

**CITY OF CLAREMONT  
CITY COUNCIL MEETING  
AGENDA PACKET**



**February 4, 2013  
Claremont City Hall  
7:00 pm**



**CITY OF CLAREMONT  
CITY COUNCIL MEETING**

**Regular Meeting**

**February 4, 2013**

**7:00 PM**

**Council Chambers, Claremont City Hall**

**AGENDA**

- 1. CALL TO ORDER**
- 2. APPROVAL OF AGENDA**
- 3. INVOCATION & PLEDGE OF ALLEGIANCE**
- 4. MAYOR'S REPORT**
- 5. CONSENT AGENDA**
  - A. Regular Meeting Minutes – January 7, 2013
  - B. Closed Session Minutes – January 7, 2013
- 6. CITIZEN'S CONCERNS AND COMMENTS**
- 7. OLD BUSINESS**
  - A. Golf Cart Ordinance
- 8. NEW BUSINESS**
  - A. Resolution 14-12 Clean Water Management Trust Fund
  - B. Ordinance 08-12 Budget Amendment
  - C. NCLM Joint Action Program
  - D. Ordinance 09-12 Budget Amendment
  - E. Budget Transfer
- 9. DEPARTMENT & COMMITTEE REPORTS**
  - A. Youth Council
  - B. Fire Department
  - C. Police Department
  - D. Public Works
  - E. Rescue Squad
  - F. Utilities Department
  - G. Planning and Zoning
  - H. Parks & Recreation Committee
- 10. CITY MANAGER'S REPORT**

**11. CLOSED SESSION**

**12. ADJOURN**

**City of Claremont Board & Committee Meetings**

<b><u>City Council Meeting</u></b> 1 <sup>st</sup> Monday of each month	March 4 <sup>th</sup>	Council Chambers 7:00pm
<b><u>Planning Board</u></b> 2 <sup>nd</sup> Monday of each month	February 11 <sup>th</sup>	Council Chambers 7:00 pm
<b><u>Appearance Committee</u></b> 4 <sup>th</sup> Monday of each month	February 25 <sup>th</sup>	Claremont Library 6:00 pm
<b><u>Parks &amp; Recreation</u></b> 4 <sup>th</sup> Monday of each month	February 25 <sup>th</sup>	Claremont City Offices 6:00 pm
<b><u>Youth Council</u></b> 1 <sup>st</sup> Sunday of each month	March 3 <sup>rd</sup>	Council Chambers 3:00 pm
<b><u>Friends of the Library</u></b> 4 <sup>th</sup> Tuesday of each month	February 26 <sup>th</sup>	Claremont Library 6:00 pm
<b><u>Seniors Morning Out</u></b> 3 <sup>rd</sup> Wednesday of each month	February 20 <sup>th</sup>	1 <sup>st</sup> Baptist Fellowship Hall 8:30 am

**NOTES:**

**REQUEST FOR COUNCIL ACTION**

Date of Meeting: February 4, 2013

**To:** Mayor and the City Council

**From:** Doug Barrick, City Manager

**Action Requested: Approval of Minutes**

Approve the minutes from the regular City Council meeting held on January 7, 2013.

**Recommendation: Approve the Minutes**



## **City Council Regular Meeting Minutes Monday, January 7, 2013**

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, January 7, 2013.

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

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

Others in attendance were: Henry Helton, Susan Tucker, Brandon Ham, Stephanie Kelly, Carry Storti, Brenda Stanley, Robert Smith, Jack Buskirk, Jessalyn Johnson, Jack Whitener, Andrea Ramsey, Gene Monday and Michelle Johnson.

### **1. CALL TO ORDER**

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

### **2. APPROVAL OF AGENDA**

A motion was made by Councilmember Shawn Brown to approve the agenda with the addition of Ordinance 71-85 added under Old Business. Councilmember Dale Setzer seconded the motion. The motion was defeated.

### **3. INVOCATION & PLEDGE OF ALLEGIANCE**

The invocation was led by Reverend Chuck Bryant. Councilmember Nicky Setzer led the Pledge of Allegiance.

### **4. MAYOR'S REPORT**

Mayor David Morrow thanked Doug Barrick for all his hard work. He also thanked the Parks & Recreation Committee, Fire and Police for their hard work on the Christmas Parade. He stated he attended the Claremont Rescue Squad dinner and presented 35 years of service award to Gary Reitzel. He also attended the Senior Citizen's dinner. He thanked Danny Hedrick for all his hard work putting together the events.

## 5. CONSENT AGENDA

**A. Regular Meeting Minutes – December 3, 2012** - Mayor Pro Tem Timothy Lowrance made a motion to accept December 3, 2012 regular meeting minutes as presented. Councilmember Dale Setzer seconded the motion. The motion was defeated.

**B. Closed Session Minutes – December 3, 2012** - Mayor Pro Tem Timothy Lowrance made a motion to accept December 3, 2012 closed session meeting minutes as presented. Councilmember Dale Setzer seconded the motion. The motion was defeated.

**C. Fiscal Year 2014 Budget Calendar** - Mayor Pro Tem Timothy Lowrance made a motion to accept fiscal year 2014 budget calendar as presented. Councilmember Dale Setzer seconded the motion. The motion was defeated.

## 6. CITIZEN'S CONCERNS AND COMMENTS

No one spoke.

## 7. PRESENTATIONS

**A. PJ Stanley Memorial Scholarships** – Jessalyn Johnson and Brandon Ham was presented with the scholarship.

## 8. OLD BUSINESS

**A. Ordinance 71-85 Extend Corporate City Limits** – Mayor Pro Tem Timothy Lowrance made a motion to have Ordinance 71-85 recorded with the County Clerk. Councilmember Dale Setzer seconded the motion. The motion was defeated.

## 9. NEW BUSINESS

**A. Resolution 13-12 Opposing Taking of Water System** – Councilmember Nicky Setzer made a motion to approve Resolution 13-12 as presented. Councilmember Shawn Brown seconded the motion. The motion was defeated.

**B. 2013 Legislative Agenda** - Councilmember Shawn Brown made a motion Councilmember Nicky Setzer will be the 2013 voting delegate and City Manager Doug Barrick will be the backup. Councilmember Dale Setzer seconded the motion. The motion was defeated.

## 10. DEPARTMENT & COMMITTEE REPORTS

**A. Quarterly Financial Report** – City Manager Doug Barrick reported for the general fund 51% of property taxes have been collected, overall the city has taken in 60% of revenue. The City has spent 55% of expenditures and is \$100,000 in the negative. Water and Sewer has taken in 56% of its revenue, keeping in mind the water and sewer bills are billed a month behind, 41% of the water and sewer fund expenditures have been spent. City Manager Doug Barrick feels the city is doing well for the year.

**B. Youth Council** – Councilmember Dale Setzer reported the Youth Council met Sunday, January 6<sup>th</sup> and they talked about anti-bullying in schools. They are going to participant in the Rachel's Challenge which is to be kind to one another and they encourage everyone else to do so as well. January 8<sup>th</sup> is the

kick off for the Relay for Life fundraiser, the Relay for Life event will take place on May 31<sup>st</sup> through June 1<sup>st</sup>. The Easter egg hunt is March 23<sup>rd</sup> in the Claremont city park and the rain date is March 30<sup>th</sup>.

**C. Fire Department** – Fire Chief Gary Sigmon reported they responded to 23 calls in December and 244 for 2012. The fire department participated in the annual Christmas parade and they hosted several events at the station including Santa with the kids.

