



Regular Council - Minutes Monday, April 2, 2018

COUNCIL PRESENT:

Mayor Mulhollem
Mayor Pro Tem Castleberry
Council Member Bruton
Council Member Jackson
Council Member Wilson
Council Member Locklear

STAFF PRESENT:

C.L. Gobble, Administrative Consultant
Chip Hewett, Town Attorney
Kim P. Batten, Finance Officer/Town Clerk
Bob Clark, Planning/Zoning Administrator

COUNCIL ABSENT:

MEDIA PRESENT:

None

1. WELCOME/CALL TO ORDER:

a) Invocation

Mayor Mulhollem called the meeting to order at 6:29 p.m. in the Jeffrey D. Barnes Council Chambers located at 14094 Buffalo Road, Clayton, NC and declared a quorum was present. Council Member Jackson offered the invocation.

b) Pledge of Allegiance

Mayor Mulhollem led the Pledge of Allegiance to the US Flag.

2. APPROVAL OF AGENDA:

a) No additions or changes noted.

Moved by: Council Member Wilson
Seconded by: Council Member Locklear

Approved Agenda.

CARRIED UNANIMOUSLY

3. OPEN FORUM/PUBLIC COMMENTS:

(Maximum of 30 minutes allowed, 3 minutes per person)

a) Mr. Mervin Jones of 123 Carrie Drive, Clayton, NC spoke to the Council regarding shootings in subdivisions & around schools.

Mr. Jones strongly encouraged that Town Council consider an ordinance preventing shooting guns in subdivisions and around schools. He expressed potential danger to citizens in these areas.

4. CONSENT AGENDA:

a) Approval of Minutes:

24 Feb 2018 Budget Planning Retreat ~ FY 2018/2019 Minutes

b) Approval of Granting the Administration of the Bicycle/ Pedestrian Planning Grant Process to NCDOT

NCDOT's Administration of Grant Process appears as follows:

NCDOT Administration of Grant Process

- NCDOT/DBPT (Division of Bicycle and Pedestrian Transportation) has on-call a pool of seven firms with experience in bike/pedestrian planning. DBPT staff will select a firm to prepare your plan whose skills match the needs of the local jurisdiction (with input from the local government also considered). Consultant assignment will also be influenced by current workload/available staff. This is anticipated to occur in June/July (or later, depending on when the agreement is executed).
- Agreements between the locality and NCDOT will be signed in May/June. The locality will be responsible for the local match at this time.
- Plan development start date is anticipated in September/October.
- The consultant will be responsible for submitting quarterly progress reports to NCDOT.
- NCDOT-DBPT will handle all consultant invoicing and all other related documentation.
- The local government will establish the project steering committee consisting of local citizenry. A primary local contact will serve as the liaison between the locality, consultant and NCDOT. This person along with the steering committee will give principal direction to ensure the plan captures what the community desires.

Moved by: Council Member Wilson

Seconded by: Mayor Pro Tem Castleberry

Approved Consent Agenda.

CARRIED UNANIMOUSLY

5. RECOGNITION/PRESENTATION:

a) Administration of Oaths of Board of Adjustment Alternate Members by Honorable Mayor Mulhollem

- **Teresa Bruton**
- **Clyde Castleberry**

Council Members Teresa Bruton and Mayor Pro Tem Clyde Castleberry were sworn in by Mayor Mulhollem as Alternate Members on the Archer Lodge Board of Adjustment.

Ms. Bruton's Oath appears as follows:

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

OATH OF BOARD OF ADJUSTMENT MEMBER
TOWN OF ARCHER LODGE

I, **TERESA BRUTON**, do solemnly swear that I will support and maintain the Constitution and laws of the United States of America; that I will be faithful and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, **TERESA BRUTON**, do swear that I will not be influenced in any manner because of personal bias or prejudice; and that I will faithfully and impartially execute the duties of my office as a Board of Adjustment Member according to the best of my skill, ability, and judgment; so, help me God.


