



Regular Council - Minutes
Monday, April 3, 2023

COUNCIL PRESENT:

Mayor Mulhollem
Mayor Pro Tem Castleberry
Council Member Bruton
Council Member Purvis
Council Member Wilson

STAFF PRESENT:

Bryan Chadwick, Town Administrator
Marcus Burrell, Town Attorney
Brandon Emory, Interim Town Planner
Kim P. Batten, Assist. Town Admin./Finance Officer
Mike Gordon, Previous Town Administrator
Chris Allen, Parks & Recreation Director
Chris Curry, Code Enforcement Officer
Jenny Martin, Human Resources Officer/Town Clerk

COUNCIL ABSENT:

Council Member Jackson

MEDIA PRESENT:

None

1. WELCOME/CALL TO ORDER:

a) Invocation

Mayor Mulhollem called the meeting to order at 6:30 p.m. in the Jeffrey D. Barnes Council Chambers located at 14094 Buffalo Road, Archer Lodge, NC and declared a quorum present. Council Member Purvis offered the invocation.

b) Pledge of Allegiance

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

Mayor Mulhollem wished Council Member Jackson safe travels and well wishes.

2. APPROVAL OF AGENDA:

a) No additions or changes noted.

Moved by: Council Member Wilson
Seconded by: Mayor Pro Tem Castleberry

Approved Agenda.

CARRIED UNANIMOUSLY

3. OPEN FORUM/PUBLIC COMMENTS:

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

- a) Mr. Christopher Casey of 219 Kentucky Dr., Archer Lodge, NC informed that he had presented a document to Ms. Martin for the perusal of the Council during their cell tower discussion. He shared that the document includes his background along with his Dad, and two brothers' long pedigree of negotiating with telecommunications for both carriers and facility providers. As a citizen of the Town, Mr. Casey expressed concerns about the Option and Ground Lease Agreement. He offered to attend a**

meeting with the Town to share his experience and explain the pitfalls of entering into the proposed agreement.

Discussion followed.

4. **CONSENT AGENDA:**

- a) **Approval of Minutes:**
07 Feb 2022 Regular Council Meeting Minutes
21 Feb 2022 Budget Planning Retreat ~ FY 2022/2023 Minutes
07 Mar 2022 Regular Council Meeting & Public Hearing on Amending Code of Ordinances, Town of Archer Lodge, NC Minutes
07 Mar 2022 Closed Session Minutes
21 Mar Budget Planning Retreat Continued ~ FY 2022/2023 Minutes
04 Apr 2022 Regular Council Meeting Minutes
04 Apr 2022 Closed Session Minutes
18 Apr 2022 Work Session Minutes
02 May 2022 Regular Council Meeting Minutes
02 May 2022 Closed Session Minutes
08 Jun 2022 Special Meeting Minutes
20 Jun 2022 Regular Council Meeting Minutes
11 Jul 2022 Regular Council Meeting Minutes

Moved by: Council Member Wilson
Seconded by: Council Member Purvis
Approved Consent Agenda.

CARRIED 3 to 1

5. **RECOGNITION/PRESENTATION:**

a) **Proclamation - Parkinson's Awareness Month**

Mayor Mulhollem proclaimed the Month of April 2023 as Parkinson's Awareness Month by reading the following Proclamation:



WHEREAS, Parkinson's disease is a chronic, progressive, neurological disease and is the second most common neurodegenerative disease in the United States; and,

WHEREAS, Parkinson's disease is estimated to affect approximately one million people in the United States and the prevalence will rise to 1.2 million by 2030; and,

WHEREAS, Parkinson's disease is the 14th leading cause of death in the United States according to the Centers for Disease Control and Prevention; and,

WHEREAS, it is estimated that the economic burden of Parkinson's disease is at least \$52 billion annually, including direct and indirect costs, including treatment, social security payments and lost income, to patients and family members; and,

WHEREAS, research suggests the cause of Parkinson's disease is a combination of genetic and environmental factors, but the exact cause and progression of the disease is still unknown; and,

WHEREAS, there is no objective test or biomarker for Parkinson's disease, and there is no cure or drug to slow or halt the progression of the disease; and,

