

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



**April 1, 2013
Claremont City Hall
7:00 pm**



**CITY OF CLAREMONT
CITY COUNCIL MEETING**

Regular Meeting

April 1, 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 & PROCLAMATIONS

- A. Early Childhood Education
- B. Child Abuse Prevention Month

5. CONSENT AGENDA

- A. Regular Meeting Minutes – March 4, 2013
- B. Closed Session Minutes- March 4, 2013
- C. Budget Meeting Minutes- March 2, 2013
- D. Budget Meeting Closed Session Minutes- March 2, 2013
- E. Resolution 16-12 Voluntary Annexation Sufficiency (ANX 13-01)
- F. Resolution 17-12 Voluntary Annexation Public Hearing (ANX 13-01)

6. CITIZEN'S CONCERNS AND COMMENTS

7. OLD BUSINESS

8. NEW BUSINESS

- A. Resolution 18-12 Awarding Retiring Police Chief Tolbert
- B. Resolution 19-12 Support of the Western Piedmont of Governments
- C. Ordinance 10-12 Budget Amendment
- D. DRAFT Ordinance 11-12 Beer & Wine Consumption Update

9. DEPARTMENT & COMMITTEE REPORTS

- A. Quarterly Financial Report
- B. Youth Council
- C. Fire Department
- D. Police Department
- E. Public Works
- F. Rescue Squad

- G. Utilities Department
- H. Planning and Zoning
- I. Parks & Recreation Committee
- J. Appearance Commission

10. CITY MANAGER’S REPORT

11. CLOSED SESSION

12. ADJOURN

City of Claremont Board & Committee Meetings

<u>City Council Meeting</u> 1 st Monday of each month	May 6 th	Council Chambers 7:00pm
<u>Planning Board</u> 2 nd Monday of each month	April 8 th	Council Chambers 7:00 pm
<u>Appearance Committee</u> 4 th Monday of each month	April 22 nd	Claremont Library 6:00 pm
<u>Parks & Recreation</u> 4 th Monday of each month	April 22 nd	Claremont City Offices 6:00 pm
<u>Youth Council</u> 1 st Sunday of each month	April 6 th	Council Chambers 3:00 pm
<u>Friends of the Library</u> 4 th Tuesday of each month	April 23 rd	Claremont Library 6:00 pm
<u>Seniors Morning Out</u> 3 rd Wednesday of each month	April 17 th	1 st Baptist Fellowship Hall 8:30 am
<u>Claremont Tailgate Market</u> Every Friday beginning April 26 th		City Hall Parking Lot 3-6pm

NOTES:

REQUEST FOR COUNCIL ACTION

Date of Meeting: **April 1, 2013**

To: Mayor David B Morrow

From: Doug Barrick, City Manager

Action Requested: Approve a Proclamation supporting Early Childhood Education

The Catawba County Partnership for Children provides valuable resources to the children of our community and a provides services to parents. In order to raise awareness of their causes Catawba County and all eight municipalities have joined in proclaiming support for Early Childhood education.

Recommendation: Approve Proclamation



City of Claremont

Mayors Proclamation

Whereas, the North Carolina Constitution mandates that all children have a right to the privilege of education, which must include a high quality pre-kindergarten program, regardless of race, gender, economic status, or special needs; and

Whereas, based on extensive data collection, research and science, the first 2000 days of a child's life represent a critical window of opportunity in regard to their physical, social, emotional, and developmental well-being, as well as success in school and in life; and

Whereas, parents are their children's first and best teachers, and they must have access to early childhood education options that meet their family's individual needs; and

Whereas, high quality early childhood programs increase graduation rates by as much as 44% and improve outcomes for the child, the economy and the community overall; and

Whereas, collecting data and evaluating early childhood programs on a local level is essential to ensuring that our local efforts are evidence-based and are efficient and effective in meeting the needs for young children and families; and

Whereas, developing a better understanding of the importance of early childhood enables the community and individuals to play a crucial role in connecting families to resources and in advocating for local, state, and federal support for local programming; and

Whereas, the Mayors of the Cities of Newton, Conover, Claremont, Maiden, Catawba, and Hickory; and the Chair of the Catawba County Commissioners are strongly committed to participating in Early Childhood Education, and will read to children during the month of May; and

Whereas, all elected officials encourage their citizens to also make the commitment to these programs in order to improve the outcomes for the children in our community;

NOW, THEREFORE I, David B. Morrow, Mayor of the City of Claremont proclaim publically support Early Childhood Education.

In witness whereof I have hereunto set my
Hand and caused this seal to be affixed

David B. Morrow, Mayor
This the 1st day of April 2013

REQUEST FOR COUNCIL ACTION

Date of Meeting:

To: Mayor David B Morrow

From: Doug Barrick, City Manager

Action Requested: Approve a Proclamation Declaring April Child Abuse Prevention Month

The Children's Advocacy Center of Catawba County along with the Children's Protection Council of Catawba County have asked that Catawba County and all eight municipalities to join in proclaiming April as Child Abuse Prevention Month. This proclamation is indented to help raise awareness and pledge support to prevent child abuse and neglect in Catawba County.

