voters in Ward 4 were Black. In Ward 1, where there was no other candidate on the ballot, 66% of the turnout was Black. Note in 2007 when there were contested terms for Wards 1 and 4, the voter turnout was 77% for Ward 1 and 64% for Ward 4. In 2009, the first election with the implementation of the staggered terms of the Mayor and Council. The minority vote continued to be majority of the voters in Wards 1 and 4. This occurred without the contest for Ward 4 being on the ballot since it was the first 'off election' for the new four year terms.

These historical numbers are extremely important because the map we've presented maintain the same areas in Ward 1 and 4 with a few minor exceptions designed to increase the minority count in order to overcome the changes in demographics. This plan draws together the areas where there are likely Black voters and as one of the criteria adopted called for, also closely resembles the plan the citizens have come to know. To protect the plan for the next decade, the committee has recommendations for how to deal with growth.

Chairman Robert Sandy stated that the Committee was concerned about future growth of the City and how future annexations were to be assigned to Wards. It was agreed that future annexations should not be assigned to Wards 1 and 4 as any future expansion off base would likely dilute Black voters within the wards. Therefore, the Committee agreed to a guide that would be created from the extension of Henderson Drive as a dividing line between areas that would be assigned to Wards Two or Three. Areas to the West of the line would be assigned to Ward Three, and areas east of the line would be assigned to Ward Two. The City has an adopted Corridor plan that details the planned extension of Henderson Drive to Ramsey Road. The plan presented this evening, including the recommendation for dealing with growth in the future, was unanimously adopted by the full Committee.

This is the best plan that we could devise given the current state of the City and the Census numbers and blocks that we had to work with. In closing, Chairman Sandy thanked the committee for their service and recognized the support and hard work of City staff also.

Mr. George E. Mainor, expressed support for the Resolution. He said he has witnessed the City's growth since the first time he was a candidate for office back in 1983 and he felt the plan was good for the people of Jacksonville and he supported it going forward.

Mayor Phillips thanked the Committee members and staff for their diligence and commitment to this project which was an important one as it ensured and preserved the right of each citizen to have an equal voice in their government.

With no one else desiring to speak, Mayor Phillips closed the Public Hearing at 8:22 PM and reconvened the regular meeting.

A motion was made by Council Member Coleman and seconded by Councilman Thomas, and unanimously approved to adopt the Resolution and new Ward District Plan and authorize filing with the appropriate authorities.

Resolution #2011-20, Bk. 6, Pg. 396

PUBLIC COMMENT

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

NEW BUSINESS

CONSENT ITEMS

CITY/COUNTY PARTNERSHIP – ONSLOW COUNTY MANUFACTURED HOME DEMOLITION ASSISTANCE PROGRAM

Onslow County had a contract with the North Carolina Division of Pollution Prevention and Environmental Assistance to demolish 25 abandoned manufactured homes in the unincorporated areas of Onslow County and to receive reimbursements for a majority of the costs associated with demolition. The County had been advised by the State that the program could be made available to the corporate limits of the five municipalities. However, a formal agreement with the County was needed in order to include the City in the next application cycle.

Council approved allowing Onslow County to include the City of Jacksonville as a partner and directed staff to work with the County to develop an MOU to accomplish the same which will be returned to Council for final review and approval.

BUDGET AMENDMENT – TORNADO DEBRIS REMOVAL

On April 16, 2011, a tornado swept through the City of Jacksonville's Northeast Creek Park. The tornado caused damage to many trees and left debris throughout the park.

This amendment was needed to provide funds to contract out the debris removal and cleanup of the park. Since this tornado had been a presidentially declared disaster for Onslow County, the City was seeking reimbursement for the debris removal contracts costs through FEMA and the State. FEMA would provide 75% reimbursement with the State providing the remaining 25%.

Council approved the budget amendment as presented.

Ordinance #2011-35, Bk. 10, Pg. 396

**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION MUNICIPAL
AGREEMENT**

The North Carolina Department of Transportation (NCDOT) had prepared for City Council's consideration a Municipal Agreement for the black powder coating for the signal poles proposed for the Huff Drive Extension and Jacksonville Parkway projects. The work would be done in conjunction with the Department's TIP Projects No. U-4007 A and U-4007 B. NCDOT had agreed to perform said work subject to reimbursement by the City of Jacksonville.

Council authorized the City Manager or his representative to execute the Municipal Agreements for the additional work in conjunction with the Department's TIP Projects No. U-4007 A and U-4007 B and approved the budget amendment.

Ordinance #2011-36, Bk. 10, Pg. 397

**RESOLUTION IN SUPPORT OF RENAMING NC DEPARTMENT OF
TRANSPORTATION PROJECT**

NC Department of Transportation, Division 3, had requested a Resolution of Support from Council for the City of Jacksonville's request to rename two NC Department of Transportation Projects U-4007 A, White Street Extension and U-4007 B, Western Parkway. The City of Jacksonville requested that the names be changed from Western Parkway to Jacksonville Parkway and from White Street Extension to West Huff Drive in order to avoid confusion for motorists and in emergency response situations.