WHEREAS, the symptoms of Parkinson's disease vary from person to person and can include tremors; slowness of movement and rigidity; difficulty with balance, swallowing, chewing, and speaking; cognitive impairment and dementia; mood disorders; and a variety of other non-motor symptoms; and

WHEREAS, volunteers, researchers, caregivers, and medical professionals are working to improve the quality of life of persons living with Parkinson's disease and their families; and,

WHEREAS, increased research, education, and community support services such as those provided by the Parkinson's Foundation and other organizations are needed to find more effective treatments and to provide access to quality care to those living with the disease today; and,

NOW, THEREFORE, I, Matthew B. Mulhollem, Mayor of the Town of Archer Lodge in North Carolina, do hereby proclaim April 2023 as

PARKINSON'S AWARENESS MONTH

Given under my hand and the Great Seal of the Town of Archer Lodge on this 3rd day of April 2023.


Matthew B. Mulhollem
Mayor

Council Member Wilson expressed appreciation to Mayor Mulhollem for proclaiming Parkinson's Awareness Month. He noted that cases are growing every year and younger people are also being affected. Mr. Wilson explained the improved procedures and research in progress for Parkinson's and the costs for treatments that incur. Mayor Mulhollem thanked Mr. Wilson for sharing and expressed prayers for those that are facing those challenges.

6. DISCUSSION AND POSSIBLE ACTION ITEMS:

a) Discussion and Consideration of Approving the Option and Ground Lease Agreement between the Town of Archer Lodge and APC Towers III, LLC

Mr. Chadwick discussed some changes to the original contract that had been presented approximately 6 months ago. Mr. Emory shared research he had gathered from another tower company for a comparison. Discussion followed. It was suggested to table the agreement for tonight and have Mr. Chadwick meet with Mr. Casey, who spoke earlier in the meeting. Attorney Burrell shared that the representatives from APC Towers were not invited to the meeting tonight, allowing the Council Members time to review and discuss the proposed agreement. Mr. Chadwick suggested using the information from the meeting tonight and present it to the APC Towers representatives in the form of questions.

Mayor Mulhollem called for a motion to table Agenda Item 6 a).

Moved by: Council Member Purvis

Seconded by: Mayor Pro Tem Castleberry

Approved to table Agenda Item 6 a) Discussion and Consideration of Approving the Option and Ground Lease Agreement between the Town of Archer Lodge and APC Towers III, LLC to allow further discussions and meetings.

CARRIED UNANIMOUSLY

7. TOWN ATTORNEY'S REPORT:

a) No report.

8. PARK UPDATE ~ MIKE GORDON

a) Mr. Gordon reported that concrete is in the process of being formed up behind the back stops, dugouts, and the walkways. The plan, weather permitting, is to finish the concrete tomorrow, Tuesday, April 4, 2023. Mr. Gordon shared that once surveying has been completed, plans are to continue with concrete for Phase II. They hope to start within the next two or three weeks. Irrigation is in the process of being installed. Mr. Gordon informed that the electrician has been on hold for a month due to waiting to receive a panel box that must be put in place before Duke Energy can connect the power. Ms. Batten noted that the bleachers and trash/recycle receptacles have been ordered. Mr. Gordon shared that the estimated completion date for the park is late summer. He informed that the picnic shelter for the park should arrive during the month of May 2023. Mr. Gordon also reported that the town is looking at other options for the restrooms due to prices being quoted higher than anticipated.

Discussion followed.

9. TOWN ADMINISTRATOR'S REPORT:

a) Archer Lodge Community Center Agreement

- **Johnston County Little League MOU**
- **Neuse River Futbol Alliance MOU**

Mr. Chadwick clarified that the Archer Lodge Community Center (ALCC) Agreement included the Johnston County Little League and Neuse River Futbol Alliance Memorandum of Understanding (MOU). He noted that the MOU's coincide together. Mr. Chadwick, Mayor Mulhollem, Ms. Batten, and Mr. Allen met last week with a contingent of three ALCC Board Members and several members of the Johnston County Little League to explain the management of the Parks and Recreation activities and programs by the Town of Archer Lodge. Mr. Chadwick explained that after having addressed their concerns of the ALCC and the Johnston County Little League, they scheduled separate meetings for Thursday, April 6, 2023, the meeting with the ALCC Board will be at 6:00 p.m. and the meeting with the Johnston County Little League will be at 7:00 p.m., to discuss possible options. Mr. Chadwick informed that the Neuse River Futbol Alliance signed the MOU today, Monday, April 3, 2023.