Recommendation: Approve Proclamation



City of Claremont

Mayors Proclamation

WHEREAS, we all have a responsibility, as individuals, neighbors, community members and citizens of the City of Claremont to help create healthy, safe and nurturing experiences for children; and

WHEREAS, safe and healthy childhoods help produce confident and successful adults; and

WHEREAS, child abuse and neglect often occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

WHEREAS, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

WHEREAS, child abuse and neglect can be reduced by making sure every family has the support they need and deserve to raise their children in a healthy environment; and

WHEREAS, it is recognized that no one person can do everything, but that everyone can do something, and together we can create change for the better; and

WHEREAS, effective prevention programs succeed because of partnerships among agencies, schools, faith communities, civic organizations, law enforcement agencies and the business community; and

WHEREAS, displaying a pinwheel or planting a pinwheel garden in April will serve as a positive reminder that together we can prevent child abuse and keep children safe;

Now, therefore, I, Mayor David B. Morrow do hereby proclaim April 2013 as Child Abuse Prevention Month in the City of Claremont and I urge all citizens to engage in activities that strengthen families and communities to provide the optimal environment for children to learn, grow and thrive so that all children have the benefit of happy, healthy and safe childhoods.

In witness whereof I have hereunto set my
Hand and caused this seal to be affixed

David B. Morrow, Mayor
This the 1st day of April 2013

REQUEST FOR COUNCIL ACTION

Date of Meeting:

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 March 4, 2013.

Recommendation: Approve the Minutes



City of Claremont Regular Meeting Minutes Monday, March 4, 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, March 4, 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, Councilmember Dale Setzer and Councilmember Dale Sherrill.

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, Deputy Chief Gary Bost, Fire Chief Gary Sigmon and Public Works Director Tom Winkler.

Others in attendance were: Henry Helton, Susan Tucker, Laurie LoCicero, Robert Winrow, Robert Smith, Heather Blanton, Eric Jones, Jason Lowrance, Andrea Ramsey and Gene Monday.

1. CALL TO ORDER

Mayor David Morrow called the Claremont City Council meeting to order at 7:04 p.m.

2. APPROVAL OF AGENDA

The agenda was approved as presented.

3. INVOCATION & PLEDGE OF ALLEGIANCE

The invocation was led by Bishop George Hilton of Light House Ministry. Councilmember Shawn Brown led the Pledge of Allegiance.

4. MAYOR'S REPORT

Mayor David Morrow reported Council, staff and department heads met February 2nd for the annual budget retreat. On March 11th Mayor David Morrow and City Manager Barrick will be attending a Mayor Manager's meeting. At the meeting they will discuss the economic competitive plan which the EDC was commissioned to see how Catawba County as a whole with sister cities could work together to improve Catawba County. The Amazing Race will be held at the Claremont Elementary School on March 19th. The Amazing Race is a reading competition for students and adults.

5. CONSENT AGENDA

A. February 4, 2013 Regular Meeting Minutes – Mayor Pro Tem Timothy Lowrance made a motion to accept February 4, 2013 regular meeting minutes as presented. Councilmember Nicky Setzer seconded the motion. The motion passed unanimously.

6. CITIZEN'S CONCERN'S & COMMENTS

None

7. PUBLIC HEARING

At 7:15 p.m. Councilmember Nicky Setzer made a motion to open the public hearing. Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

A. City of Claremont Golf Cart Ordinance – No member of the public commented on the ordinance.

At 7:16 p.m. Councilmember Shawn Brown made a motion to close the public hearing. Councilmember Dale Sherrill seconded the motion. The motion passed unanimously.

8. NEW BUSINESS

A. City of Claremont Golf Cart Ordinance - 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 ordinance has been compiled based on similar ordinances that have been adopted in other municipalities.

Highlights of this Ordinance 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.

City Attorney Bob Grant stated allowing golf carts on public streets doesn't open the City to any liability but the City can still be sued. On Ball Head Island the only transportation they have is by golf cart. They have had injuries and deaths due to not having seatbelts in the golf carts. He suggested adding a seatbelt regulation to the ordinance. He is also concerned with the golf cart being allowed in areas where the speed limit is 35 mph since a golf cart's maximum speed is 20 mph. He stated he doesn't think insurance companies will insure a golf cart.

Councilmember Dale Sherrill made a motion to table the golf cart ordinance. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

B. Resolution 15-12 Planning Board Appointments - The Planning Board currently has two member seats open. Planning Board Chairman Robert Smith has recommended reappointing the current members to these positions.

Councilmember Nicky Setzer made a motion to approve resolution 15-12 as presented. Mayor Pro Tem Timothy Lowrance seconded the motion passed unanimously.

9. DEPARTMENT & COMMITTEE REPORTS

A. Youth Council – Brittany reported they will be having two spirit nights, one at Boxcar and the other at Bojangles. They will also have three Zumba nights at St. Mark's Lutheran Church. The annual Easter egg hunt is March 23rd with the rain date of March 30th in Claremont Park.

B. Fire Department – Chief Gary Sigmon reported fire calls are down and training hours are up, 581 training hours for the month. They are preparing for the pancake breakfast that will be on May 4th. They held a fire extinguisher class for the staff of Bethlehem United Methodist Church daycare.

