

**Village of Misenheimer  
Council Minutes  
Community Building  
July 9, 2012 7PM**

<b>Council Present:</b>	Michael Riemann, Mayor	<b>Visitors Present:</b>	Erik McGinnis, Chief of Police
	Michael Herron, Mayor Pro-Tem		Dara Oliver, Resident
	Michael Burrage, Finance Officer		Kevin Oliver, Resident
	Jim Gulledge, Council Member (Excused 7:30-7:48PM, Excused from Meeting at 8:15PM)		
	Peter Edquist, Council Member (Arrived 7:03PM)		
	Pam Humphrey, Administrator/Clerk		

**Call to Order:** Mayor Riemann called the Council meeting to order at 7:00 PM declaring a quorum present.

**Introduction of Visitors:** Visitors noted above were welcomed to the Council meeting.

**Approval of Agenda:** Herron made a Motion to revise the Agenda for the July 9, 2012 Council Meeting in order for the Mayor to preside over Oaths given to Pam M. Humphrey (Administrator/Clerk/Deputy Finance Officer/Budget Officer) and Erik S. McGinnis (Chief of Police/Flood Plain Administrator/Zoning Officer). Burrage seconded the Motion and it was approved by a vote of 4/0 (Edquist was not present at this time for the vote). The Oaths were taken immediately after the vote was taken.

**Approval of June 11, 2012 Minutes and June 11, 2012 Closed Minutes:** Herron made a Motion to accept the June 11, 2012 Minutes with no revisions. Burrage seconded the Motion and it was approved by a vote of 5/0. Pam Humphrey, Administrator, handed out the June 11, 2012 Closed Minutes for review by the Council members. Herron made a Motion to accept the June 11, 2012 Closed Minutes with no revisions. Edquist seconded the Motion and it was approved by a vote of 5/0.

**Council Meeting Time Change from 7PM to 6PM Starting with the August 13, 2012 Council Meeting:** Herron made a Motion to change the meeting time from 7PM to 6PM starting with the August 13, 2012 Council Meeting. Edquist seconded the Motion and it was approved by a vote of 5/0. Pam Humphrey, Administrator/Clerk, will notice all appropriate parties.

**Centralina Council of Governments (CCOG) CONNECT Memorandum of Understanding Presentation, Discussion, and Approval and CONNECT Consortium Appointment of Staff and Elected Officials:** Mayor Riemann advised Council regarding the \$5MM grant that was awarded to the CCOG to develop a community-based, regionally-inclusive strategic framework for action to help communities address economic growth, quality of life, and fiscal stability now, and to create better prospects for our children and grandchildren. CCOG is requesting the Village to approve a Memorandum of Understanding in support of and commitment to the CONNECT project over the next three (3) years thereby allocating approximately twenty (20) hours of Village staff time per year. The CONNECT Consortium is regional in that it includes counties in NC and SC. We have been informed that Anson County has declined to participate in the CONNECT Consortium. Mayor Riemann commented that active participation in the CONNECT Consortium allows the Village to influence its outcomes. Herron made a Motion to approve the CCOG CONNECT Memorandum of Understanding. Burrage seconded the Motion and it was approved by a vote of 5/0.

Gulledge made a Motion to accept the CONNECT appointments as follows: Pam Humphrey, Administrator/Clerk, would be listed as the primary staff contact. Erik McGinnis would be listed as the alternate staff contact. Mayor Riemann would be listed as the primary elected official contact. Mike Herron would be listed as the alternate elected official contact. Edquist seconded the Motion and it was approved by a vote of 5/0.

Mayor Riemann and Mayor Pro-Tem Herron plan to attend the CONNECT Consortium Launch in Charlotte on Thursday, July 26, 2012.

### **Administrative Report:**

Mayor Riemann updated Council regarding the engagements that he attended and/or participated in since the June 2012 Administrative Report.