**D. Police Department** – Police Chief Gerald Tolbert reported there were no incidents to report during the Christmas parade. Officers investigated two separate cases of counterfeit monies at BB&T, one case of breaking and entering, vandalism, assault on a female, attempted arson and damage to property involving the restrooms in the city park.

**E. Public Works Department** – Public Works Director Tom Winkler reported they had a leak in front of city hall; he thanked his crew, the police department and the fire department for their assistance in fixing the leak.

**F. Rescue Squad** – Jessalyn Johnson reported they had 45 total calls and 44 were hot. They had their Christmas dinner and awards banquet on December 6<sup>th</sup>. Several of their members are going to attend a structural collapse class at Surry Community College in January.

**G. Utilities Department** – City Manager Barrick reported they are continuing to evaluate regional options for wastewater treatment. The construction of a cell phone tower collocation on the Kelly Blvd. water tower has been finalized. The process to install backup power at the School Street lift station has begun. There is a 12 month usage bar graph that has been added to the water and sewer bills, he also pointed out a barcode has been added to the water and sewer bills.

**H. Planning & Zoning** – City Planner Laurie LoCicero stated the Planning Board will be having an open forum on Monday, January 14<sup>th</sup> to receive input from the public on Claremont's sign ordinance.

**I. Parks & Recreation Committee** – Mayor Pro Tem Timothy Lowrance reported the Christmas parade was a success. The committee members were sent letters to determine if they can stay on the committee or not. The tailgate market will start in the spring.

**J. Appearance Committee** – Councilmember Nicky Setzer reported the committee chose 7 winners for the Christmas decorations contest.

**11. CITY MANAGER'S REPORT** – City Manager Doug Barrick reported since the phone system has been upgraded at city hall the 459-7009 number has been being forwarded to the new number which is 466-7255 and he wants to start phasing out the 459-7009 number. Staff Masters is moving into the space beside of Subway. Matlock used car parts is now open and Bed Bath & Beyond will begin work soon. City Manager Doug Barrick encouraged anyone that sees a person littering to report it to the Claremont Police department.

**12. CLOSED SESSION** – At 7:52 p.m. Mayor Pro Tem Timothy Lowrance made a motion to go into closed session in reference to G.S. 143-318.11(a)(4) (EDC Contract). Councilmember Nicky Setzer seconded the motion. The motion was defeated.

At 8:34 p.m. Mayor Pro Tem Timothy Lowrance made a motion to adjourn the closed session. Councilmember Nicky Setzer seconded the motion. The motion passed unanimously.

Mayor David Morrow stated the television show Community of Distinction is interested in filming a segment of Claremont. The fee that Claremont will have to pay is \$19,800 but Claremont will have the licensing rights to the segment.

There was some discussion on using the revenue that Claremont obtains from the Verizon Wireless contract to pay for the television show. Mayor David Morrow and City Manager Doug Barrick have a conference call on Thursday, January 10<sup>th</sup> with a representative from the television show. The council agreed to move forward with the television show.

**13. ADJOURN** - At 8:36 p.m. Councilmember Nicky Setzer moved to adjourn the City Council meeting. Councilmember Dale Setzer seconded the motion. The motion was defeated.

Respectively submitted,  
Mandy D. Buff, Administrative Support Clerk

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David B. Morrow, Mayor

Attested:

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Douglas L. Barrick, City Clerk

**REQUEST FOR COUNCIL ACTION**

Date of Meeting: February 4, 2013

**To:** Mayor and the City Council

**From:** Doug Barrick, City Manager

**Action Requested: Approval of Minutes**

Approve the minutes from the City Council Closed Session meeting held on January 7, 2013.

**Recommendation: Approve the Minutes**

**REQUEST FOR COUNCIL ACTION**

Date of Meeting: February 4, 2013

**To:** Mayor and the City Council

**From:** Doug Barrick, City Manager

**Action Requested: Citizen's Concerns and Comments**

North Carolina General Statutes require that the City Council allow time at each public meeting for Citizen Input.

**Recommendation: Hear Public Concerns and Comments**

**REQUEST FOR COUNCIL ACTION**

Date of Meeting: February 4, 2013

**To:** Mayor and the City Council

**From:** Doug Barrick, City Manager & Gerald Tolbert, Police Chief

The City of Claremont has discussed the option to allow Golf Carts on city streets for a few years. Prior to recent changes in the General Statutes the use of Golf Carts on Municipal streets required special legislation. This draft ordinance has been compiled based on similar ordinances that have been adopted in other municipalities.

As with other changes to the City Code of Ordinances a Public Hearing will be required prior to the adoption of the ordinance. This draft is designed for Council to provide feedback and direction on the final version.

Highlights of this draft include:

- Golf Carts can be operated on streets with a posted speed limit of 35 mph or less
- Operators must be at least 16 years old and possess a valid NC driver's license
- Golf Carts may only be operated between sunrise and sunset
- All golf cart operators must complete a golf cart registration application and submit to the City of Claremont Police Department for approval. Before driving on public roads, the operator of the golf cart must have a valid registration issued.
- All traffic laws applicable to motor vehicles and the operation thereof are applied to Golf Cart operators

**Action Requested: 1<sup>st</sup> Read of Draft Ordinance 10-12 Golf Carts**

**Recommendation: Discuss Ordinance and provide feedback for possible approval at the March Meeting**

City Council of the City of Claremont

Catawba County, North Carolina

**DRAFT** Ordinance No. 10-12

AN ORDINANCE TO AMEND THE CLAREMONT CODE OF ORDINANCES  
TO ESTABLISH A GOLF CART ORDINANCE

**WHEREAS**, it is the desire of the Council of the City of Claremont to continually update and revise the Claremont Code of Ordinances in accordance with the needs of the citizens of the City of Claremont; and

**WHEREAS**, in order to protect the citizens of the City and their properties; and

**WHEREAS**, the City of Claremont has initiated text amendments to the Claremont Code of Ordinances:

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLAREMONT NC:**

**Scope**

The establishment of a golf cart ordinance is necessary to address the interests of public safety. Golf Carts, are not designed or manufactured to be used on public streets, roads and highways, hereinafter “road(s),” and the City of Claremont in no way advocates or endorses their operation on roads. The City of Claremont, by regulating such operations is merely trying to address obvious safety issues, and adoption of this Ordinance is not to be relied upon as a determination that operation on roads is safe or advisable if done in accordance with this Ordinance. All persons who operate or ride upon carts on roads do so at their own risk and peril and must be observant of an attentive to the safety of themselves and others, including their passengers, other motorists, bicyclists, and pedestrians. The City of Claremont has no liability under any theory of liability for permitting carts to be operated on roads under special legislation granted by the North Carolina State Legislature G.S. 160A-300.6. Any person who operates a cart must procure and maintain liability insurance sufficient to cover the risks involved in using a cart on public roads within the City of Claremont.

- (A) Purpose: The purpose of this ordinance shall be to establish a Golf Cart Ordinance within the City of Claremont to promote the health, safety and welfare of persons operating cart(s) within the City of Claremont and to protect the safety of their passengers and other users of roads.
- (B) Definitions: For the purpose of this section, the following words and phrases shall have the following meanings.

1. Golf Cart: A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 MPH. G.S. 20-4.01(12a)
2. Driver's License: A valid license issued to operate a motor vehicle issued by North Carolina or any other state.
3. Operator: Only persons over 16 years of age and holding a valid driver's license may operate a golf cart on roads.
4. Golf Cart License: A sticker or tag provided by the City that must be visibly displayed on the golf cart. Each golf cart will have its own license.
5. Financial Responsibility: Liability insurance coverage on a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.