C. Police Department – Deputy Chief Gary Bost reported Corporal Clay Buff and Officer Pete Carswell investigated a case of breaking and entering into a vehicle at Pierre Foods. Lieutenant Long and Corporal Clark investigated cases of counterfeit monies. Deputy Chief Gary Bost stated counterfeit monies enter the banks and the banks use a machine that tells them rather the money is real or counterfeit. If the money is counterfeit they call the police.

D. Public Works – Public Works Director Tom Winkler reported Rick Damron is the new Assistant Director of Public Works. He stated the City loss power at the pump station and Deputy Chief Gary Bost found out who caused the power loss.

E. Rescue Squad – Chief Eric Jones reported Tim Hicks, Steve Norris and Eric Jones are going through the North Carolina Structural Collapse Technician Course that is being held at Surry Community College. Some of the up-coming training classes that are scheduled or being scheduled includes an Agricultural Rescue Class, ATV Tracking and Rescue class and some Search classes. The 13th Annual Claremont Rescue Pig Picking and Poker Run is scheduled for April 20th, 2013. We look forward to seeing everyone there this year.

F. Utilities Department – City Manager Doug Barrick reported the North Plant flow spiked in December which was caused by a leak at City Hall. January's flow is better. Smoke testing has been completed in the Industrial Park.

G. Planning & Zoning – City Planner Laurie LoCicero reported she will be adding extra hours to her time in Claremont. She will now be in Claremont on Wednesday mornings as well as Monday afternoons. The Planning Board is continuing to work on the sign ordinance.

H. Parks & Recreation Committee – Mayor Pro Tem Timothy Lowrance reported the committee is working on Claremont Daze. They are revamping the kids area and they are going to let the provider of the rides manage the rides.

10. CITY MANAGER'S REPORT

City Manager Doug Barrick stated DOT will be sending the sidewalk grant contract to be approved at April's meeting. The construction for the sidewalk project is estimated to begin in October and should be completed no later than August 2014.

Mayor David Morrow stated book author Robert Whitlow will be reading at the Claremont Library on March 14th at 6 p.m.

Mayor Pro Tem Timothy Lowrance will be attending the NLC conference in Washington D.C. March 9th through March 12th.

11. CLOSED SESSION

At 8:02 p.m. Mayor Pro Tem Timothy Lowrance made a motion go into closed session in reference to G.S. 143-318.11(3) (Attorney-Client Privilege) and G.S. 143-318.11(a)(4) (EDC Contract). Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

At 8:35 p.m. Mayor Pro Tem Timothy Lowrance made a motion to adjourn the closed session and reconvene the regular session. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

12. ADJOURN

At 8:36 p.m. Councilmember Shawn Brown made a motion to adjourn the City Council meeting. Councilmember Dale Setzer seconded the motion. The motion passed unanimously.

Respectfully submitted,
Mandy D. Buff, Administrative Support Clerk

David B. Morrow, Mayor

Attested:

Douglas L. Barrick, City Clerk

REQUEST FOR COUNCIL ACTION

Date of Meeting:

To: Mayor and the City Council

From: Doug Barrick, City Manager

Action Requested: Approval of Minutes

Approve the minutes from the Closed Session City Council meeting held on March 4, 2013.

Recommendation: Approve the Minutes

REQUEST FOR COUNCIL ACTION

Date of Meeting: April 1, 2013

To: Mayor and the City Council

From: Doug Barrick, City Manager

Action Requested: Approval of Minutes

Approve the minutes from the Budget Retreat City Council meeting held on March 2, 2013.

Recommendation: Approve the Minutes



City of Claremont Budget Retreat Minutes Saturday, March 2, 2013

The budget retreat workshop of the City of Claremont was held in the Training Room at Claremont Fire Department at 8:00 a.m. on Saturday, March 2, 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, Councilmember Dale Sherrill and Councilmember Dale Setzer.

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

1. CALL TO ORDER

Mayor David Morrow called the budget retreat workshop to order at 8:05 a.m.

2. CLOSED SESSION

At 8:06 a.m. Councilmember Shawn Brown made a motion to recess the budget retreat to go into closed session in reference to G.S. 143-318.11(a)(4) (EDC Contract) and G.S. 143-318.11(a)(6) (Personnel Matter). Councilmember Dale Setzer seconded the motion. The motion passed unanimously.

At 9:20 a.m. Councilmember Dale Sherrill made a motion to adjourn the closed session and reconvene the budget retreat. Councilmember Shawn Brown seconded the motion. The motion passed unanimously.

3. MAYOR'S WELCOMING

Mayor David Morrow thanked everyone for taking their time to come out on a Saturday. He also thanked the administration for providing the necessary information for the upcoming budget year and he thanked Council for their guidance.

4. INTRODUCTION TO THE BUDGET INFORMATION

City Manager Doug Barrick thanked everyone for their participation in putting the information together for the budget retreat and the FY 2014 budget.