- **Powell Bill Sidewalk Project:** Mayor Riemann advised Council that the FY 11/12 Powell Bill Sidewalk project had received its final inspection by NCDOT on July 2, 2012. However, there is one remaining resident concern regarding their driveway that came to light after the final inspection. Mayor Riemann is examining the situation to determine the appropriate corrective action to pursue. In addition, ongoing maintenance will need to be arranged to keep grass from growing over the sidewalk.
- **Ethics Training:** Mayor Riemann advised Council that we are still coordinating with Richfield to make arrangements to provide the required Ethics course via a webinar for Council members Jim Gullledge and Mike Burrage. Arrangements have not been finalized at this time.
- **Gladstone Academy Soil Testing:** Mayor Riemann advised Council that soil testing had been performed at the Gladstone Academy property and on a lot adjacent to the Gladstone Academy property to determine the possible sites to locate septic services should they be needed. The testing was performed by Thompson Environmental Consulting, Inc. located in Locust, NC. The results of the soil testing indicate that there is an area on the Gladstone Academy property that would be suitable for septic services with a capacity of up to 450 gallons per day. The recent soil testing gives the Village valuable information to continue to evaluate and plan for possible renovation and restoration avenues for the Gladstone Academy property.
- **NCDOT Community Sidewalk Planning Grant Application Status:** Mayor Riemann advised Council that the Village had received a letter of declination regarding the NCDOT Community Sidewalk Planning Grant that had been submitted for consideration in 2011. The grant application had included Richfield and New London as community partners.

Chief McGinnis advised Council regarding the following items:

- **June 2012 Monthly Police Report:** Chief McGinnis advised Council that with Pfeiffer University on summer break, there are no campus related violations.
- **Stanly County Radio Study Status:** Chief McGinnis advised Council that he has been participating in a study for Stanly County to determine changes to the radio system currently in place. The study is aligned with Homeland Security's Urban Areas Security Initiative (UASI). Motorola equipment is being considered. There could be a cost to the Village for upgrading the radio system in the county. Initial estimates are approximately \$1,500-\$2,000 per year.
- **Disposal of 1994 Ford Crown Victoria Police Vehicle:** Chief McGinnis advised Council that he had researched numerous options for disposing of the 1994 Police Vehicle. The recommended option is to sell the vehicle for scrap to a local scrap metal vendor at 9-11 cents per pound. Burrage made a Motion to approve for the 1994 Police Vehicle to be disposed of by selling the vehicle to a local scrap metal vendor whose proceeds would be deposited in the General Fund. Edquist seconded the Motion and it was approved by a vote of 4/0 (Gullledge did not vote as he was away on an excused absence from 7:30-7:48PM).
- **Resolution of Pfeiffer Keys:** Chief McGinnis advised Council that the Pfeiffer keys lost on May 18, 2012 by a Village Police Officer were recently returned to Sharon Bard, Pfeiffer's Director of Facilities. It appears that the keys were turned in to Pfeiffer staff shortly after their loss. However, the lost keys were then not given to Sharon Bard, Pfeiffer's Director of Facilities, until recently. Village Police key inventory and key procedures have been evaluated and modified accordingly to strengthen and ensure proper access and control over all keys in the possession of the Village Police. The Village may be responsible for consulting fees that Pfeiffer incurred to determine possible re-keying options.

Pam Humphrey, Village Administrator, advised Council regarding the following items:

- **General Fund Monies Expended in FY 11/12 toward the FY 11/12 Powell Bill Sidewalk Project:** Upon further investigation with the NCDOT Powell Bill Audit staff, we were advised that **only** FY 12/13 expenditures made from the General Fund that are approved Powell Bill reimbursable expenditures towards the FY 11/12 Powell Bill Sidewalk project can be accounted for as a Receivable from the Powell Bill Fund. Future Powell Bill receipts budgeted and anticipated to be received during FY 12/13 would then be allowed to reimburse the General Fund for FY 12/13 General Fund monies advanced to the Powell Bill Fund in order to complete the FY 11/12 Powell Bill Sidewalk Project. The Powell Bill Sidewalk project was given a final inspection by NCDOT on July 2, 2012. We do not anticipate any FY 12/13 expenditures related the FY 11/12 Powell Bill Sidewalk project. Therefore, the FY 11/12 Budget Ordinance Amendment approved at the June 11, 2012 Council Meeting should be rescinded as it is not applicable or allowable. Edquist made a Motion to rescind the June 11, 2012 FY 11/12 Budget Ordinance Amendment pertaining to the FY 11/12 Powell Bill Sidewalk project. Herron seconded the Motion and it was approved by a vote of 5/0.
- **Status of BB&T Police Vehicle Financing:** We continue to work with BB&T to complete the requirements for the financing of the 2012 Dodge Charger Police vehicle. Another attorney had to be secured to complete the attorney opinion letter. In addition, BB&T extended their financing RFQ with the same terms as the original May 11, 2012 RFQ that expired after forty-five (45) days. Mike Burrage, Finance Officer, modified the BB&T Resolution approved June 11, 2012 to refer to the July 2, 2012 BB&T RFQ date.
- **Inquiry Regarding Council Interest in City Attorney Firm Change:** The Village has been solicited to consider other or additional municipal attorney services. Council requested that this item be re-considered at the August 13, 2013 Council Meeting.