Council adopted the Resolution of Support as presented.

Resolution #2011-21, Bk. 6, Pg. 398

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: Carriage Run, Section IV-B at Carolina Forest; Southpointe Section II-A at Carolina Forest; The Gables and Yopp Road Relocation. 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 is unwilling or unable to provide proper surety and to extend the Surety Agreement.

TAX RELEASES, REFUNDS, WRITE-OFFS

The County/City Tax Collector and the City's Finance Director recommended releases, refunds, and write-offs of property taxes respectively \$33,293.49, \$353,347.98, and \$43.32 (\$386,684.79). The detail list of these tax releases and refunds was available in the Finance Office for review.

Council approved the tax releases, refunds and write-offs.

NON-CONSENT ITEMS

2011 COPS – SECURE OUR SCHOOLS GRANT APPLICATIONS

Chief Mike Yaniero, Jacksonville Police Department, stated that the Police Department was seeking authorization to submit an application for the 2011 COPS – Secure Our Schools Grant. The Police Department had worked in partnership with staff from Onslow County Schools to prepare and submit the proposal for the grant. The Secure Schools Partnership Grant would provide upgrades for security equipment at City middle schools and high schools.

Mr. Steve Myers, representing Onslow County Schools, stated that funds received would be applied to the following capital outlay needs within City schools: Upgrade of security and surveillance systems, add standard radios for the campus communications, and manage key systems so as to have better control of the facilities.

Chief Yaniero said that this request was to apply for the grant. If awarded, they would bring it back to Council to consider an Interlocal Agreement and acceptance of the grant.

Following a brief discussion, a motion as made by Mayor Pro-Tem Lazzara, seconded by Councilman Bittner, and unanimously adopted to authorize staff to submit the application.

WATER & SEWER ADVISORY BOARD APPOINTMENTS

In compliance with City Code 2-149, the appointment of (1) one member of the Water and Sewer Advisory Board had expired due to continued absences from regularly scheduled meetings. There were four Talent Bank Applications on file in the City Clerk's Office. These applicants had been contacted and wished to serve. Councilman Randy Thomas was the Council Liaison to the Water and Sewer Advisory Board.

Councilman Thomas nominated Robert Seavey for appointment to an existing three (3) year term expiring June 30, 2012.

A motion was made by Councilman Bittner, seconded by Mayor Pro-Tem Lazzara, and unanimously adopted to close nominations and to appoint Mr. Seavey by acclamation.

WATER & SEWER ADVISORY BOARD-SHADOW MEMBER APPOINTMENT

As authorized by City Code which provides that the Council Liaison to the Committee may make Shadow member appointments, Councilman Thomas appointed Diana Veshaw as a shadow Member to the Water and Sewer Advisory Board.

PUBLIC COMMENT

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

REPORTS

FREEDOM FOUNTAIN

Councilman Bittner announced that the Civic Affairs Committee was working hard and moving forward with fundraising efforts for the Freedom Fountain.

ONWASA UPDATE

Councilman Bittner announced that Billy Joe Farmer, former Deputy Public Services Director, had been appointed to serve as the new Executive Director for ONWASA. The next ONWASA meeting was scheduled for Thursday, May 19, 2011.

TORNADO VICTIMS FUNDRAISER

Councilman Thomas reported on the citizen's operation fundraiser for the April 16 tornado victims. Plans included BBQ dinners all day on Friday, June 3 plus a BBQ and live music event on Saturday, June 4, at the National Guard Armory. There were opportunities for sponsorships and First Citizen Bank had offered to take donations for this endeavor at their main branch on Western Blvd.

JUNE MEETINGS

Mr. Woodruff reminded Council that the next budget workshop was scheduled for Monday, June 6 at 5 PM, regular workshop Tuesday June 7 at 5 PM and regular meeting Tuesday, June 7 at 7 PM.

MEMORIAL DAY SCHEDULE

Mr. Woodruff reported that the City service schedule was altered due to the Memorial Day Observance on Monday, May 30, 2011 and City Offices would be closed.

PUBLIC PRIVATE PARTNERSHIP

Mr. Woodruff reported that in terms of downtown revitalization and the public private partnership authorized by Council, three of the houses authorized were now under construction. In addition, there was a contract pending on one of those homes.

ADJOURNMENT

A motion was made by Mayor Pro-Tem Lazzara, seconded by Councilman Thomas, and unanimously adopted to adjourn the meeting at 8:37 PM.

Adopted by the Jacksonville City Council in regular session this 7th day of June, 2011.