### **Rules and Regulations**

This ordinance is to establish guidance in the interest of public safety. Golf carts hereinafter:

1. Golf carts shall not be operated on or alongside a public road or street with a posted speed limit greater than 35 miles per hour or higher.
2. Golf carts may cross a road with a posted speed limit greater than 35 mph. However, once this segment of road has been transverse, the golf cart is still required to travel only on or along a roadway with a speed limit of 35 mph or less.
3. Any person who operates a golf cart must be responsible for all liability associated with operation of the golf cart and must have liability insurance coverage which will cover the use of a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.
4. Any person who operates a golf cart must be at least sixteen (16) years of age or older. No person may operate a golf cart unless that person is licensed to drive upon the public streets, roads and highways of North Carolina and then, only in accordance with such valid driver's license issue to them by the State. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public roads.
5. Any person who operates a golf cart on public streets and roads must adhere to all applicable State and local laws, regulations and ordinances, including but not limited to those banning the possession and use of alcoholic beverages, and all other illegal drugs. In addition, no golf cart containing any open container of alcohol shall be operated on public roads.

6. The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of North Carolina and the City of Claremont which governs the operation of motor vehicles.
7. Golf Carts are allowed to park in handicapped parking spaces if the drivers or at least one passenger has a valid handicap-parking sticker displayed on the golf cart.
8. An operator may not allow the number of people in the golf cart at any one time to exceed the maximum capacity specified by the manufacturer. The operator shall not allow passengers to ride on any part of a golf cart not designed to carry passengers, such as the part of the golf cart designed to carry golf bags.
9. In no instance shall a golf cart be operated at a speed greater than 20 miles per hour. No golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions.
10. Golf Carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.
11. Golf Carts may only be operated between sunrise and sunset.
12. If a Golf Cart is not equipped with brake lights or turn signals, the operator must use standard hand signals to signal stopping and turning.

### **Golf Cart Operation**

Golf Carts may not be operated within the City of Claremont in the following manner or areas:

1. On public sidewalks, trails and greenways.
2. Along utility right of ways including but not limited to water/sewer right of ways, electric right of ways, and storm water right of ways.
3. No standing on Golf Carts.
4. Golf Carts shall not be operated on or across any public or private properties without the expressed written permission of the property owner.
5. Riders may not be transported in a negligent manner.
6. No Golf Cart shall operate on any street, roadway, or other public vehicle area that is closed due to special events, parades, or construction. The Chief of Police, or his designee, may prohibit the operation of golf carts on any street or road if the Chief determines that the prohibition is necessary in the interest of safety. The exception will be the Christmas parade.

### **Registration and Inspection**

Registration, Inspection and Fee Prior to usage

1. All golf cart operators must complete a golf cart registration application and submit to the City of Claremont Police Department for approval. Before driving on public roads, the operator of the golf cart must have a valid registration issued.
2. Each owner must have proof of ownership, and liability insurance, and completed a Waiver of Liability, releasing the City of Claremont from liability that may arise as a result of operation of a golf cart inside the City of Claremont. These documents must be in the golf cart at all times while in operation on public roads.
3. All golf cart operators must present a valid driver's license while operating a golf cart on public roads.
4. The registration sticker shall be valid for no more than one year, from July 1<sup>st</sup> to June 30<sup>th</sup> of each year, and must be visible on a golf cart operated on a public road.
5. Lost or Stolen stickers are the responsibility of the owner and must be replaced before the golf cart is operated on a public road.
6. The Claremont Police Chief retains the right to refuse to issue and/or revoke any permit sticker from any cart at any time for any reason he/she feels is appropriate to ensure the safety and well being of the citizens of the City of Claremont.
7. All golf carts must meet the requirements or minimum standards of safety equipment as set forth in this ordinance. The cart must be inspected and approved by the Chief of Police or his designee prior to usage.

### **Technical Specification**

Golf Carts operated in the City of Claremont shall conform with the following technical specifications in order to receive and maintain a valid license.

1. Shall have a standard low speed traffic triangle or pennant displayed prominently on the rear of the vehicle.
  - A. Low speed caution triangle with a minimum size of 12 inches or greater on all three sides and shall be made of reflective material. Triangle shall be mounted on the rear of the vehicle and permanently installed.
2. One operational rearview mirror.
3. Shall have at least two (2) red rear reflectors measuring a total of six square inches of reflective area each. A reflective rear light kit will suffice.

### **Enforcement and Penalty**

Any act constituting a violation of this ordinance or failure to comply with any of its requirements shall subject the offenders to a civil penalty of fifty dollars (\$50.00), plus the court costs and attorney fees incurred by the City. Notwithstanding the foregoing, persons who, while driving golf carts on public streets within the City of Claremont, violate the "Rules of the Road" applicable to motor vehicles generally (as set forth in Part 10 of the N.C.G.S. Chapter 20), shall be subject to the same penalties applicable to the operators of such other motor vehicles.

- (A) Operating a golf cart under the influence of an impairing substance (i.e., alcohol or drugs) on a public road or highway is not a violation of this Ordinance, but a violation of state law, and is punishable as provided therein.
- (B) If the offender(s) fail to pay the penalty within ten (10) days of receiving a final written notice of violation, the penalty may be recovered by the City in a civil action in the nature of a debt. Repeat offenders may have the privileges granted by this ordinance revoked by the Chief of Police.

INTRODUCED at the regular meeting of the City Council of the City of Claremont on February 4, 2013.

ADOPTED at the regular meeting of the City Council of the City of Claremont on March 4, 2013 .

\_\_\_\_\_  
MAYOR David Morrow

ATTEST:

\_\_\_\_\_  
Doug Barrick, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Bob Grant, City Attorney

**REQUEST FOR COUNCIL ACTION**

Date of Meeting: February 4, 2013

**To:** Mayor and the City Council

**From:** Doug Barrick, City Manager & The North Carolina Clean Water Management Trust Fund

**Action Requested: Approve Resolution 14-12 to support the 2013-2015 funding cycle for the Clean Water Management Trust Fund**

The 2013 City of Claremont Legislative Agenda highlights the need to support additional funding sources for infrastructure from the State of North Carolina. As a request from the North Carolina Clean Water Management Trust Fund (CWMTF) the fund has asked all previous applicants and funding award recipients to support the attached resolution. As the general assembly begins preparing for the next biennium budget 2013-2015, it is imperative that the CWMTF receive increased funding and is funded as a recurring item in the budget. Because CWMTF was funded as a nonrecurring, item in the 2012-2013 budgets CWMTF is not assured of any funds in the upcoming budget cycle. The City of Claremont has benefitted from this fund in past utility enhancement projects and would look to continue to do so in the future.