5. OVERVIEW OF FY 2014 BUDGET

For FY 2013 the money comes from:

- 82% Ad Valorem Taxes
- 8% Utility Franchise Fees
- 8% Sales Tax
- 2% Fund Balance
- 1% State Shared Revenues
- 1% Fees

For FY 2014 the money will come from:

- 78% Ad Valorem Taxes
- 9% Utility Franchise Fees
- 9% Sales Tax
- 2% Fund Balance
- 1% State Shared Revenues
- 1% Fees

For FY 2013 the money was divided accordingly:

- 32% Police Department
- 22% Public Works
- 15% Administration
- 14% Fire Department
- 7% Debt Service
- 3% Recreation
- 3% City Council
- 2% Economic Development
- 1% Planning
- 1% Library

For FY 2014 the money will be divided accordingly:

- 32% Police Department
- 23% Public Works
- 17% Administration
- 13% Fire Department
- 6% Debt Service
- 3% Recreation
- 3% City Council
- 2% Economic Development
- 1% Planning
- 1% Library

Critical Issues Facing the City

- State Legislature effects – Taxes
- City Revenue sources are beginning a rebound.
- Future Expansion of Sewer Capacity

- A need for continued investment into the City
- Focus on retention and recruitment
- Community engagement
- Our fiscal planning has kept the City in a strong position.
- Our General Fund's Fund Balance is strong with over a current balance of \$1,978,259.

Recommendations & Initiatives for FY 2014

- 3% raise pool for employees
- Expanded Planning Services
- Action Planning Retreat
- Expanded Claremont Daze Funding
- Table Topic Issues
- Expanded Recycling Collections
- Continue and expand partnerships with the County and local governments to save money

The proposed budget for FY 2014 shows a 1.9% increase in personnel expenses, a 0.9% increase in operating expenses, a -100.0% decrease in City's capital and a -2.7% decrease in the City's debt compared to the previous three years.

Health insurance renewal rates, property and liability rates, Duke Energy rates, trash contract rates, the table topics and Council initiatives are missing from the proposed budget.

6. FY 2014 DEPARTMENTAL GOALS AND CAPITAL REQUESTS

Administration's goals are:

- Expand the City's e-profile
- Seek ways to expand community engagement and information delivery
- Begin renovations to City Hall
- Revisit the action planning process

Administration's CIPs are:

- City Hall renovations
 - \$18,000
 - Upcoming items include City signage and software upgrades.

The Police Department's goals are:

- Update employees files
- Audit evidence room inventory
- Transition operations to 800MHz radio system
- Begin a Police 101 class

The Police Department's CIPs are:

- Vehicle replacements
 - 2 vehicles - \$88,974
- 800MHz radios
 - 2 walkies - \$6,400
- Radar replacements

- 3 systems - \$3,600
- Upcoming items include building project phase 3

The Fire Department's goals are:

- Preplan the remaining 50% of the commercial and industrial occupancies
- Inventory and service all knox boxes
- Complete Fire 501(c)(3)
- Bring all members up to NFPA 1403 standard

The Fire Department's CIPs are:

- SCBA bottle replacement
 - \$7,200
- 800MHz radios
 - 3 walkies - \$9,675
- Expand outside building
 - \$10,500
- Service truck replacement
 - Truck 78 - \$125,000
 - Upcoming items include a vehicle replacement and resurfacing of the bay floors

The Public Works Department's goals are:

- Trenching and shoring OSHA training
- Continue ASE certifications for the mechanic
- Complete MUTCD sign inventory change out

The Public Works Department's CIPs are:

- Street sign replacements
 - \$5,000
 - Upcoming items include the replacement of one truck and one mower
 - Long term goal/project of building uplift and renovations

The Park and Recreation's goals are:

- Continue to expand recreation programs
- Revamp and expand Claremont Daze program
- Increase advertising and outreach for programs
- Seek ways to increase historical documents for the history wall

The Park and Recreation's CIPs are:

- City park upgrades
 - Two Metal Roofs, Vinyl Siding, 6 Picnic Tables, Master Plan - \$13,500
 - Upcoming items include Francis Sigman Park improvements and continuation of the downtown mural project

The Water and Sewer goals are:

- Continue in house collections and distribution system certifications

- Expand Proactive Inspections of water and sewer services
- Begin Sewer Camera Logging
- Begin Sewer Smoke Testing
- Implement yearly valve cleanout & exercise program
- Begin electronic maintenance logging
- Digital work order system

The Water and Sewer CIPs are:

- Root control program
 - \$8,000
- Spare pumps for lift stations
 - \$18,500
- Outfall mower replacement
 - \$9,800
- Sewer inspection equipment
 - Camera, smoke machine, locators - \$14,700
- Sewer outfall maintenance vehicle
 - \$15,500
 - Upcoming items include McLin outfall line and north transfer to pump station