Sammy Phillips, Mayor

ATTEST:

Carmen K. Miracle, City Clerk

Exhibit "A"

Jacksonville City Council



May 17, 2011

Legislative Public Hearing
Fiscal Year 2011-2012 Budget

Agenda Item #1



Schedule

Mon, May 2,	Budget Workshop	5-8PM
Tues, May3	Budget Workshop	5-7PM
Mon, May 16	Budget Workshop	5-8PM
Tues, May 17	Budget Workshop	5-6:30PM
Tues, May 17	Budget Public Hearing	7PM
May & June	Additional Workshops as Desired	
No later than June 30	Budget Adoption	



Overall Comments

- **Assumption:** State not to put its financial burden on the **backs of local government**
- **Tax sharing:** Census based, **hope** for better
 - **Powell Bill Funds:** Reduced by **\$200,000**
- **Health Insurance:** 6% Increase Budgeted
 - Hope for better
- **Solid Waste Fund:** General Fund \$2Million



Overall Comments

- **New Employees:** Not in budget
 - Council Decision
- **Wage Adjustment:** Not in budget
 - Council Decision
- **No tax increase proposed**



Fund Balance History

Year	Adopted Budget	Amount Spent	Fund Bal Changes	Closing Balance
2007	4.0 Million	- 0 -	+ 110,550	14.7 Million
2008	2.5 Million	- 0 -	+ 476,029	15.2 Million
2009	4.9 Million	- 0 -	+ 737,122	15.9 Million
2010	3.5 Million	- 0 -	+ 1,668,506	17.6 Million
2011	2.4 Million	- 0 -	+ 870,602	18.5 Million*
2012	4.7 Million			**

* Projected
** 2012 Figures are proposed at this time



General Fund FY12

Revenue	Amended FY11	Proposed FY12
Property Tax	18.4 Million	18.8 Million
Sales Tax	11.6 Million	11.3 Million
Other Taxes & Licenses	1.8 Million	.9 Million
Appropriated Fund Balance	3.1 Million	4.7 Million
Total	45.2 Million	46.8 Million
Expenditures	45.2 Million	46.8 Million



Water/Sewer Fund FY12

Revenue	Amended FY11	Proposed FY12
Total	25.5 Million	27.6 Million
Expenditures		
Total	25.5 Million	27.6 Million



Solid Waste Fund FY12

Revenue	Amended FY11	Proposed FY12
Total	5.9 Million	5.8 Million
Expenditures		
Total	5.9 Million	5.8 Million



Stormwater Fund FY12

Revenue	Amended FY11	Proposed FY12
Total	3.0 Million	3.4 Million
Expenditures		
Total	3.0 Million	3.4 Million



Where Does Property Tax Go?



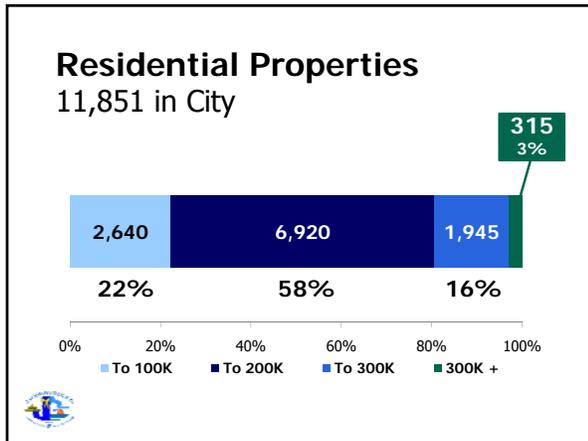
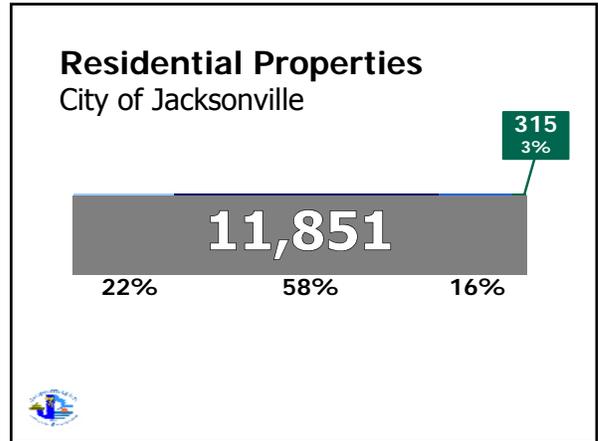
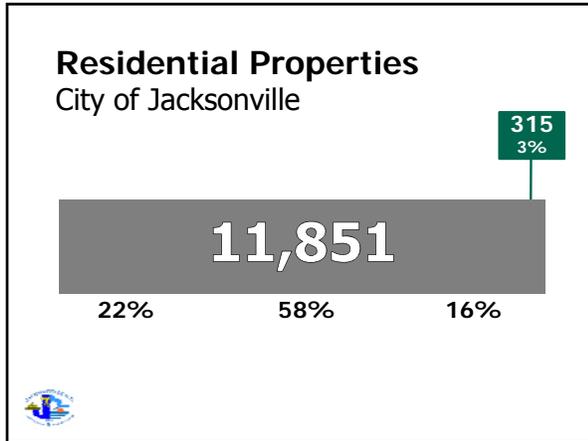
Proposed Positions

