



City Council Regular Meeting Minutes Monday, June 4, 2012

The regular City Council meeting of the City of Claremont was held in the Council Chambers at City Hall at 7:00 p.m. on Monday, June 4, 2012.

The following members of the Claremont City Council were present: Mayor David Morrow, Mayor Pro Tem Timothy Lowrance, Councilmember Shawn Brown, Councilmember Nicky Setzer, Councilmember Dale Sherrill and Councilmember Dale Setzer.

The following personnel of the City of Claremont were present: City Manager, Doug Barrick, City Attorney, Bob Grant, Finance Officer, Stephanie Corn, Administrative Support Clerk, Mandy Buff, Police Chief, Gerald Tolbert, Police Captain, Gary Bost, Fire Chief, Gary Sigmon and Public Works Director, Tom Winkler.

Others in attendance were: Henry Helton, Laurie LoCicero, Susan Tucker, Jason Lowrance, Robert Smith, Andrea Ramsey, Eric Jones, Allie Setzer, Abbie Setzer, Selina Setzer, Dayne Miller, John Lentz, Gene Monday, Nathan Sherrill and Lisa Treadaway.

1. CALL TO ORDER

Mayor David Morrow called the Claremont City Council meeting to order at 7:00 p.m.

2. APPROVAL OF AGENDA

The planning contract with Western Piedmont Council of Government's was added to the agenda under item number 10 letter H.

3. INVOCATION & PLEDGE OF ALLEGIANCE

The invocation was led by Reverend George Hilton from Light House Ministries. Councilmember Nicky Setzer led the Pledge of Allegiance.

4. MAYOR'S REPORT

Mayor David Morrow stated we had a great turn out at the Mayor's Prayer breakfast that was held on May 3rd. He also thanked the Public Works department for helping set up and clean up for the Mayor's Prayer breakfast. On May 28th we had a Memorial Day ceremony in the park to recognize the men and women that serve and the ones that have served in the military.

5. CONSENT AGENDA

A. Regular Meeting Minutes – May 7, 2012 - A motion was made by Mayor Pro Tem Timothy Lowrance to accept the regular budget retreat minutes as presented. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

6. CITIZEN'S CONCERNS AND COMMENTS

None.

7. PRESENTATION

A. Claremont Youth Council – Mayor Morrow recognized the Youth Council members and presented a gift card to the seniors that are graduating for all their hard work.

Susan Tucker listed the different activities that the Youth Council was involved in throughout the year. Susan thanked Ashley Wyke for helping out with the Youth Council and their activities.

8. PUBLIC HEARINGS

At 7:16 p.m. Councilmember Dale Sherrill made a motion to open the public hearing. Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

A. City of Claremont Fiscal Year 2013 Proposed Budget – City Manager Barrick stated the FY 2013 budget for the general fund is higher than the budget that was proposed at May's Council meeting.

At 7:21 p.m. Councilmember Nicky Setzer made a motion to close the public hearing. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

At 7:22 p.m. Councilmember Dale Setzer made a motion to open the public hearing. Councilmember Dale Sherrill seconded the motion. The motion passed unanimously.

B. Text Amendment 12-02 Electronic Gaming Operations – City Planner, Laurie LoCicero stated the Council instructed the planning board to look into internet sweepstakes. The planning board looked at surrounding municipalities' internet gaming sweepstakes ordinances. The planning board's proposal is to allow internet gaming sweepstakes in B3 zoning area with stipulations. Computer Gaming operations are allowed with the following conditions:

1. No more than ten (10) machines/terminals/computers for gaming operations may be permitted per licensed location.
2. Each Gaming Operation shall have a business license from the City and shall pay all applicable fees set forth in the City's fee schedule.
3. No portion of a zoning lot on which a gaming operation is located may be within five hundred feet of another Electronic Gaming Operation or a residential zoning district, or one thousand five hundred feet of any religious institution, elementary school, middle school, high school, recreation center or park.
4. Gaming operation may only operate between the hours of 8:00 AM and 10:00 P.M.

5. No electronic gaming operation at any time shall be operated or supervised by a person less than eighteen (18) years of age.
6. No person under the age of eighteen (18) years shall be permitted to play, use, or otherwise operate electronic machine, terminal, computer or other electronic device permitted under this section.
7. Any violation of any of the City's Code of Ordinances shall be grounds for revocation of the license.

City Attorney Bob Grant stated the City doesn't have the option to ban internet gaming.

City Manager Barrick stated Laurie mentioned businesses would have to have a business license but currently the City doesn't require a business license but for internet gaming a business license will be required. With the distance requirement the maximum of 3 would be allowed in the zoning area.

At 7:30 p.m. Mayor Pro Tem Timothy Lowrance made a motion to close the public hearing. Councilmember Nicky Setzer seconded the motion. The motion passed unanimously.

9. OLD BUSINESS

None.