7. TABLE TOPICS

- See Click Fix is an online and mobile application that allows the citizens to communicate nonemergency problems or concerns to the city employees 24/7. The cost would be \$5,800 annually.
- Neptune Auto Read Meters is an electronic water and sewer meter that provides a more efficient meter reading. The cost would be \$302,700.
- Claremont SRO – \$76,855 year one
- City Park - The plan will serve as a roadmap of the future and allow the City to renovate or construct new facilities that are preferred by its citizens. It also will allow better success for PARTF funding and will create partnerships.
- City Hall Lighting – The current lighting is florescent T8 and the proposed lighting is T5. The T5 lighting is more cost efficient and Duke Energy has approved an \$886 rebate on the project.
- City Council Goals & Initiatives for FY 14 - Fill empty storefronts, local promotion of businesses & non-profits, continue recruitment & retention in the business park, PJ Stanley Memorial Scholarship, senior citizen promotions, expand parks programming, historical preservations, expand greenways, involve citizens & youth of the community, expand sewer capacity, ensure availability of public utilities, provide adequate and clean water distribution, evaluate organizational effectiveness, foster community input, involvement, & transparency, increase Wi-Fi access, technology initiatives, expand the city's e-profile

8. DEPARTMENTAL BUDGETS

The proposed FY 2014 budget broken down:

General Fund:

City Council - \$70,420
 Administration - \$407,138
 Library - \$21,055
 Planning - \$29,150

Police - \$718,744
Fire - \$298,546
Public Works - \$524,697
Parks & Recreation - \$72,000
Debt Service - \$143,562
General Fund Total - \$2,285,312

Water and Sewer Fund:

Revenues - \$1,164,887
Water Treatment - \$212,725
Debt Service - \$152,458
Water Maintenance - \$80,750
Waste Water Treatment - \$516,400
Waste Water Maintenance - \$122,500

9. WRAP-UP AND NEXT STEPS

There was discussion on holding off on replace the fire department's service truck. There was also discussion on repairing the City Hall's parking lot and making it more appealing.

10. CLOSED SESSION

At 1:29 p.m. Councilmember Dale Sherrill made a motion to recess the budget retreat to go into closed session in reference to G.S. 143-318.11(a)(4) (EDC Contract) and G.S. 143-318.11(a)(6) (Personnel Matter). Councilmember Dale Setzer seconded the motion. The motion passed unanimously.

At 1:34 p.m. Councilmember Shawn Brown made a motion to adjourn the closed session and reconvene the budget retreat. Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

11. ADJOURN

At 1:35 p.m. Councilmember Dale Setzer made a motion to adjourn the budget retreat. Mayor Pro Tem Timothy Lowrance seconded the motion. The motion passed unanimously.

Respectfully submitted,
Mandy D. Buff, Administrative Support Clerk

David B. Morrow, Mayor

Attested:

Douglas L. Barrick, City Clerk

REQUEST FOR COUNCIL ACTION

Date of Meeting: April 1, 2013

To: Mayor and the City Council

From: Doug Barrick, City Manager

Action Requested: Approval of Minutes

Approve the minutes from the Budget Retreat Closed Session City Council meeting held on March 2, 2013.

Recommendation: Approve the Minutes

REQUEST FOR COUNCIL ACTION

Date of Meeting: **April 1, 2013**

To: Mayor and the City Council

From: Doug Barrick, City Clerk

Action Requested: Approve Resolution 16-12 Voluntary Annexation Sufficiency

North Carolina General Statutes require that prior any annexation proceedings take place that the City Clerk investigate the sufficiency of the annexation request.

The owners of 3254 Woody Lane are requesting voluntary annexation into the Corporate Limits of the City of Claremont. This 4.15 acre tract is currently in the ETJ of the City of Claremont and is not contiguous to current Corporate Limits, served by City Utilities, and is served by all other city services. The City Clerk certifies the sufficiency of the request as the City tries to honor voluntary annexation requests, the proposed annexation would expand the City's tax base, and the proposed annexation will not hamper the Cities ability to deliver public services to this parcel.

Recommendation: Approve Resolution



**City of Claremont
 North Carolina
 Catawba County
 Petition Requesting Annexation**

Date: March 21, 2013 Catawba County Tax Parcel #(s): 376106275673

To the City Council of the City of Claremont:

1. I/We the undersigned owners of real property, respectfully request that the tax parcels listed above and the area described in Item 2 below be annexed to the City of Claremont. Furthermore I/we do declare and certify that all legal owners of real property in the annexation area have signed this petition in Item 3 below.
2. The area to be annexed is (choose one):

Contiguous to the primary corporate limits to the City of Claremont. A complete and accurate legal description of the property and a recently prepared survey map are attached.

OR

Not contiguous to the primary corporate limits of the City of Claremont. A complete and accurate legal description of the property and a recently prepared survey map are attached. In addition, I/we certify that:

- (A) The nearest point of the property to be annexed is no more than three miles from the primary corporate limits of the City of Claremont; and
- (B) No Point of the property to be annexed is closer to the primary corporate limits of another city than to the primary corporate limits of the City of Claremont; and
- (C) The property to be annexed is not a subdivision as defined by N.C.G.S. 160A-376 or if it is that the entire subdivision as defined by this statute is included in the proposed annexation area.