**Recommendation: Approve Resolution**



**CITY OF CLAREMONT  
NORTH CAROLINA**

**RESOLUTION # 14-12**

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**A RESOLUTION TO SUPPORT THE 2013-2015 FUNDING FOR CLEAN WATER MANAGEMENT TRUST FUND**

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**WHEREAS**, the 1996 General Assembly established the Clean Water Management Trust Fund to provide an innovative and non-regulatory approach to the protection and restoration of the surface waters all across the state; and

**WHEREAS**, the Clean Water Management Trust Fund is a non-regulatory program established to help meet infrastructure needs of municipalities and counties, restore degraded surface water, protect watersheds, increase recreational opportunities, and enhance quality of life in this state, all critical components for communities to obtain a competitive edge in their economic development; and

**WHEREAS**, the Clean Water Management Trust Fund has funded 452 infrastructure projects to assist North Carolina Communities balance infrastructure needs with environmental protection and to help struggling communities become self-reliant with future infrastructure needs; and

**WHEREAS**, infrastructure needs across the state addressing drinking water, wastewater, and storm water are estimated at \$16.6 billion between 2005 and 2030; and

**WHEREAS**, the Clean Water Management Trust Fund has leveraged more than \$1 billion of private, local and federal funds to support projects; and

**WHEREAS**, the General Assembly has reduced funding for the Clean Water Management Trust Fund by 78% since 2010; and

**WHEREAS**, limited funding for the Clean Water Management Trust Fund left 88% of 2012 critical local needs unmet; and

**WHEREAS**, our economic vitality, health and ability to sustain ourselves and the natural environment all rely on clean water; and

**WHEREAS**, surface water must be protected to ensure sufficient drinking water supply for the state's growing industrial base and population; and

**WHEREAS**, Clean Water Management Trust Fund has provided grants to the City of Claremont to protect, restore or enhance surface water quality for the benefit of the

state's agriculture, military, recreation and tourism economies and to protect our natural heritage for the benefit of all North Carolinians; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CLAREMONT CITY COUNCIL:**

THE CITY OF CLAREMONT SUPPORTS CLEAN WATER MANAGEMENT TRUST FUND AND THAT THE FUND RECEIVE AN INCREASE IN RECURRING FUNDING FROM THE GOVERNOR AND THE NORTH CAROLINA GENERAL ASSEMBLY FOR THE 2013-2015 BIENNIAL BUDGET

Adopted this 4<sup>th</sup> day of February 2013.

\_\_\_\_\_  
David B. Morrow, Mayor

ATTEST:

\_\_\_\_\_  
Doug Barrick  
City Clerk

**REQUEST FOR COUNCIL ACTION**

Date of Meeting: February 4, 2013

**To:** Mayor and the City Council

**From:** Gary Bost, Deputy Police Chief

**Action Requested: Approve Ordinance 08-12 Police Seizure Fund Budget Amendment**

The Police Department is looking to purchase 3 Heckler & Koch UMP 40's. The Heckler & Koch UMP 40 is a short compact weapon used for close quarters. The Police Department doesn't have any weapons at this time to be used by its officers in case of a shooting involving the Claremont Elementary School or one of the businesses in the Industrial Park. These weapons use a .40 caliber pistol round which is the same round currently used in our handguns to minimize the price of using different ammunition. The Police Department will be using Drug Seizure Fund for the purchase of these weapons at no cost to the City of Claremont. This amendment appropriates the necessary funds to purchase and up fit these weapons to our patrol officers. The Police Department will be deploying these new tactical weapons coupled with additional training to rapidly engage threats within the City, specifically in the school and commercial/industrial settings.

**Recommendation: Approve Ordinance 08-12**

City Council of the City of Claremont

Catawba County, North Carolina

Ordinance No. 08-12

AN ORDINANCE OF THE CITY OF CLAREMONT AMENDING CLAREMONT  
MUNICIPAL BUDGET FOR FISCAL YEAR 2013

THE CITY COUNCIL OF THE CITY OF CLAREMONT DOES HEREBY ORDAIN AS  
FOLLOWS:

**Police Seizure Fund**

<u>Revenues</u>	<u>Increase</u>	<u>Decrease</u>
14.3100.0000 Revenues	\$800.00	
14.3291.0000 Interest	\$ 25.00	
14.3990.0000 Fund Balance Appropriated	\$7,842.27	
 <u>Expenditures</u>		
14.5102.3300 Departmental Supplies	\$8,667.27	

INTRODUCED at the regular meeting of the City Council of the City of Claremont on  
February 4, 2013.

ADOPTED at the regular meeting of the City Council of the City of Claremont on  
February 4, 2013 .

\_\_\_\_\_  
MAYOR David Morrow

ATTEST:

\_\_\_\_\_  
Doug Barrick, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Bob Grant, City Attorney

**REQUEST FOR COUNCIL ACTION**

Date of Meeting: February 4, 2013

**To:** Mayor and the City Council

**From:** Doug Barrick, City Manager & NCLM

**Action Requested: Join the NCLM in a Joint Action Program**

Progress Energy has filed a rate case before the NC Utilities Commission, which should be decided and finalized sometime in the summer of 2013. The company is seeking significant increases in base loads rates due to variety of cost factors, including new plants being built and brought online. Duke Energy Corp. has announced an intention to file a similar rate case soon. This increase is on the heels of an 8% increase that was approved in 2012.

Accordingly, the League has been asked to organize a joint action program for cities to band together to advocate for rate concessions during both of these rate cases, with the North Carolina League of Municipalities acting as an intervening party.

The League has solicited bids from law firms with qualified utility law practices, and has narrowed and priced the scope of work to what is reasonably needed for a successful intervention to obtain reductions from the proposed increases. In order to organize this program, the League would need cities to support the effort financially, and to assist in moving the effort forward. The League of Municipalities (“League”) is requesting participation in a joint action program on utility rate cases for the purposes of financing the costs of protecting North Carolina municipalities’ collective interests.

**Recommendation: Join the Joint Action Program**

**North Carolina League of Municipalities  
Joint Action Program  
Progress Energy/Duke Power Rate Case  
Member Participation Form**

**Page 1 of 3**

**Joint Action Program Request:**

The League of Municipalities (“League”) is requesting participation in a joint action program on utility rate cases for the purposes of financing the costs of protecting North Carolina municipalities’ collective interests.

**History and Goals:**

Progress Energy has filed a rate case before the NC Utilities Commission, which should be decided and finalized sometime in the summer of 2013. The company is seeking significant increases in base loads rates due to variety of cost factors, including new plants being built and brought online. Duke Energy Corp. has announced an intention to file a similar rate case soon.

Accordingly, the League has been asked to organize a joint action program for municipalities to band together to advocate for rate concessions during these rate cases, with the League acting as an intervening party.

The League has solicited bids from law firms with qualified utility law practices, and has narrowed and priced the scope of work to what is reasonably needed for a successful intervention to obtain reductions from the proposed increases. In order to organize this program, the League would need cities to support the effort financially, and to assist in moving the effort forward.

**Share of Cost:**

Share of cost will depend on number of participants and utility use. See invoicing structure below to determine your participation fee.

**Deadline:**

The submission of this participation form is an agreement to participate in this joint action program. Deadline for submitting this participation form is February 8, 2013. Payment of fees can be submitted with this form. If not, they must be remitted as soon as possible after participation form is submitted.

**Disclaimer:**

If the League does not gain enough notification of participation by the above deadlines, the program will not move forward and funds will be reimbursed.

**North Carolina League of Municipalities  
Joint Action Program  
Progress Energy/Duke Power Rate Case  
Member Participation Form  
Page 2 of 3**

*By signing the participation agreement below, the preparer agrees on behalf of his/her municipality to participate in the League's rate case joint action program and to submit the payment fee by the above listed deadline.*

**Program Contact:** \_\_\_\_\_ **Contact's phone:** \_\_\_\_\_  
**Contact's Email:** \_\_\_\_\_

**Preparer's Signature** \_\_\_\_\_ **Date of Request:** \_\_\_\_\_  
Name of Preparer: \_\_\_\_\_  
Position Title: \_\_\_\_\_  
Municipality: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Please submit this form and payment to:

North Carolina League of Municipalities\*  
PO Box 742106  
Atlanta, GA 30374-742106

- This Atlanta address is where NCLM receives payment

**North Carolina League of Municipalities  
 Joint Action Program  
 Progress Energy/Duke Power Rate Case  
Participation Fee Structure**

**Page 3 of 3**

Participation fees are set by the population of the municipality combined with the number of services that the municipality provides. Please select your fee based on the structure below. If you have any questions contact Sarah Collins (governmental affairs intern) at (919) 715-3934/ [scollins@nclm.org](mailto:scollins@nclm.org).

