

A Butner Town Council Work Session Meeting was convened in the meeting room at South Granville Water and Sewer Authority (SGWASA) located at 209 West C Street, Butner, NC 27509 on Wednesday, **April 21, 2010**, beginning at 7:00 PM.

Present and Presiding:

Mayor:

Council Members:

Thomas Lane
Vickie Cates-**absent**
Christene Emory
Linda Jordon
Bill McKellar
Edgar Smoak
Terry Turner
Thomas Marrow
James Wrenn, Jr.
Dianne White

Town Manager
Town Attorney
Town Clerk

1. WELCOME AND CALL TO ORDER ... by Mayor Lane

Mayor Lane welcomed all in attendance; he noted Ms. Cates being absent due to work commitments.

2. ROLL CALL ... by Clerk

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation given by Ms. Jordan and Pledge of Allegiance led by Mr. Turner.

4. APPROVAL OF APRIL 1, 2010 MEETING MINUTES

Clarification was requested as to two (2) ordinances adopted at last meeting (Abandoned Vehicles and Revisions to Town Nuisance Ordinance) ... were they effective "immediately" on 4/1/10 or a period of time granted – up to 30 days. Following discussion, it was determined these two (2) ordinances were adopted – will take effect immediately on 4/1/10. Minutes were acceptable as written. The Town Manager said Staff will take "complaint driven" approach regarding these ordinances. The Town Attorney said this will involve close coordination with his office and Town Staff in regards to enforcement action – caution is needed with first few complaints – making sure we don't violate State law(s), etc.

Minutes of meeting held on 4/1/2010 were approved on a motion by Ms. Jordon, seconded by Mr. Turner. All present voted in favor.

5. ADJUSTMENTS TO AND/OR APPROVAL OF APRIL 21, 2010 MEETING AGENDA

The Town Manager noted a \$1500 line item in Sports Arena budget – cleaning contract (previously done by Murdoch) – now being done by Town’s Public Works crew. Marrow requested the \$1500 be moved to supplies line item to purchase flags, trash receptacles and cigarette urns for SMSA.

This request was approved on motion by Mr. McKellar, seconded by Ms. Emory – all present voted in favor.

The Mayor said Mr. Bailey (agenda item 8) will not make a presentation tonight; therefore, that item was deleted.

6. MONTHLY FINANCIAL REPORT

Susan Hiscocks said nothing remarkable in the month end (March) financial report – everything is on schedule. She noted close out of property sale with Rosemyr will be reflected in April (bringing Town of Butner from red to black) for the year! We have no expenses over budget – property tax collections as of April are above what was budgeted; therefore, she complimented the tax office on collections during economic times.

This report was approved/accepted as presented on motion by Mr. Smoak, seconded by Ms. Jordon – all present voted in favor. SEE ATTACHMENT “A”

7. PUBLIC COMMENT PERIOD ... None

8. ~~REQUEST TO APPEAR BEFORE COUNCIL BY GUS BAILEY, 200 8TH STREET, BUTNER ON SEVERAL ISSUES~~

9. PUBLIC HEARING(S)

A. **Installment Financing of Construction of Town Hall Building (SEE ATTACHMENT “B”)**

Public Hearing Notice ran in the *Butner-Creedmoor News* on 4/1/10 for tonight’s meeting. This public hearing is to discuss the need to build a new Town Hall. The Manager will have the rendering and set of plans at the meeting.

Marrow said this is part of LGC’s requirements ... Town prepares financial package for LGC to review/approve before the new Town Hall is built. He had a large color rendering of Town Hall on display for all to see (brick building next to SECU with SGWASA leasing space in the rear of the building, administrative offices for Town Hall Staff, an exhibit hall to showcase history, cultural resources, etc.). Council Chambers with 90-seat capacity and a large multi-purpose room for various meetings also inclusive. The Manager had

floor plans for anyone wishing to review. Butner Town Hall will share a driveway with SECU --- an agreement is in place between the two (2) – this should help with driveway cuts on Central and better flow of traffic with a widened and improved “shared” driveway. A road will be built back of SECU/Town Hall to D Street ... everyone is excited about plans. Estimated cost is \$2.5 Million ... after bids are in, project could run less. Butner is approved to borrow up to \$2 Million for ten (10) years – difference will come out of Town’s Fund Balance. Following a question – how many parking spaces, Marrow and Hodges said 1 per 300 SF – they checked layout. Staff is striving to build a “green” and/or environmental friendly Town Hall (both inside and outside). Responding to a question from Eva Perry, Marrow said construction should start 8/1/10 ... and run 10-12 months. After Marrow addressed several other questions from citizens, there being no further comments; Mayor Lane closed the Public Hearing.