TERESA M. BRUTON

Sworn to and subscribed before me
this 2nd day of April 2018


HONORABLE MATTHEW B. MULHOLLEM
MAYOR
TOWN OF ARCHER LODGE



Mr. Castleberry's Oath appears as follows:

**OATH OF BOARD OF ADJUSTMENT MEMBER
TOWN OF ARCHER LODGE**

I, **CLYDE CASTLEBERRY**, do solemnly swear that I will support and maintain the Constitution and laws of the United States of America; that I will be faithful and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, **CLYDE CASTLEBERRY**, do swear that I will not be influenced in any manner because of personal bias or prejudice; and that I will faithfully and impartially execute the duties of my office as a Board of Adjustment Member according to the best of my skill, ability, and judgment; so, help me God.


CLYDE B. CASTLEBERRY

Sworn to and subscribed before me
this 2nd day of April 2018


HONORABLE MATTHEW B. MULHOLLEM
MAYOR
TOWN OF ARCHER LODGE



6. DISCUSSION AND POSSIBLE ACTION ITEMS:

- a) **Discussion and Consideration of Approving the Agreement between the Town of Archer Lodge and the Archer Lodge Veterans Memorial Committee (ALVMC) regarding the Memorial once constructed**

Mr. Mike Mulhollem on behalf of the ALVMC stated that the committee approved the Agreement as written with the Town of Archer Lodge.

The Approved Agreement between the Town of Archer Lodge and Archer Lodge Veterans Memorial Committee appears as follows:

NORTH CAROLINA

JOHNSTON COUNTY

AGREEMENT

THIS AGREEMENT ("Agreement") is entered into between the TOWN OF ARCHER LODGE, a municipal corporation ("Town"), of Johnston County, North Carolina and the ARCHER LODGE VETERAN'S MEMORIAL COMMITTEE, INC., (the "ALVMC") of Johnston County, North Carolina.

STATEMENT OF PURPOSE:

- A. WHEREAS, the Town has dedicated an area on Town property for construction of a public veteran's memorial for the citizens of Archer Lodge; and
- B. WHEREAS the ALVMC has been formed to raise money and sponsor events to help pay for the construction of the memorial and to oversee the layout and design of the memorial; and
- C. WHEREAS after the memorial is constructed, the ALVMC has agreed to assist the Town with brick sales to pay for the memorial.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

- 1. Services to be Provided and Responsibilities. During the term of this Agreement, and after the construction of the memorial is complete, the ALVMC agrees to continue with fund raising efforts to and including selling memorial bricks. Town agrees to insure the memorial and be responsible for all upkeep and maintenance.
- 2. Term. Unless otherwise terminated, this Agreement shall be for three (3) years following the completion of construction for the memorial. Notwithstanding the foregoing, this Agreement may be terminated for any reason by either party upon 60 days notice and upon such termination this Agreement shall become null and void.
- 3. Entire Agreement. This Agreement expresses, embodies and supersedes all previous understandings, agreements, and commitments, whether written or oral, between the parties with respect to the subject matter hereof and to fully and finally set forth the entire agreement between the parties. This agreement is not part of any separate field lease agreement between the parties.
- 4. Governing Law. The laws of the State of North Carolina shall govern this Agreement.

5. Modification. The provisions of this Agreement may not be amended, deleted, or modified in whole or in part without the express written consent of all parties to this Agreement, which will be executed with the same formality as this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be made and entered into as of the date first written herein below.

TOWN OF ARCHER LODGE:

By:  (SEAL)
Matthew B. Mulhollem, Mayor

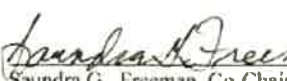
By:  (SEAL)
Kim P. Batten, Town Clerk

Date: 4/2/2018



ARCHER LODGE VETERAN'S MEMORIAL COMMITTEE, INC.

By:  (SEAL)
Michael O. Mulhollem, Co-Chairman

By:  (SEAL)
Sandra G. Freeman, Co-Chairman

Date: 4/2/18

2

Moved by: Council Member Wilson
Seconded by: Council Member Jackson

Approved the Agreement between the Town of Archer Lodge and the Archer Lodge Veterans Memorial Committee.