Services Provided:

1. Street Lighting      2. Wastewater Treatment      3. Water Treatment      4. Recreation Facilities/  
 Ball Field Lighting

Population	Number of Services	Participation Fee
150,000 +	4	\$20,000.00
75,000 - 149,999	4	\$10,000.00
25,000 - 74,999	4	\$2,500.00
10,000 - 24,999	4	\$1,000.00
0 - 10,000	4	\$500.00

Population	Number of Services	Participation Fee
150,000 +	3	\$15,000.00
75,000 - 149,999	3	\$5,000.00
25,000 - 74,999	3	\$1,500.00
10,000 - 24,999	3	\$750.00
0 - 10,000	3	\$250.00

Population	Number of Services	Participation Fee
150,000 +	2	\$10,000.00
75,000 - 149,999	2	\$2,500.00
25,000 - 74,999	2	\$1,000.00
10,000 - 24,999	2	\$500.00
0 - 10,000	2	\$100.00

Population	Number of Services	Participation Fee
150,000 +	1 (or less)	
75,000 - 149,999	1 (or less)	
25,000 - 74,999	1 (or less)	\$500.00
10,000 - 24,999	1 (or less)	\$200.00
0 - 10,000	1 (or less)	\$100.00

**REQUEST FOR COUNCIL ACTION**

Date of Meeting: February 4, 2013

**To:** Mayor and the City Council

**From:** Doug Barrick, City Manager

**Action Requested: Approve Ordinance 09-12 Budget Amendment**

This budget amendment appropriates funds in the General Fund and Water & Sewer Fund. The General Fund portion recognizes the remaining transitional hold harmless funds for use in EDC advertising. The Water & Sewer portion recognizes miscellaneous revenues from insurance claims, and a lease agreement for the purposes of a water line extension and engineering work associated with this project and various water repairs.

**Recommendation: Approve Ordinance 09-12**

City Council of the City of Claremont

Catawba County, North Carolina

Ordinance No. 09-12

AN ORDINANCE OF THE CITY OF CLAREMONT AMENDING CLAREMONT  
MUNICIPAL BUDGET FOR FISCAL YEAR 2013

THE CITY COUNCIL OF THE CITY OF CLAREMONT DOES HEREBY ORDAIN AS  
FOLLOWS:

**General Fund**

This budget amendment appropriates an additional \$12,475 in transitional hold harmless funds. The additional funds will be allocated in the City Council advertising fund. These funds will cover the costs of upcoming advertising.

**General Fund**

<u>Revenues</u>	<u>Increase</u>	<u>Decrease</u>
Transitional Hold Harmless 10.3329.0000	\$12,475	
<u>Expenditures</u>		
Advertising 10.4100.2600	\$12,475	

**Water & Sewer Fund**

This budget amendment appropriates miscellaneous revenues of \$15,500 and an additional \$40,000 from the fund balance. These funds will be used to cover some additional engineering work on an upcoming water line extension and the additional funds to assist in water repairs.

**Water & Sewer Fund**

<u>Revenues</u>	<u>Increase</u>	<u>Decrease</u>
Miscellaneous 30.3350.0000	\$15,500	
Appropriated Fund Balance 30.3990.0000	\$40,000	

<u>Expenditures</u>	<u>Increase</u>	<u>Decrease</u>
Contracted Services 30.8100.4500	\$8,000	
Maintenance of Equipment 30.8150.1600	\$15,500	
Engineering 30.8220.0450	\$32,000	

INTRODUCED at the special meeting of the City Council of the City of Claremont on February 4, 2013.

ADOPTED at the special meeting of the City Council of the City of Claremont on February 4, 2013.

\_\_\_\_\_  
MAYOR David Morrow

ATTEST:

\_\_\_\_\_  
Doug Barrick, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Bob Grant, City Attorney

**REQUEST FOR COUNCIL ACTION**

Date of Meeting: February 4, 2013

**To:** Mayor and the City Council

**From:** Doug Barrick, City Manager

**Action Requested: Budget Transfers**

Monies have been moved in the FY 13 Budget to fund the Fire Department Pay Per Call Incentives and for various projects at City Hall.

**Recommendation: Informational Only**



CITY OF CLAREMONT  
CLAREMONT, NORTH CAROLINA

February 4, 2013

I, Stephanie Corn, authorize the following transfers in the Fiscal Year 2013 budget.

**Administration**

<u>Line</u>	<u>Debit</u>	<u>Credit</u>
10.4200.5700 Miscellaneous Expenses	\$5,000	
10.4200.5410 Unemployment Insurance		\$5,000

**Fire**

<u>Line</u>	<u>Debit</u>	<u>Credit</u>
10.5300.0300 Part Time Salaries	\$22,750	
10.5100.0300 Pay Per Call Incentives		\$22,750

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These transfers do not increase or decrease the Fiscal Year 2013 budget.

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Stephanie Corn, Finance Officer

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Doug Barrick, City Manager

**Department, Committee & Manager Reports**

Date of Meeting: February 4, 2013

**To:** Mayor and the City Council  
**From:** Doug Barrick, City Manager

**Action Requested: Allow Departments, Committees & Manager to report on monthly activities and take questions.**

**Item 9**

- A. Youth Council
- B. Fire Department
- C. Police Department
- D. Public Works
- E. Rescue Squad
- F. Utilities Department
- G. Planning and Zoning
- H. Parks & Recreation Committee

**Item 10**

City Managers Report

**Recommendation: Take Reports**



## CLAREMONT FIRE DEPARTMENT

2850 FIRE HOUSE LANE  
CLAREMONT, NC 28610  
828/459-9296 FAX 828/459-9732

January 2013

The Claremont Fire Department responded to 16 calls for the month of January 2013 and 16 year to date.

Man hours spent on fire calls for the month totaled 125.9.

The average number of member responses to calls this month 9, and for the year 9.

Average response time to calls 3 min. 45 seconds till the first engine was on the scene for structure calls.

Training for the month totaled 180.0 hours for the department.

There were 4 business inspections for the month.

The Fire Prevention Office performed 0 programs this month, installed 20 smoke detectors and replaced 32 smoke detector batteries. Fire Prevention also participated in 2 car seat installation events.

### **Updates on projects and fire department information:**

I would like to update the council on the year end Fire Prevention and Life safety programs report. We held 72 programs during the year which included; bicycle and child seat safety, fire extinguisher use, station tours, water safety and general fire prevention. The total hours for these programs were 172.

Over 3100 students and over 2200 adults were impacted by these programs.

We made contact through 65 organizations which include; 12 business, 8 daycares, 1 healthcare, 1 industrial, 34 schools, 4 special interest groups and 5 youth groups.

We installed 56 smoke detectors, 10 carbon dioxide detectors and changed out over 100 batteries. Additional we issued 91 bicycle helmets.

I would like to thank Ray Ball and all the members who assisted with these programs.