10. COUNCIL CONSIDERATION – RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NCGS §160A-20 (SEE ATTACHMENT “C”)

This resolution authorizes the Council to borrow the money to construct a new Town Hall.

This Resolution was approved on motion by Mr. Smoak, seconded by Ms. Jordon. All present voted in favor.

11. COUNCIL CONSIDERATION – REIMBURSEMENT RESOLUTION FOR TOWN HALL FINANCING (SEE ATTACHMENT “D”)

This Resolution is needed in order to reimburse the Town for any horizontal or vertical costs associated with the construction of Town Hall.

The Reimbursement Resolution was adopted by motion (Council Member Emory), seconded by Council Member Turner. All present voted in favor.

12. COUNCIL CONSIDERATION – DAVIS-MARTIN-POWELL (DMP) ENGINEERING REPORT FOR 14TH AND C STREETS (DRAINAGE ISSUE)

The Town received several complaints over this past wet winter concerning water standing in street ditches and some minor flooding problems. The area of 14th Street is very flat. The Manager asked Davis-Martin & Powell (DMP) to survey the ditches to see what was causing the drainage problems. Some are obvious and some not. Marrow has DMP’s plans on how to correct the immediate problems. The Public Works Committee will review the 14th Street problem on Monday and report their findings Wednesday night. We will have to hire private contractors to complete this work. The Manager estimates approximately \$20,000 for construction cost and \$7,000 for engineering services.

Marrow explained the problem ... he said driveway pipes are clogged with silt – one driveway pipe is tilted the wrong way (over a period of 20-30 years possibly) not allowing water to drain out to a pipe under 14th Street down to C Street and out of the area. However, the Manager said the “major problem” is on West side of 14th Street. Over the years the water has cut a new course – not following the ditch down C as it was designed to do. He explained how to alleviate the problem – 301 and 303 driveway pipes need to be removed, dig those ditches deeper and put larger pipe back in place. We’ll need a contractor to do fine grading, assure pipes, etc. all line up. Marrow suggested he meet with the neighborhood residents and explain what will be done to correct these problems (at no cost to citizens). Marrow said the Town can’t fix matters on private property (Ellis Apts – C Street) ... contact has been made to property owner but no response to date.

Council Member Smoak said the PW Committee concurs with findings. Smoak expressed concern the entire problem can’t be fixed unless property owner(s) respond/take care of matters and the Town has to do whatever is necessary to include going through legal channels. Smoak recollected history of the drain being installed in 1942. The Mayor indicated he sees this as two (2) projects: 1) Work on 14th Street and, 2) Take on drainage issues through Ellis property (legal issue). Lane said he believes there is a catch basin, put in by apartment complex, apparently caving in.

Therefore, Mr. Smoak (Chair of PW Committee) motioned to approve the request from the Manager and get started with the project. Also, allow Manager and/or Attorney to follow up/get situation resolved between the two (2) streets. In the motion, included a budget amendment (\$30,000 from Powell Bill funds) to correct the problem ... Marrow feels the project will not cost the entire \$30,000. This motion was seconded by Council Member Emory. All present voted in favor.

13. COUNCIL CONSIDERATION – MEMO OF UNDERSTANDING SUPPORTING THE GREATER TRIANGLE STEWARDSHIP DEVELOPMENT AWARDS PROGRAM

This GTSD is a new program whereby local communities will try to encourage sustainable growth ideas by creating awards to developers who meet the GTSD criteria. Sustainable growth would include low impact development on the environment, less stormwater runoff, be more pedestrian friendly, and build multi-use or planned unit development (PUD) style developments to encourage less traffic congestion and improve air quality to name a few. Melissa will answer any questions you may have concerning this program.

Following a briefing from the Planner, this initiative spearheaded by Triangle “J” COG involves local governments and private companies very much interested in the environment to partner (to include Chatham, Durham, Franklin, Granville, Johnston, Orange and Wake counties). Mayor Lane said this should go a long ways with developers looking at our community to know we are serious about wanting good development. The Attorney cautioned “Memo of Understanding” ... it was suggested changing to “Resolution of Support” from the Town of Butner.