Amended FY10	Amended FY11			Proposed FY12		
	Full Time	Part Time	Seasonal	Full Time	Part Time	Seasonal
Total	543	9	49	543	9	49

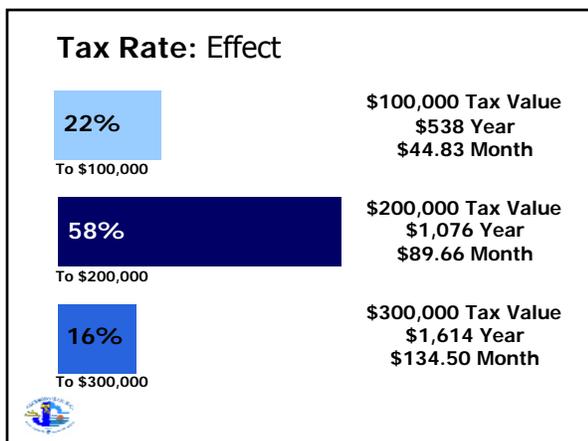
Requested Positions

Requested FY12		
Full Time	Part Time	Seasonal
18	2.9	.84





Tax Rate 53.8 Cents



- ### What Do You Get?
- Police: 3.35 Minutes Average Response Time
 - Fire: Less than 7 Minutes Response for 89.4% of calls
 - Jacksonville-Onslow Government Television
-

What Do You Get?

- Sanitation:
 - Garbage collection once-a-week
 - Yard waste collection once-a-week
 - Recycling at curb once-a-week
- General Government services
 - Planning
 - Administration



What Do You Get?

- Streets
 - Clean, Neat, Serviceable
 - Curb and Gutter
- Environmental Responsible City
 - Restoration and Protection
- Mosquito Control: More intensive



What Do You Get?

- Code Enforcement
 - Reacting to Citizen requests
- Recreation & Parks
 - Programs
 - Parks
 - Athletics
 - Quality of Life



What Do You Get?



Basic Cable & Internet



\$82 a Month



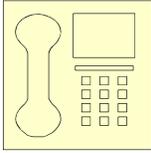
Eating Out



Once per week for Two
\$20 a Week
\$1,040 a Year



Wireline Phone



\$40 a Month



Cell Phone



\$50 a Month
\$600 a Year



The Movies



Evening Adult \$9.75
2 People = \$19.50
Once a month = \$234 Year

Priceless



Tax Yield



\$331,948



Schedule

Mon, May 2,	Budget Workshop	5-8PM
Tues, May3	Budget Workshop	5- 7PM
Mon, May 16	Budget Workshop	5-8PM
Tues, May 17	Budget Workshop	5-6:30PM
Tues, May 17	Budget Public Hearing	7PM
May & June	Additional Workshops as Desired	
No later than June 30	Budget Adoption	



May 16, 2011

Mr. Mays, Council, Dr. Woodruff,

For the second year, I am unable to attend the budget hearing. Last year I was doing the census and this year I have to be with my wife during her recovery.

I do hope, however, that you will allow my thoughts to be read.

Since the current recession began the private sector (you know, the one that actually produces) has lost 8.5 million jobs, while the least productive sector, the government, has added over 250,000 positions.

Now with the current proposed "budget" Jacksonville wants to join in by hiring more employees.

Businesses are asking their current employees to do more with less, some pay cuts are also being made. Benefits are being ~~reduced~~ slashed to allow companies to survive this period.

City department heads, meanwhile, ask for new positions, 18 requested for this budget year. As always JPD leads the pack with the fire department not far behind. In the past these departments alone require more money than is collected for the entire

3)

City's ad valorem tax. That's right only two departments.

If a business hopes to survive the recession (which supposedly ended in July 2009) further cuts in wages, benefits, waste and wants must be made. Government could and should take a lesson from industry and do the same. Learn a new word - CUT in my dictionary there are 71 definitions of the word cut - none of which said hire, add to or increase. I feel like the current proposed budget with a \$1,585,439 increase (3.5%) regardless of having no tax rate increase is uncalled for at this time. Let's take another look at what we can and should CUT to help the taxpayers, those folks that didn't get a pay increase, social security increase, etc and who face a never ending rise in food and gasoline costs. When things get good again, and they will, then we can do some of the things the proposed budget wants to fund now.

Thank you,

Phillip B. Lane
Phillip B. LANE