Respectively submitted,

Gary Sigmon  
Fire Chief



*Claremont Police Department  
Monthly Service  
January 2013*

Calls Answered	698	Citations Served	38
Felonious Crimes	3	Warnings	38
Misdemeanor	22	Business Escorts	39
Accidents (PI)	0	Funeral Escorts	4
Accidents (PD)	4	Animal Calls	0
Warrants for Arrest	5	Vehicles Impounded	0
Subpoenas Served	1	Alarms Answered	10
Open Businesses	11	Motorist Assistance	16
Property Checks	1053	Part-Time hours	274
Court Hours	0		

*Noted Events during the Month*

1. Officer Russell made an Arrest for DWI.
2. Cpl. Buff investigated a case of Assault.
3. Lt. Long investigated a case of B&E to Vehicle and Larceny from Vehicle at Pierre Foods
4. Cpl. Clark investigated a case of Vandalism involving the City Park.
5. Officer Allen investigated a case for Assault on a Female

**\*\* Note\*\***

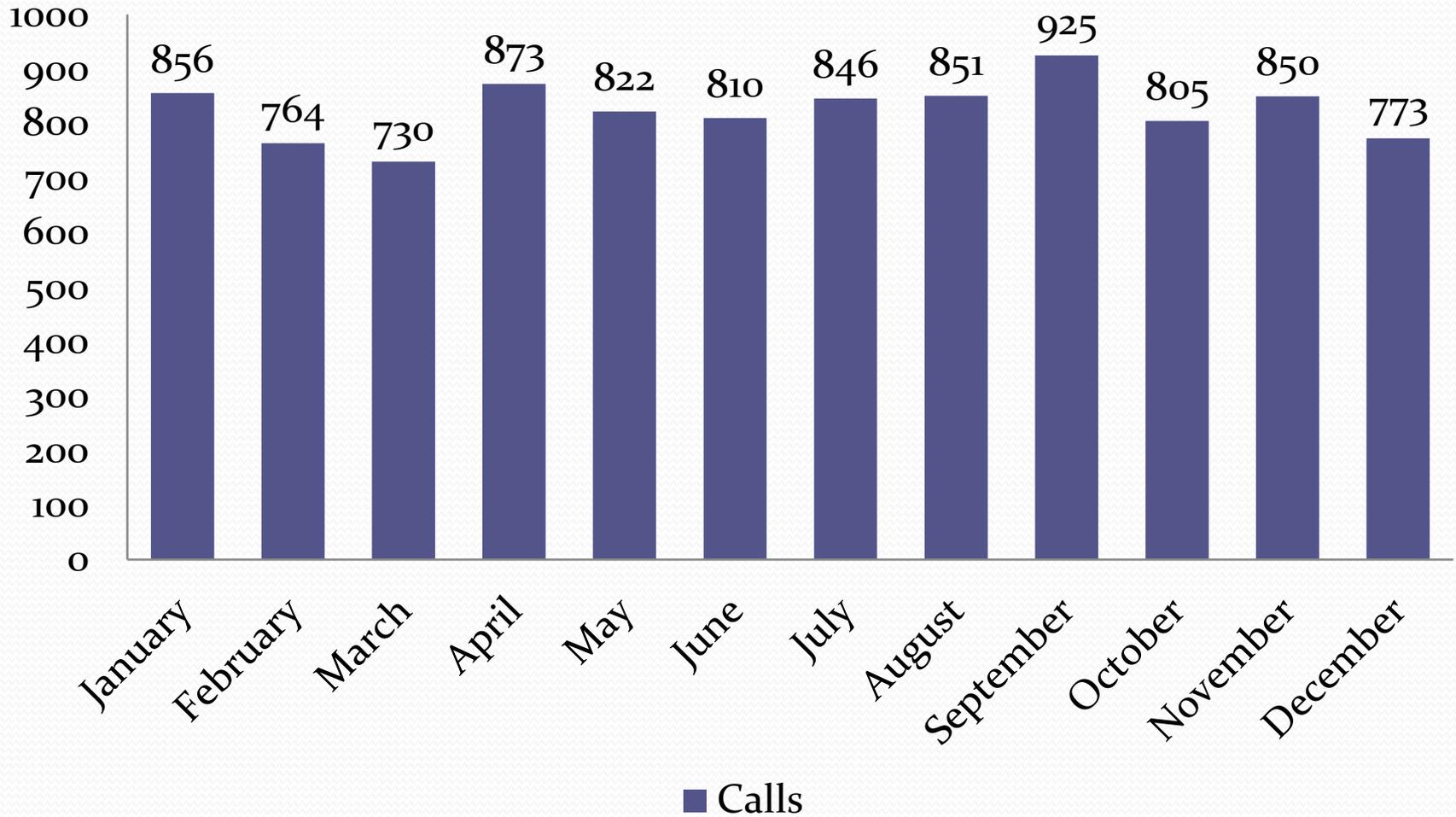
Officers will soon begin their state required 24hrs. In-Service Training.