3. I/we acknowledge that any zoning vested rights acquired pursuant to G.G. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/we further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. If zoning vested rights are claimed, indicate below and attach proof. (Copy of a valid building permit, CUP, etc.) *Parcel Report Attached*

Name (Please type or print)	Address (Please type or print)	Vested Rights? Yes or No	Signature
Susan Shepherd Smoot	6227 Welborn Rd Trinity, NC 27370	Yes	<i>Susan Shepherd Smoot</i>
Norma Zane Shepherd	1017 Montgomery St Winston-Salem, NC 27101	Yes	<i>Norma Zane Shepherd</i>

* If you answer yes, you must attach a detailed description of the right you are claiming; otherwise you will forfeit this right within the City

Parcel Report - Catawba County NC

Parcel Information:

Parcel ID: **376106275673**
Parcel Address: **3254 WOODY LN**
City: **CLAREMONT, 28610**
LRK(REID): **68556**
Deed Book/Page: **2018/0860**
Subdivision:
Lots/Block: /
Last Sale:
Plat Book/Page:
Legal:
Calculated Acreage: **4.150**
Tax Map: **4200 00070**
Township: **CLINES**

Tax/Value Information: [Tax Rates\(pdf\)](#)

Municipal Tax District:
Fire District: **CLAREMONT RURAL**
Tax Account Number: **210138**
Market Building(s) Value: **\$309,400**
Market Land Value: **\$41,700**
Market Total Value: **\$351,100**
Year Built/Remodeled: **1970/**
[Current Tax Bill](#)

Miscellaneous:

[Building Permits](#) for this parcel.
[Building Details](#)
WaterShed: **WS-IV Protected Area**
Voter Precinct: **P6**
[Parcel Report Data Descriptions](#)

[List all Owners](#)

[Deed History Report](#)

[Assessment Report](#)

Owner Information:

Owner: **SHEPHERD NORMA ZANE**
Owner2: **SMOOT SUSAN ANN SHEPH**
Address: **6227 WELBORN RD**
Address2:
City: **TRINITY**
State/Zip: **NC 27370-7817**

School Information:

School District: **COUNTY**
Elementary School: **CLAREMONT**
Middle School: **RIVER BEND**
High School: **BUNKER HILL**
[School Map](#)

Zoning Information:

Zoning District: **CLAREMONT**
Zoning1: **R-1**
Zoning2:
Zoning3:
Zoning Overlay:
Small Area:
Split Zoning District 1/2: /
[Zoning Agency Phone Numbers](#)

Firm Panel Date: **2007-09-05**
Firm Panel #: **3710376100J**
2010 Census Block: **1008**
2010 Census Tract: **011401**
Agricultural District:

This map/report product was prepared from the Catawba County, NC Geospatial Information Services. Catawba County has made substantial efforts to ensure the accuracy of location and labeling information contained on this map or data on this report. Catawba County promotes and recommends the independent verification of any data contained on this map/report product by the user. The County of Catawba, its employees, agents, and personnel, disclaim, and shall not be held liable for any and all damages, loss or liability, whether direct, indirect or consequential which arises or may arise from this map/report product or the use thereof by any person or entity.



**CITY OF CLAREMONT
NORTH CAROLINA**

RESOLUTION # 16-12

**A RESOLUTION PERTAINING TO THE SUFFICIENCY OF THE PETITION TO
EXTEND THE CITY OF CLAREMONT CORPORATE LIMITS (ANX 13-01)**

WHEREAS, on March 21, 2013 the City of Claremont received a petition requesting voluntary annexation of an area described in said petition; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Claremont deems it advisable to proceed in response to this voluntary request for annexation;

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

The City Clerk is hereby directed to investigate the sufficiency of the petition and to certify to the City Council prior to the extension of the Claremont Corporate Limits.

Adopted this 1st day of April 2013.

David B. Morrow, Mayor

ATTEST:

Doug Barrick
City Clerk

REQUEST FOR COUNCIL ACTION

Date of Meeting: **April 1, 2013**

To: Mayor and the City Council

From: Doug Barrick, City Clerk

Action Requested: Approve Resolution 17-12 Voluntary Annexation Public Hearing Date

North Carolina General Statutes require that prior any annexation proceedings take place that the City Council approve and set a date and time for a public hearing. The public hearing for this annexation will be advertised for May 6, 2013 at 7:00pm in the News & Observer.

The owners of 3254 Woody Lane are requesting voluntary annexation into the Corporate Limits of the City of Claremont. This 4.15 acre tract is currently in the ETJ of the City of Claremont and is not contiguous to current Corporate Limits, served by City Utilities, and is served by all other city services. The City Clerk certifies the sufficiency of the request as the City tries to honor voluntary annexation requests, the proposed annexation would expand the City's tax base, and the proposed annexation will not hamper the Cities ability to deliver public services to this parcel.

Recommendation: Approve Resolution



**CITY OF CLAREMONT
NORTH CAROLINA**

RESOLUTION # 17-12

**A RESOLUTION PERTAINING TO SETTING A DATE FOR THE PUBLIC
HEARING ON THE QUESTION OF A VOLUNTARY ANNEXATION
PURSUANT TO G.S. 160A-31 (ANX 13-01)**

WHEREAS, a petition requesting voluntary annexation of an area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

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

Section 1. A public hearing on the question of annexation of the area described herein will be held at Claremont City Hall, 3288 East Main Street, Claremont, NC 28610 at 7:00PM on Monday May 6, 2013.

Section 2. The area proposed for annexation is described as follows:

Catawba County Parcel Identification Number: 376106275673 and located at 3254 Woody Lane comprising 4.15 Acres.