b) CAMPO/MPO Update

Mr. Chadwick shared that Mayor Mulhollem, Mr. Gordon, and himself attended a meeting a few weeks ago in Clayton, NC with the North Carolina Department of Transportation (NCDOT) to discuss the possibility of forming a Municipal Planning Organization (MPO) and leaving CAMPO. He explained that the Town of Archer Lodge met the threshold on the last NC 2020 Census to be able to form one of its own. Discussion followed regarding the pros and the cons of forming an MPO.

c) Code Enforcement Complaints

Mr. Chadwick shared that there were a couple of complaints this past week regarding overgrown grass. He advised that the complaints are a safety issue. Mr. Curry assured everyone that he had investigated the complaints and is managing the situation. Mr. Emory reiterated Mr. Curry's comments and shared that if someone is in a situation, not by choice, Alliance Code Enforcement will handle each situation individually and will not force anyone to comply that is physically unable to take care of the situation.

Discussion followed.

d) Insurance Rates Update

Mr. Chadwick informed the Council of information that Ms. Batten and Ms. Martin received at the NC League of Municipalities Insurance Update meeting. He shared that the Property and Liability Insurance will be increasing approximately 10% this coming year, but some insurance premiums should remain the same in general. He noted that an update on the details will come in the near future.

e) Grants Update

Mr. Chadwick informed that Staff submitted a grant application for \$5,000 with the Johnston County Visitors Center to help fund benches and bike racks at the new Town Park. He also shared that we are still waiting on the decision for the Open Space Grant. The Town hopes to hear about that within the next week to two. Mr. Chadwick shared that the Town has submitted some numbers to NC Representative Donna White regarding the upcoming needs to help with the Town Park project.

11. PARKS AND RECREATION DIRECTOR'S REPORT:

- a) Mr. Allen shared that Senior Games have been rescheduled for Saturday, April 8, 2023, weather permitting. He informed the Council that his training on the Edmunds Parks and Recreation Software is completed and that it should be going live soon for online or in-person registration and payments. Mr. Allen noted the possibility of delaying kick ball and flag football programs due to the finalizing of the Archer Lodge Community Center MOU. He is looking for other programs such as soccer and volleyball clinics to schedule. Mr. Allen also shared that he is looking to offer volleyball and basketball to be held at Archer Lodge Middle School and Riverwood Middle School, when available. He shared that Riverwood Elementary School doesn't have enough staff to maintain the gym at this time, but hopefully it will be available for the Town to use in the future. He is hoping to have sport/program forms and fee schedules ready next month for Council to approve as the Town moves forward with its Parks & Recreation programs. Mr. Allen shared that the Open Space Grant should be presented to the Board this week, so the Town should hear something back either this week or next week. He shared that there may be an opportunity for the Town to apply for that grant again in the fall.

No further comments or discussion.

12. PLANNING/ZONING REPORT:

- a) Mr. Emory informed Council that Kerry Barnes is now working with Alliance Code Enforcement as a Code Enforcement Inspector and that her official start date is April 10, 2023. He shared that until the Clayton Police Department can fill that role, his team will do what they need to do to ensure that violations are taken care of properly.

Mr. Emory shared that at the March 15, 2023 Planning Board Meeting, the Board approved a Recommendation of Approval to proceed with the process of establishing an Extra Territorial Planning Jurisdiction (ETJ). Mr. Emory recommended scheduling a meeting with a couple of Council Members at a time to eliminate having to schedule a meeting. He explained that these sessions will be to discuss the direction the Town wants to go and how fast to establish it.

Discussion followed.