*Respectfully Submitted  
Gerald R. Tolbert  
Chief of Police*

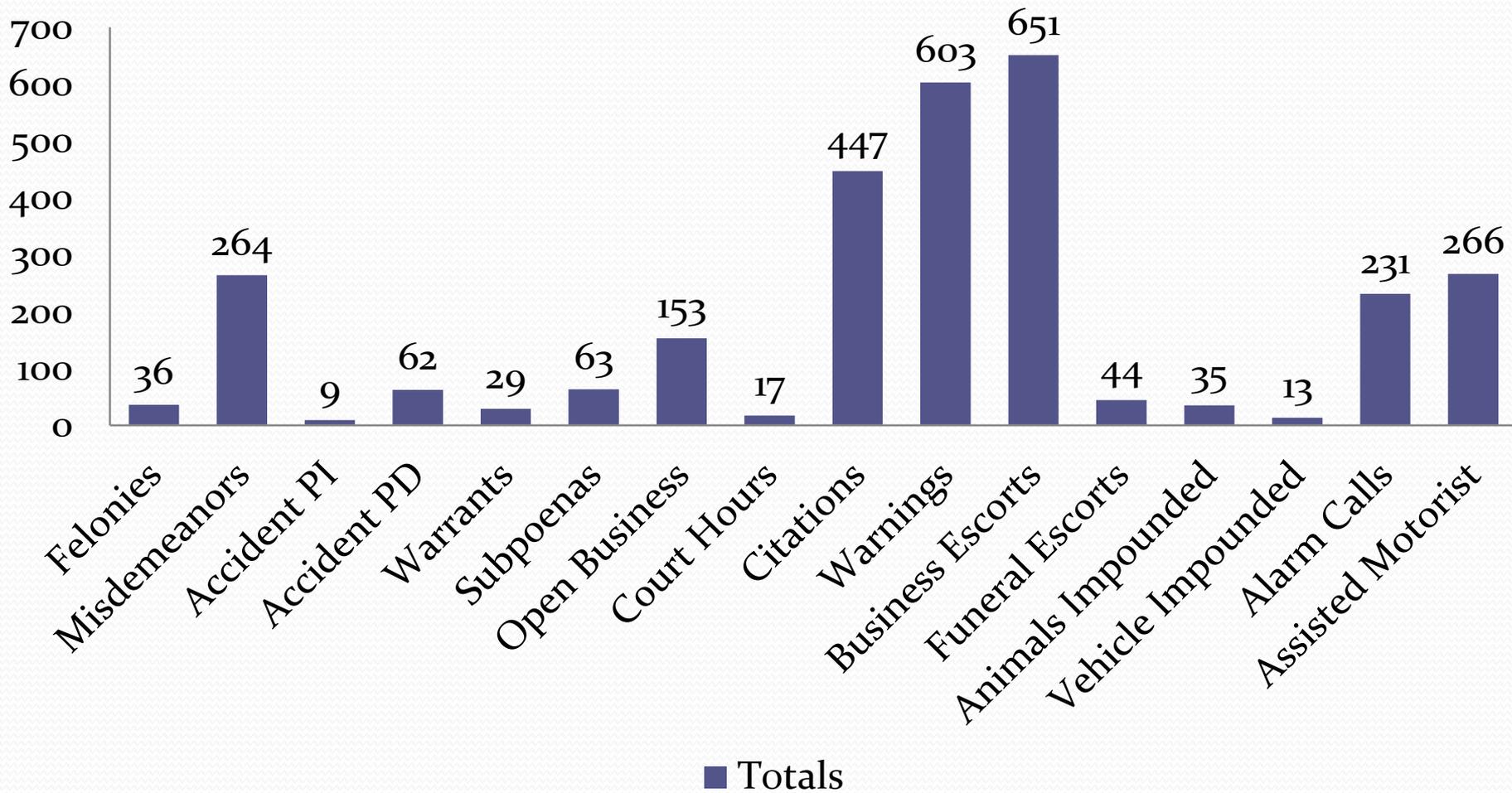


# Claremont Police Department 2012 Year Ending Review For Calls and Reports

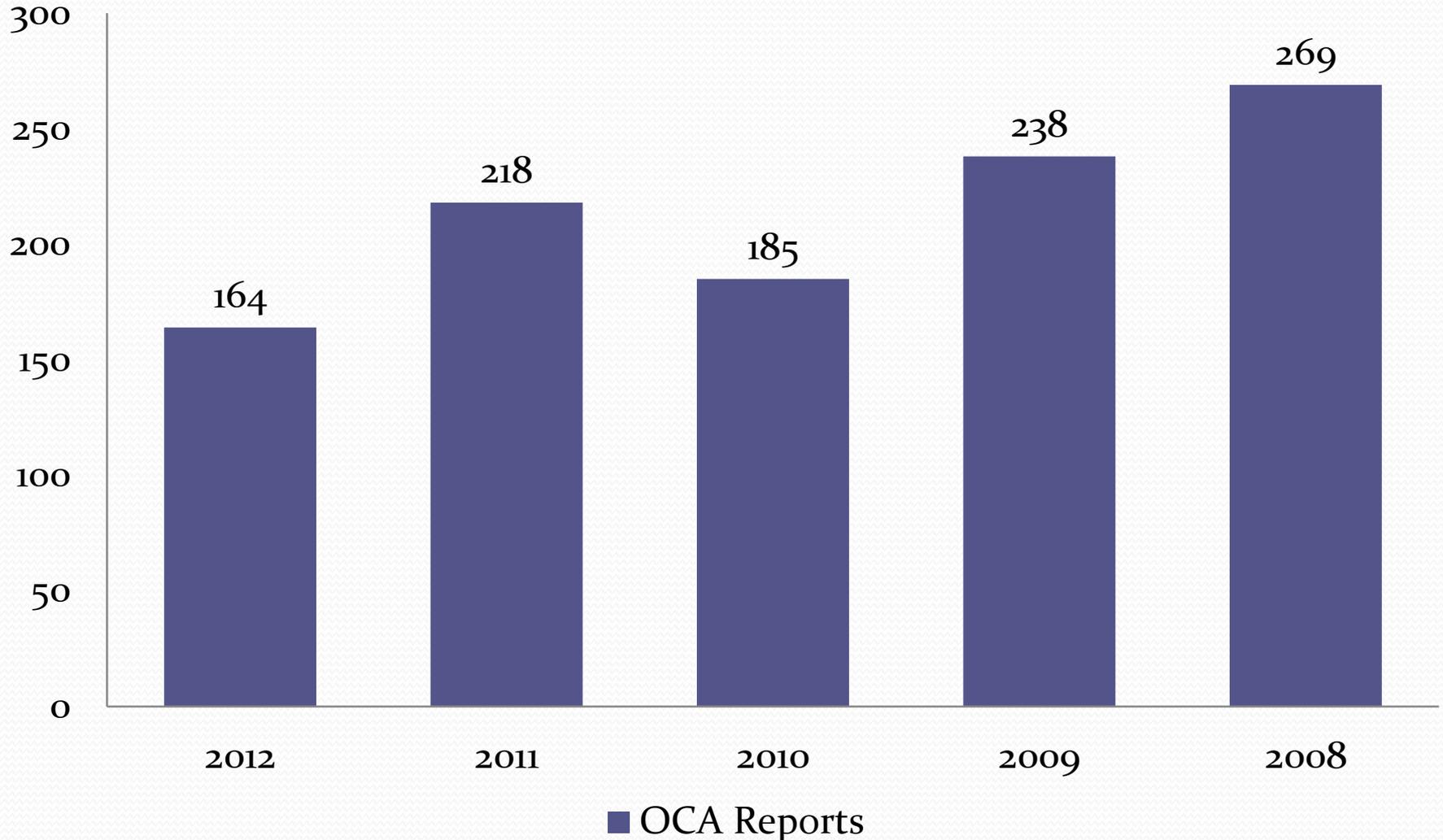
# Claremont Police Department Monthly Totals



# Claremont Police Department By Call Type



# Claremont Police Department Incident Reporting 5 Year Totals



# CLAREMONT PUBLIC WORKS

## MONTHLY REPORT

JANUARY 2013

### WATER DEPARTMENT

<u>41</u>	WATER TURNED ON
<u>38</u>	WATER TURNED OFF
<u>49</u>	METERS RE-READ
<u>1</u>	WATER LEAKS
<u>0</u>	WATER TAPS
<u>0</u>	SEWER TAPS
<u>0</u>	DIRTY WATER COMPLAINTS
<u>620 +3</u>	JET SEWER LINES/ MANHOLES

### MAINTENANCE DEPT.

<u>773</u>	LEAF BAGS TAKEN TO LANDFILL
<u>2.69</u>	TONS OF ROUGH TRASH PICKED UP
<u>97</u>	HRS. CHIPPING LIMBS
<u>0</u>	HRS. MOWING
<u>35</u>	HRS. BUSH HOG
<u>64</u>	HRS. CLEAN STORM DRAINS
<u>16</u>	HRS. CLEAN CURB & GUTTERING
<u>2</u>	# OF WHITE GOOD PICKUPS

### PERSONNEL

<u>26</u>	OVERTIME HOURS
<u>8</u>	TRAINING HOURS

### PARK

<u>2</u>	# OF TIMES RE-STOCK BATHROOMS
<u>4</u>	# OF TRASH PICKUPS

### OTHER

jet out and clean 320 feet of main sewer line & clean one man hole on S-lookout street  
jet out and clean 300 feet of main sewer line & wash out 2 man holes on  
N- oxford street

Repaired broken water lines on Frazier Drive & South Oxford

replaced 240 feet of cable and antenna ontop of the water tower at public works  
for the scada system.

work on storm drain ditch lines on N Lookout street & Lawrence drive



# CITY OF CLAREMONT UTILITY SYSTEM MONTHLY UPDATE January 2013

The City of Claremont operates a Utility System that includes two water receiving vaults, two 300,000 gallon elevated water storage tanks, five sewer pump stations, two waste water treatment plants, and roughly 25 miles of sewer and water lines. The two treatment plants are permitted to handle 400,000 gallons of waste water per day with 300,000 allocated to the McLin Creek plant and 100,000 to the North plant. The City of Claremont purchases all of its water from the City of Conover and contracts the operation of the waste water treatment plants with the City of Hickory. This report is intended to give a snapshot of the monthly activities of the utility system.