Section 3. Notice of the public hearing will be published in a newspaper having general circulation in the City of Claremont. The advertisement will fulfill the requirement to post the date of the public hearing at least ten (10) days prior to the date of the public hearing.

Adopted this 1st day of April 2013.

David B. Morrow, Mayor

ATTEST:

Doug Barrick
City Clerk

REQUEST FOR COUNCIL ACTION

Date of Meeting: April 1, 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: **April 1, 2013**

To: Mayor and the City Council

From: Doug Barrick, City Clerk

Action Requested: Approve Resolution 18-12 Awarding Retiring Police Chief Gerald Tolbert

North Carolina General Statutes allow for municipalities to award retiring police officers their badge and sidearm in appreciation for their service to the citizens. Whereas Gerald Tolbert has serviced as the Police Chief for the City of Claremont for 30 years this resolution will award Chief Tolbert his badge and sidearm. These items will be officially dedicated to the Chief at his retirement banquet on April 27th.

Recommendation: Approve Resolution



Claremont Police Department

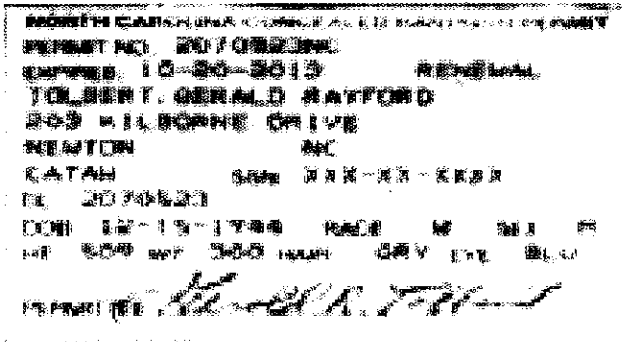
Deputy Chief
Gary E. Bost
3301 East Main St.
P.O. Box 446
Claremont, N.C. 28610
Office: (828) 459-9295
Fax: (828) 459-7865

March 27, 2013

I, Deputy Chief Gary Bost upon the request from the City Manager Doug Barrick do issue this letter for the City of Claremont in reference to items received by Chief of Police Gerald R. Tolbert as to the agreement for his retirement. I, Deputy Chief Gary Bost have attached a copy of Chief of Police Gerald R. Tolbert's carry concealed card to satisfy the Federal Government, State of North Carolina and City of Claremont for receiving the items listed below.

Items

1. Glock Model 27 Handgun .40 Caliber S&W - Serial # RET-765
2. Smith & Wesson 38 Special Handgun .38 Caliber - Serial # J565295



Deputy Chief
Gary Bost

Deputy Chief Gary Bost
Claremont Police Department



**CITY OF CLAREMONT
NORTH CAROLINA**

RESOLUTION # 18-12

**A RESOLUTION AWARDED RETIRING POLICE CHIEF GERALD
TOLBERT HIS BAGDE AND SERVICE WEAPONS**

WHEREAS, G.S.20-187.2 provides that retiring members of municipal law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the municipality; and

WHEREAS, G.S. 20-187.2 further provides that the governing body of the municipal law enforcement agency may, in its discretion, award to a retiring member the service sidearm of such retiring member; and

WHEREAS, Gerald Tolbert has served as a member of the Claremont Police Department for a period of 30 years and as Police Chief for all of those 30 years and is retiring from the City of Claremont Police Department on May 1, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE CLAREMONT CITY COUNCIL, that the City Manager is hereby authorized in accordance with the provisions of G.S. 20-187.2 to transfer to Gerald Tolbert, the badge worn by him during his service with the Claremont Police Department and his service side arms, a Glock .40 Caliber, serial number RET-765 and Smith & Wesson .38 Caliber, Serial number J-565295.

Adopted this 1st day of April 2013.

David B. Morrow, Mayor

ATTEST:

Doug Barrick
City Clerk

REQUEST FOR COUNCIL ACTION

Date of Meeting: **April 1, 2013**

To: Mayor and the City Council

From: Doug Barrick, City Clerk

Action Requested: Approve Resolution 19-12 Supporting the WPCOG Service Area

Draft legislation of directs that the regional offices of the North Carolina Department of Environment and Natural Resources (7 offices), divisional offices of the Department of Transportation (14 divisions) and the regional economic development commissions and partnerships (a total of 7) combine into 7 uniform administrative regions in the state. It establishes a Study Commission on Regionalization Conformity no later than September 1, 2013. The commission consists of 8 members with 4 appointed by the Senate Pro Tem and 4 appointed by the House Speaker. The legislation spells out specific issues for consideration. The WPCOG is requesting legislation or consideration to not split the WPCOG region. The WPCOG Policy Board has approved this resolution and is seeking member support.

Recommendation: Approve Resolution

Key Points for N.C. Senate Bill 127 & House Bill 356

Legislation Summary: The draft legislation (edition 1) directs that the regional offices of the North Carolina Department of Environment and Natural Resources (7 offices), divisional offices of the Department of Transportation (14 divisions) and the regional economic development commissions and partnerships (a total of 7) combine into 7 uniform administrative regions in the state. It establishes a Study Commission on Regionalization Conformity no later than September 1, 2013. The commission consists of 8 members with 4 appointed by the Senate Pro Tem and 4 appointed by the House Speaker. The legislation spells out specific issues for consideration. The populations of the proposed administrative regions range from 758,117 to 2,011,175.