Therefore, on a motion by Council Member Smoak, duly seconded by Mayor Pro-Tem Jordon, it was moved to approve a Resolution supporting Greater Triangle Stewardship Development Awards Program, along with Melissa Hodges being Butner's representative of this organization. All present voted in favor. (SEE ATTACHMENT "E")

14. COUNCIL CONSIDERATION - ADDITION OF TWO (2) MEMBERS TO BUTNER PARKS & RECREATION ADVISORY BOARD

The two (2) names that have been submitted for your consideration are: Michel Branch and Buddy Thompson.

This will help diversify our recreational interest on the advisory board (not everyone is athletic) and it will help with quorums.

Following a briefing by the Planner (divulging attributes of both Branch and Thompson), a motion to approve was made by Ms. Jordon, seconded by Mr. McKellar. All present voted in favor.

The Council inquired about by-laws. Hodges said this Board has expressed interest in looking into Parks & Rec by-laws. No other individuals have expressed interest to serve on this Board to date. Council Member Turner commented that Parks & Rec members want to be there for meetings which lead to a "job well done". Mr. McKellar spoke well of Mr. Thompson.

15. DISCUSS MUNICIPAL CODE ORDINANCE AMENDMENTS

- A. Minimum Housing Code Ordinance
- B. Non-Residential Building and Structure Code
- C. Fire Prevention Code

These are the more involved codes we felt everyone needed more time to read and digest. Jim will try to answer any questions you may have concerning these municipal codes.

Wrenn addressed a question pertaining to "Public Officer" (which is Town Manager and/or his designee). He also told Council that Staff will need to get with Granville County on matters pertaining to this ordinance, as well as B above. Butner will need to obtain assistance from County inspectors; as a result ... an expense to Butner. **Regarding A, Ms. Jordon made a motion to accept the proposed ordinance drafted by Town Attorney Wrenn as the draft to go to public hearing and that the Council hold a Public Hearing on the ordinance at the Council's May 19th Meeting. This motion was seconded by Ms. Emory - all present voted in favor.**

Regarding B, likewise as in A above, Mr. Turner made a motion to accept the proposed ordinance drafted by Town Attorney Wrenn as the draft to go to public hearing and that the Council hold a Public Hearing on this ordinance at

the Council's May 19th Meeting. This motion was seconded by Ms. Jordon – all present voted in favor.

Regarding C, Wrenn said he added penalty section. Mr. Smoak said he still has a problem with residents in the core part of Butner being unable to burn leaves, etc. Ms. Jordon questioned whether the Town will provide leaf pick up services, etc. This led to various other questions and discussion related to cost, time limit for burning if allowed, composting of leaves, educating citizens; therefore, it was decided this item needs more thought and, ultimately, was tabled. The Staff will study and bring alternatives to Council.

16. REPORTS

- Town Manager
 - COG Dinner tomorrow night, 6:30 at SMSA
 - Striped the parking lot at SMSA – looks nice
 - Pine tree has to be taken out of park at which time a handicapped port-a-john will be installed
 - First Budget Meeting tentatively set for 5/4 – will firm up later
 - Advertising for Forester Management services
 - We are in final design stages of Central Avenue Sidewalk Project
 - Advertisement for Town Hall Construction bids to go in newspapers tomorrow
- Attorney
 - Wrenn and Marrow met with 3 graduate students from Duke regarding students studying nitrogen and phosphorous reductions on 750 acre tract, etc. Students came up with look at timber management (however, Wrenn and Marrow feel this is best handled by experts such as forester management services through RFQ process noted above by Manager). Wrenn asked for feedback --- work with Duke students to see if they can quantify any possible nitrogen and phosphorous reductions on 750 acres through certain timber management practices (non binding as a research project for the students). This info could be helpful to Butner in the long run. All agreed this is a win-win situation – go forward. Wrenn said he would make contact with Duke students
 - Town has been contacted by Ruffin Woody --- he would like to donate 50 acres on Central (leaving Town) to Butner. Currently used as timber growth. Woody's attorney is asking that Butner pay cost of survey, Phase I environmental assessment, title search/deed prep, etc. Wrenn received confirmation there are no known environmental issues or boundary problems with the Woody property. There is a creek running through property – large contributory into Falls Lake. Wrenn estimates \$5,000 for survey costs, \$1500-\$1700 in Phase I environmental study, \$300-\$1000 title research ... thus Butner would acquire 50 acres for roughly \$7,000-\$8000. Marrow said this would be a nice buffer for the Commerce Center, etc. and interstate. Wrenn said he feels, at a minimum, the Town can get the expended monies noted above back by harvesting timber. ***Therefore, on a motion by Mr. McKellar, seconded by Ms. Emory it was moved to authorize the Attorney to proceed with property acquisition. Also,***

included in the motion was a Budget Amendment for \$8,000 to provide for services. All present voted in favor. Wrenn said he would report back if any problems.