CARRIED UNANIMOUSLY

7. TOWN ATTORNEY'S REPORT:

a) Attorney Hewett gave an update on the following information:

- Johnston County Tax Administration confirmed with Attorney Hewett that Archer Lodge would receive delinquent property taxes.
- Attorney Hewett inquired about the status of meeting with Johnston County Emergency Management personnel regarding their process specifically with a Catastrophic event and debris removal. Ms. Batten stated that Ms. Sandy Wood had called and is reviewing her calendar to attend a work session at a future date. She noted that Kevin Madsen is no longer with Johnston County Emergency Services.

8. ADMINISTRATIVE CONSULTANT'S REPORT:

a) Mr. Gobble reported the following:

- Mr. Gobble, along with staff, met with MS Consultants regarding their draft floor plan of the Town Hall expansion project. He hoped

that both the Veterans Memorial site and the Town Hall expansion site would operate parallel.

- Mr. Gobble met with David Proper, Susan Hatchell and a PARTF staff member to strategize Park Land acquisition and the \$50,000 grant awarded from the state. He noted that Mayor Mulhollem attended another meeting with him and David Proper for an update on land.
- Mr. Gobble reminded Council to review the MAPS Group Study and to submit questions to himself or Ms. Batten, so Ms. Veazey will have time to provide answers for the Work Session.

9. PLANNING/ZONING REPORT:

a) Bob Clark reported the following:

- Mr. Clark updated the funding amount of the Bicycle/Pedestrian Planning Grant to \$40,000, and the Town's match is 10%, \$4,000. He remarked that the town approved NCDOT to administer the grant process with the Town's input.
- Mr. Clark welcomed Ms. Bruton and Mr. Castleberry as alternates on the Board of Adjustments. He mentioned that more training is planned and would communicate the possibility of any cases.
- Mr. Clark gave an update on the Heritage and Mayfield Subdivisions, and that the "Fees In Lieu Of Recreation" have been received, which will help towards a future park.
- Mr. Clark shared that they are researching above ground fuel storage tanks in the area, and the possibility of amending the ordinances in the future. Mayor Pro Tem Castleberry mentioned that there are tank regulations with the State.

10. VETERAN'S COMMITTEE REPORT:

a) Mr. Mike Mulhollem reported the following:

- The account balance is \$56,000 and recently made a \$4,000 payment for the Memorial Centerpiece.
- The Centerpiece for the Memorial site has been ordered.
- Met with C.L. Gobble and Bob Clark to discuss the construction of the Town Hall Expansion and the Veterans Memorial projects and working together for a better workflow.
- A new fundraising campaign will begin by sending letters to companies in surrounding areas.
- Current donators will receive an update letter on the status of the Veterans Memorial site and future plans.
- Project is planned to be completed by the end of the year.

11. MAYOR'S REPORT:

- ### **a) Mayor Mulhollem reiterated Mr. Gobble's report on the meeting with David Proper and is hoping for good results for the Town in the future.**

12. COUNCIL MEMBERS' REMARKS:

(non-agenda items)

- ### **a) Council Member Wilson shared that he agreed with Mr. Jones in regard to the firing of guns within subdivisions and that it would be a good idea for the Town to research what other small towns have in place.**

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- b) Council Member Jackson agreed with Mr. Wilson, and thought that there are some things the Town may consider, but it may take some time to implement.
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- c) Council Member Locklear agreed that the Town should research the firing of guns in subdivisions.
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- d) Mayor Pro Tem Castleberry agreed that the Town should research guns being fired in subdivisions and he visited some of the areas that have been reported.
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- e) Council Member Bruton passed out the proposed budget calendar and remarked that she, the Mayor and Ms. Batten will be presenting the budget to the Council soon.
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13. ADJOURNMENT:

a) No Further Business

Moved by: Council Member Jackson

Seconded by: Council Member Locklear

Meeting adjourned at 7:03 p.m.

CARRIED UNANIMOUSLY



Matthew B. Mulhollem, Mayor



Kim P. Batten, Town Clerk