**Claremont Water & Waste Water Customer Profile & Usage**

Month	Residential Water Customers	Residential Water Usage	Residential Active Sewer	Commerical & Industrial Customers	Commerical & Industrial Usage	Commerical & Industrial Active Sewer
July In	615	2,528,700	499	113	4,308,300	83
July Out	174	696,000	10	17	283,000	3
August In	614	2,828,200	498	114	5,149,700	84
August Out	173	756,00	10	17	287,600	3
September In	616	2,615,700	499	113	5,090,550	83
September Out	172	723,600	10	17	299,900	3
October In	614	1,995,200	497	115	4,273,900	84
October Out	174	583,000	10	17	224,500	3
November In	614	2,527,900	497	115	4,642,670	84
November Out	174	735,800	10	17	440,400	3
December In	616	2,395,600	497	115	3,819,460	84
December Out	170	701,800	10	17	350,700	3

**Claremont Water Usage vs Water Purchased**

Month	Purchased from Conover	Billed by Claremont
March 2012	7,315,000	6,013,900
April 2012	8,725,000	5,704,800
May 2012	8,156,500	6,548,701
June 2012	9,759,500	7,106,300
July 2012	10,272,000	7,816,000
August 2012	18,000,500	9,021,500
September 2012	19,582,000	22,729,750
October 2012	8,225,000	7,076,600
November 2012	7,330,500	8,346,770
December 2012	8,119,500	7,267,560

## **System Activities**

- Continuing to evaluate regional options for wastewater treatment
- Working with Catawba County to extend a water line to the Bunker Hill Covered Bridge
- Working on construction plans to install back up power at the School Street Lift Station
- Working on construction plans to extend a water line along Kelly Blvd
- Repaired three water leaks
- Planned smoke testing for the month of February
- Secured root control program for April

## **McLin Creek WWTP**

<b>McLin Creek WWTP- December 2012 - NPDES Compliance</b>				
<b>Parameter</b>	<b>Limitation</b>	<b>Minimum</b>	<b>Maximum</b>	<b>Average</b>
Flow, GPD	300,000	53,000	328,000	119,000
BOD mg/l	8.0mg	3.8	8.0	5.0
TSS mg/l	30mg	2.8	7.2	4.1
Fecal Coliform	200ml	1	20	2
Ammonia-Nitrogen, mg/l	2.0mg	.10	.39	.15
Dissovled Oxygen, mg/l	5.0mg	6.9	8.1	7.5

<b>McLin Creek WWTP Flow, Gallons per day</b>			
<b>Month</b>	<b>Min</b>	<b>Max</b>	<b>Average</b>
December 2012	53,000	328,000	119,000
November 2012	58,000	158,000	113,000
October 2012	75,000	197,000	133,000
September 2012	69,000	296,000	141,000
August 2012	80,000	202,000	141,000
July 2012	62,000	228,000	137,000
June 2012	72,000	202,000	131,000
May 2012	58,000	331,000	151,000
April 2012	63,000	177,000	122,000
March 2012	91,000	268,000	133,000
February 2012	64,000	181,000	126,000
January 2012	72,000	186,000	125,000
December 2011	52,000	290,000	142,000

## **NCDENR LETTERS & NOTICES OF VIOLATIONS**

- NOV- Weekly BOD Limit discharge violation- \$397.44 NCDENR Fine

## North WWTP

North WWTP-December 2012 - NPDES Permit Compliance				
Parameter	Limitation	Minimum	Maximum	Average
Flow, GPD	100,000	53,000	180,000	104,000
BOD mg/l	30.0mg	8.8	16	11
TSS mg/l	30mg	8.4	23	14.7
Fecal Coliform	200ml	1	7	3
Ammonia-Nitrogen, mg/l	4.0mg	.12	.90	.44
Dissovled Oxygen, mg/l	5.0mg	6.9	9.7	8.1

North WWTP Flow, Gallons per day			
Month	Min	Max	Average
December 2012	53,000	180,000	104,000
November 2012	53,000	107,000	76,000
October 2012	55,000	83,000	67,000
September 2012	29,000	106,000	61,000
August 2012	41,000	80,000	57,000
July 2012	27,000	66,000	54,000
June 2012	44,000	76,000	55,000
May 2012	23,000	143,000	49,000
April 2012	36,000	94,000	65,000
March 2012	48,000	89,000	64,000
February 2012	44,000	82,000	61,000
January 2012	34,000	89,000	63,000
December 2011	42,000	131,000	72,000

## NCDENR LETTERS & NOTICES OF VIOLATIONS

- None

## Claremont Waste Water Collections System

No Fines or Issues

**PARKS & RECREATION COMMITTEE  
REPORT  
JANUARY 28, 2013**

**Senior Citizens Dinner** – It was suggested that next year instead of giving out tickets on which to write their names, the seniors will be given a 3 X 5 index card for their names and addresses. This information can be used for future correspondence. We have about 25 to 30 tickets with names and no way to find who they are to communicate with them.

**Overnight Camping and Park Usage** - At this time we have no way of knowing how many people use the park even with making reservations. The overnight camping group was to give the committee an evaluation of the event. It took 4 months of telephoning the leader to get the evaluation. It was recommended that we ask for a \$25.00 deposit for the use of the park in any way and when the party gives us the number of participants of the event, we give them back the deposit provided there is no damage that they caused. It was felt that the committee should know this as well as the City Council. The committee will go into more detail on this issue at the February meeting.

**Meeting with Jeff Taylor, Bunker Hill Principal:** Mr. Taylor visited the City Council meeting in December when he stated he would like to establish a relationship with the city. The Parks and Recreation Committee felt that there are a number of activities that we have done and could expand on.

The Committee wants to continue with the Pep Rally and have a Homecoming Parade to the park for the rally. The Bunker Hill Hope for Cure will be conducting a 5-K run during the Spring City Wide Yard Sale and the committee wants to assist in this event. We are looking for special talents to assist the city with the Memorial Day and Veterans Day ceremonies. We want to talk to Mr. Taylor about this program.

Council Member, Shawn Brown was a cross country runner when he attended Bunker Hill High School, and he would like to see a cross country course established at Francis Sigman Park. Many of the Committee members who were with the Optimist Club would also like to see this take place. Henry Helton has spoken to the coaches at Bunker Hill and Bandy's High Schools about a course at Francis Sigman Park, and both of them will be excited to see this happen. In talking with Mr. Taylor, we will ask if the track team members can undertake this as a project. Many of these youth live on farms and have the tractors to enable them to get the grass down and a path cut for the running trail.

The committee felt that we need to ask Mr. Taylor to help us with the Halloween ScareMont trail by having the students take an active part in providing different stages of the trail.

**Committee officers and meeting day and time:** The committee voted to have Tim Lowrance as the chairperson with Shawn Brown as the vice chairperson. Kendra Hedrick agreed to serve as the committee secretary to take the minutes. Henry Helton will write up a report apart from the minutes to send to the City Council. Susan Tucker will provide the publicity for the different activities that the committee will generate.

The committee will continue to meet on the fourth Monday of the month, but move the time up to 6:00 PM.

**The Calendar of events:** A list of all of the programs and activities was given out to the committee members to seek their interest in the leadership of the activities. There was a time for the members to add more activities to the programs that we already have. The members will come to the February meeting prepared to volunteer to head up different events.

It was pointed out that the date of the Christmas Parade will fall on Pearl Harbor Day, and we need to begin thinking of ways to celebrate that day during the parade. The Tailgate Market will begin April 26 and it will be held on Friday afternoons in the City Hall Parking lot, through the summer.

**The next meeting** of the committee will be on Monday, February 25 at 6:00 PM at City Hall.

The meeting was adjourned.

Respectfully submitted,

Henry H. Helton, Jr.