**Tuesday, August 28, 2012 COG Dinner at 6:30PM Program and Planning:** Mayor Riemann advised Council that the Village has made arrangements to secure the Community Room in the Stokes Center on the campus of Pfeiffer University for the Stanly County Council of Governments dinner scheduled for Tuesday, August 28, 2012. Dr. Terry Griffin, Superintendent of Stanly County Schools, has committed to be our dinner speaker.

**Noise Ordinance Discussion:** Council received a draft Noise Ordinance at the March 12, 2012 Council Meeting for their review and comment. Council discussed specifics regarding the draft Noise Ordinance at the July 9, 2012 Council Meeting. Chief McGinnis advised Council regarding Ordinance enforcement. Pam Humphrey, Administrator/Clerk, advised Council regarding legal verbiage considerations discussed with staff at the NC School of Government. Council was concerned that the legal verbiage in the draft Noise Ordinance covered the noise situations that have occurred in the Village and would therefore be considered a violation with the adoption of a Noise Ordinance. Council was also concerned that a Noise Ordinance be in place by August 2012 as students arrive back on campus by mid-August.

Council instructed Chief McGinnis to continue his enforcement research. In addition, Council instructed Pam Humphrey, Administrator/Clerk, to have the City Attorney review the draft Noise Ordinance legal verbiage and to have a revised draft available for Council's review prior to the August 13, 2012 Council Meeting.

Edquist made a Motion that the final Noise Ordinance be considered for approval at the August 13, 2012 Council Meeting. Herron seconded the Motion and it was approved by a vote of 5/0.

**Adoption of Suggested Rules of Procedure for a City Council as Council Meeting Procedural Guidelines:** Some Council members have not had time to read the publication provided by the Village after the June 11, 2012 Council Meeting. Council requested that this item be included on the August 13, 2012 Agenda for consideration.

**Zoning Ordinance Modification:** Mayor Riemann presented a letter addressed to the Village from New London Mayor Calvin Gaddy. New London has been using planning services from the NC Department of Commerce's Division of Community Planning to assist the town in planning and ordinance development. New London is pleased with their staff, the quality of the work product, and the nominal expense of mileage, meals, and lodging if necessary. Mayor Riemann

suggested that Darren Rhodes, Chief Planner, attend the August 13, 2012 Council Meeting to advise Council in more detail regarding the services that his Division could provide to the Village. Mayor Riemann also suggested that the Planning Board Members be invited to the presentation. Council was receptive to the upcoming presentation.

**Decision on Whether to Pursue Sewer Discussions:** Mayor Riemann advised Council that upon completion of the recent sewer study conducted for the Village by Chambers Engineering that further discussions were in order with other sewer stakeholders to continue to determine possible funding sources and those interested in a sewage development partnership. The Mayor's goal is to continue discussions with other sewer stakeholders regarding extending the existing sewer line. Edquist made a Motion to approve for the Mayor to engage in discussions with other sewer stakeholders. Herron seconded the Motion and it was approved by a vote of 4/0 (Gulledge was not present for this vote).

**Other Business:** Mayor Pro-Tem Herron was concerned about the speed humps located on Merner Terrace. His concern is that cars drag over the humps. He also advised Council that he had seen elevated crosswalks on other college campuses that he had recently visited that may be a replacement option for the speed humps. Chief McGinnis advised that the speed humps currently keep Gray Stone and Pfeiffer students from speeding on Merner Terrace. Chief McGinnis was instructed to discuss options with Sharon Bard, Director of Facilities for Pfeiffer University. Mayor Riemann will discuss options with NCDOT officials as Merner Terrace is a road that NCDOT maintains. The additional information will be discussed again at the August 13, 2012 Council Meeting.

**Adjournment:** The Council adjourned the meeting at 8:35 PM.

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J. Michael Riemann, Mayor	Date	Pam M. Humphrey, Administrator/Clerk	Date

**The next Council Meeting is scheduled for Monday, August 13, 2012 at 6PM at the Community Building.**