10. NEW BUSINESS

A. Ordinance 14-11 Fiscal Year 2013 Budget – Councilmember Nicky Setzer made a motion to approve the Fiscal Year 2013 budget as presented. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

B. Ordinance 15-11 Electronic Gaming Operations – Councilmember Dale Setzer made a motion to approve Ordinance 15-11 as presented. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

C. FY 13 Animal Shelter Contract – Mayor Pro Tem Timothy Lowrance made a motion to approve the Fiscal Year 2013 animal shelter contract as presented. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

D. FY 13 Animal Services Contract – Councilmember Dale Sherrill made a motion to approve the Fiscal Year 2013 animal services contract as presented. Councilmember Dale Setzer seconded the motion. The motion passed unanimously.

E. FY 13 Fire Inspections Contract – Councilmember Shawn Brown made a motion to approve the Fiscal Year 2013 fire inspections contract as presented. Councilmember Dale Setzer seconded the motion. The motion passed unanimously.

F. Fiscal Year 2012 Audit Contract – Mayor Pro Tem Timothy Lowrance made a motion to approve the Fiscal Year 2013 audit contract as presented. Councilmember Dale Sherrill seconded the motion. The motion passed unanimously.

G. Budget Transfer – Monies have been moved in the FY 2012 budget to cover yearend expenses and projects.

H. WPCOG Planning Contract – Councilmember Dale Sherrill made a motion to approve the WPCOG planning contract as presented. Councilmember Nicky Setzer seconded the motion. The motion passed unanimously.

10. DEPARTMENT & COMMITTEE REPORTS

A. Youth Council – Councilmember Shawn Brown thanked Susan Tucker and the Youth Council members for all their hard work.

Mayor Morrow presented Susan Tucker a gift card for all her hard work.

B. Fire Department – Chief Gary Sigmon stated they had a child safety seat inspection at Bethlehem Methodist Church and they checked 16 seats.

C. Police Department – Chief Gerald Tolbert introduced two new part time police officers, Mark Hayes and Cody Jarvis.

Captain Gary Bost stated the Newton Police department has caught the guys that are passing counterfeit money.

D. Public Works – Public Works Director Tom Winkler reported the root program will start Tuesday or Wednesday in the south quadrant of the City.

E. Rescue Squad – Eric Jones reported he is now the acting chief until the elections on June 14th. The 30 Guns in 30 Days raffle is still ongoing and tickets are still for sale.

F. Utilities Department – City Manager Barrick reported they are continuing to evaluate regional options for wastewater treatment. The McLin plant will be out of compliance for BOD for the second month in a row. Claremont and Hickory staffs are working to pinpoint the root of the problem and work to correct this issue. The City received a letter invoking the 80% flow rule for the North Plant based on an average flow for 2011 at 80,500 GPD. The City has worked to lower this number and will be meeting with NCDENR to request the moratorium be lifted.

G. Planning and Zoning – City Planner Laurie LoCicero reported they will be finished tearing down the Conover Bridge and the west bound I-40 lane will be closed during the night hours.

H. Parks & Recreation – Mayor Pro Tem Timothy Lowrance reported they discussed some repairs that need to be made at Claremont City Park and they will begin to send out letters to vendors for Claremont Daze. They have started working on the Christmas parade. They also discussed knowing how many people are in a group when they reserve a picnic area at the park. Their next meeting will be June 23rd at 9 a.m. in the Council Chambers.

I. Appearance Committee – Councilmember Nicky Setzer reported the memorial benches have not arrived yet. The winner of the May "Yard of the Month" contest is David and Linda Call.

12. CITY MANAGER'S REPORT – City Manager Doug Barrick stated the members of the P.J. Stanley Memorial Scholarship fund are Doug Barrick, Dale Sherrill, Dale Setzer, Allen Long and Jason Crooks. Brenda Stanley is their liaison. There will be two \$500 scholarships awarded this fall. City Manager Barrick thanked the Claremont Rescue Squad and New Life Baptist Church donating money to the P.J. Stanley Memorial Scholarship fund. The NCDOT I-40 repaving project is completed except for painting lines. Kelly Blvd. and Penny Road will be repaved and Cobb Drive will be paved.

13. CLOSED SESSION – At 8:04 p.m. Councilmember Dale Setzer made a motion to go into closed session in reference to G.S. 143-318.11(a)(6) (Personnel Matter) and G.S. 143-318.11(a)(4) (EDC Contract). Councilmember Nicky Setzer seconded the motion. The motion passed unanimously.

At 8:33 p.m. Councilmember Nicky Setzer made a motion to adjourn the closed session. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

There was some discussion on an email that Mayor Morrow received from Sherri Smith in regards to the Mayor and Councilmember's not attending her concert.

14. ADJOURN - At 8:54 p.m. Councilmember Dale Sherrill moved to adjourn the City Council meeting. The motion was seconded by Councilmember Dale Setzer. The motion passed unanimously.

Respectively submitted,
Mandy D. Buff,
Administrative Support Clerk

David B. Morrow, Mayor

Attested:

Douglas L. Barrick, City Clerk