Mr. Emory explained the following points of discussion:

- The Town does not provide services in the ETJ.
- The Planning Department will only provide development and zoning services, and enforcement of the minimum housing ordinance (if implemented) in the ETJ area that will be the same as the Town.
- No tax increase in the ETJ.
- Residents in the ETJ are allowed to serve on the Planning Board due to them having representation in the planning jurisdiction.
- The Town Council Board Members' seats are limited to Town of Archer Lodge residents only.
- It would be good to coincide the ETJ with the map that is being created for the 160D Comprehensive Land Use Plan.

- **After being in the ETJ, a development/neighborhood that is wanting to be annexed would already be within the Town zoning regulations.**

Mr. Emory advised Council to decide if they want to move forward with the ETJ process now or wait and include it with the map in the new 160D Comprehensive Land Use Plan. Mr. Chadwick shared that since he recently joined the Town, Mr. Meadows delayed the process of the ETJ to allow Mr. Chadwick time to be part of the discussions before moving forward with the ETJ.

Discussion Followed.

Mr. Emory also shared that at the March 15, 2023 Planning Board Meeting, the Board approved a Recommendation of Approval to proceed with the Minimum Housing Ordinance. He explained that the primary focus of the Minimum Housing Ordinance is to address properties (houses) and structures where no maintenance is being done and that are a genuine health and safety hazard, not the 100-year-old barn sitting on the property. Mr. Emory noted that this ordinance is very heavily regulated by General Statute 106D.

Discussion followed.

Mr. Emory advised Council to decide if they want to move forward with the Minimum Housing Ordinance before he creates it. Mayor Mulhollem advised Mr. Emory that he thought it was appropriate and that the consensus of the Council was for Mr. Emory to look into creating a Minimum Housing Ordinance.

13. CODE ENFORCEMENT OFFICER'S REPORT:

a) Monthly Report

Mr. Curry shared the following update:

- 30 new cases have been opened
- 30 notice of violations were issued
- 10 cases were abated
- 20 cases with presently no progress
- 18 abatement are in progress and will hopefully be abated by next months report
- 9 notice of hearings were sent out
- 13 signs were picked up
- Inspection, follow ups, and in person meetings or attempted in person meetings were made on all violators
- 20 Follow ups were done on previous cases.

No further comments or discussion.

14. MAYOR'S REPORT:

- a) Mayor Mulhollem shared that on Saturday, April 22, 2023, there will be a trash clean-up day. He asked that the event be shared by everyone in attendance and on the Town's social media. Mayor Mulhollem expressed that anyone who is willing to volunteer is more than welcome to join. The event will start at 8:00 a.m., for approximately three hours. This will be a county wide event with the Friends of Johnston County Parks to celebrate Earth Day, which is that same day.**
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15. COUNCIL MEMBERS' REMARKS:

(non-agenda items)

- a) Council Member Wilson shared cake with everyone in attendance to celebrate his upcoming birthday on April 12th. Mayor Mulhollem thanked him for providing cake for everyone and wished him a Happy Birthday. Mayor Mulhollem also wished a Happy Birthday to Council Member Jackson and Ms. Martin, that are both in the month of April.
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- b) Council Member Purvis informed that the Senior Activities Event will be held tomorrow, Tuesday, April 4, 2023, at the Archer Lodge Community Center, food will be provided. He noted that all Senior Activities Events are held the first and third Tuesday of each month and everyone is welcomed to attend.
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- c) Mayor Pro Tem Castleberry encouraged everyone to donate to Hospice for the special kind of care that they provide. Mayor Mulhollem thanked Mr. Castleberry for sharing.
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- d) Council Member Bruton noted that she made her remarks during the meeting.
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16. ADJOURNMENT:

- a) **No further business.**

Moved by: Council Member Purvis

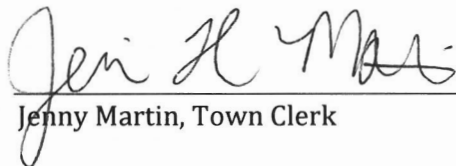
Seconded by: Council Member Wilson

Adjourned meeting at 8:31 p.m.

CARRIED UNANIMOUSLY



Matthew B. Mulhollem, Mayor



Jenny Martin, Town Clerk