- Planner
 - Zoning BOA is meeting tomorrow night on a variance (property is in ETJ)
 - 4/26 Public Meeting on Pedestrian Plan ... Consultants and Town Staff will have a booth at Chicken Pickin to get input on Granville Greenways – Hodges distributed flyers (info will on Butner website)
 - Update on Projects: 1) Butner Athletic Park – waiting to hear something in May on grant, 2) Greenways – Granville County is about to start contacting property owners w/meetings in May to work out easements, Butner is working on Greenways, Inc contract, DOT had some questions, things are going well for now, 3) SRTS – everything has been submitted to DOT/will be using DMP as engineer, 4) Parks & Rec Advisory was asked to give recommendations to long term uses/goals of park. Hodges said they like uses (yard sales); however, may quickly outgrow being restricted to right-hand side of park – possibly a Master Plan (G Street) to include a farmers market, etc. and/or acquiring adjacent Gazebo Park properties, concern about basketball court (on school property), happy with improvements to park, especially playground area, 5) looking into a possible grant for a farmers market, and 6) a Parks & Rec member is interested in helping with facebook page on Lake Holt (grant through Granville Tourism, K Wolford will assist as well, they are looking at other activities for Lake Holt ... community camp fire and fishing tournaments with Parks & Rec hosting.

17. OTHER MATTERS

- STATUS/UPDATE ... New Town Hall
- STATUS/UPDATE ... Community Building – Mr. McKellar said no new info at the moment, waiting for legislators to go back in session ... no Community Building Committee meetings in April but plans are to meet in May. Notification will go out in advance. Mayor Lane added – he heard from Stovall with DOC – talk was possibility of opening female minimum security unit on old Umstead Corrections property; however, it appears there is no money for this and it won't happen. Butner is still at top of list for consideration of this property. Lane made a strong pitch to Stovall for potential use of John Umstead property for correctional needs. Lane stressed community is not unwilling to consider correctional unit; however, location is very important (undesirable in the middle of town).

18. COUNCIL COMMENTS

Mr. Turner questioned agreeing on port-a-johns at last meeting. He would rather see permanent fixtures, etc. The Mayor said it takes time to plan, construct restrooms ... port-a-johns would be a temporary fix. Mr. Smoak said he likes the temporary fix for now ... park adjoining property matters are up in the air. ***There was a motion made by Mr. McKellar, seconded by Mr. Smoak to move forward with port-a-john(s)***

temporarily and start planning to build permanent facilities. All present voted in favor (with the exception of Council Member Turner, who voted “no”).

Ms. Jordon mentioned naming rooms in the SMSA (possibly after service people from the past).

Mr. Smoak said he came across a postcard from Camp Butner, WWII. He requested budget money (line item set aside) in an effort to duplicate “history” material.

Mr. McKellar has talked with Habitat folks; next step is for Butner to choose a particular lot to convey to Habitat. They, in turn, will send a board member who is a realtor to recommend “acceptable” or “not acceptable”. McKellar said he feels the Council needs to make a choice. Wrenn said lot can be donated with a deed restriction to be used for the specific purpose; however, the Attorney has reservations about Habitat deeding it to a private individual who can sell the property. The Mayor wondered about setting a precedent with a donation to Habitat. Wrenn said it’s the Council’s call ... donations to non-profits. McKellar said he will check/research what other entities have done. Rob Brown (Wrenn’s office) made some comments. Marrow offered to show anyone the suggested lots. McKellar stated he cannot make the meeting Monday night (Pedestrian Transportation Plan); however, it was noted Vickie Gates will be in attendance.

Mayor Lane said he has been asked by reps from Central Regional Hospital (CRH) about the Town’s interest in incinerator building (Central Av/Veazey Rd) – an eyesore. Lane said major structural repairs are needed (it might be prudent to engage a structural engineer to look at it as well as an environmental assessment done). It appears the choices are: tear down the structure or is there interest in preservation of historic building. Smoak said he would like to see these incinerators saved IF economically feasible. The Mayor will make contact with CRH.

Marrow said movers are backed up at the moment; plans are to move the house across B Street around mid May ... contacts will be made with the NCNG.

19. ADJOURNMENT

There being no further business, the meeting was adjourned on motion by Ms. Jordon, seconded by Mr. Smoak. All present voted in favor.

Respectfully submitted,
Dianne E. White, CMC
Town Clerk

Thomas Lane, Mayor
Town of Butner