Key Points:

- The current boundaries of SB 127/H356 (see map) split many of the regional councils of governments.
- The current bill text places Burke County in a different region from Alexander, Caldwell & Catawba.
- The current bill boundaries split metropolitan areas including RPOs and MPOs.
- The current bill boundaries do not appear to consider travel patterns or economic clusters.
- The current bill boundaries would not significantly improve the existing issue of regional councils of governments, MPOs and RPOs having to work with multiple regional offices of state government.
- The proposed study commission appointments are not designated for any particular agency or category of persons.
- Regional councils of governments are the most prominent and active long-time statewide entities that identify and address issues of regional significance.
- Aligning the state administrative regions with boundaries of regional councils of governments will enhance collaboration between local government, community and business leaders by reducing the number of state administrative regions for which they must interact.

Possible Actions/Objectives:

- Seek a modification to the legislation that does not split the WPCOG region. The Option B map is preferred.
- Suggest alternative boundaries for the administrative divisions that align with boundaries of regional councils of governments.
- Actively seek specific seats on the commission representing the NCARC.
- Seek support from the NC Association of County Commissioners and NC League of Municipalities to avoid splitting COG regions.

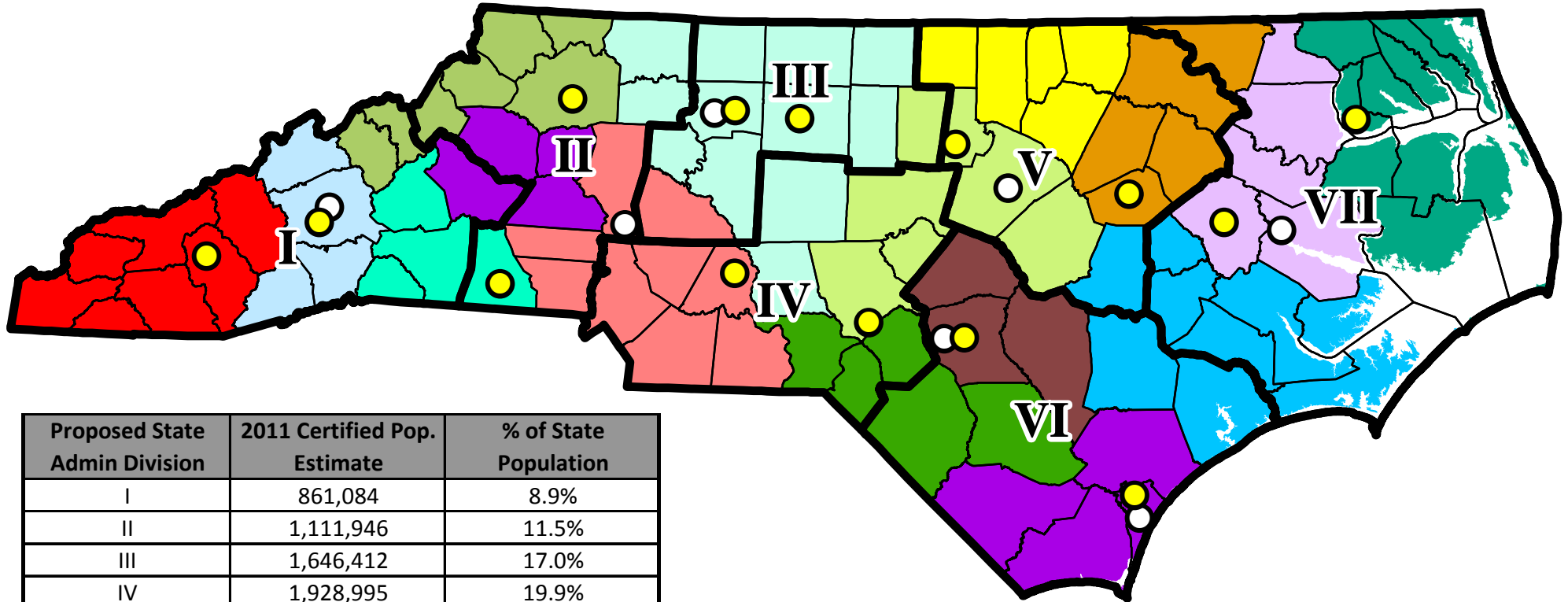
Link to the legislation:

SB 127: <http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2013&BillID=s127>

HB 356: <http://www.ncleg.net/gascripts/BillLookUp/BillLookUp.pl?Session=2013&BillID=h356>

Note: Maps of the current legislation and options A and B are attached.

Proposed State Administrative Regional Divisions with NCARC Boundaries as proposed by S.B. 127



Proposed State Admin Division	2011 Certified Pop. Estimate	% of State Population
I	861,084	8.9%
II	1,111,946	11.5%
III	1,646,412	17.0%
IV	1,928,995	19.9%
V	2,011,175	20.8%
VI	1,351,515	14.0%
VII	758,117	7.8%
State	9,669,244	100.0%

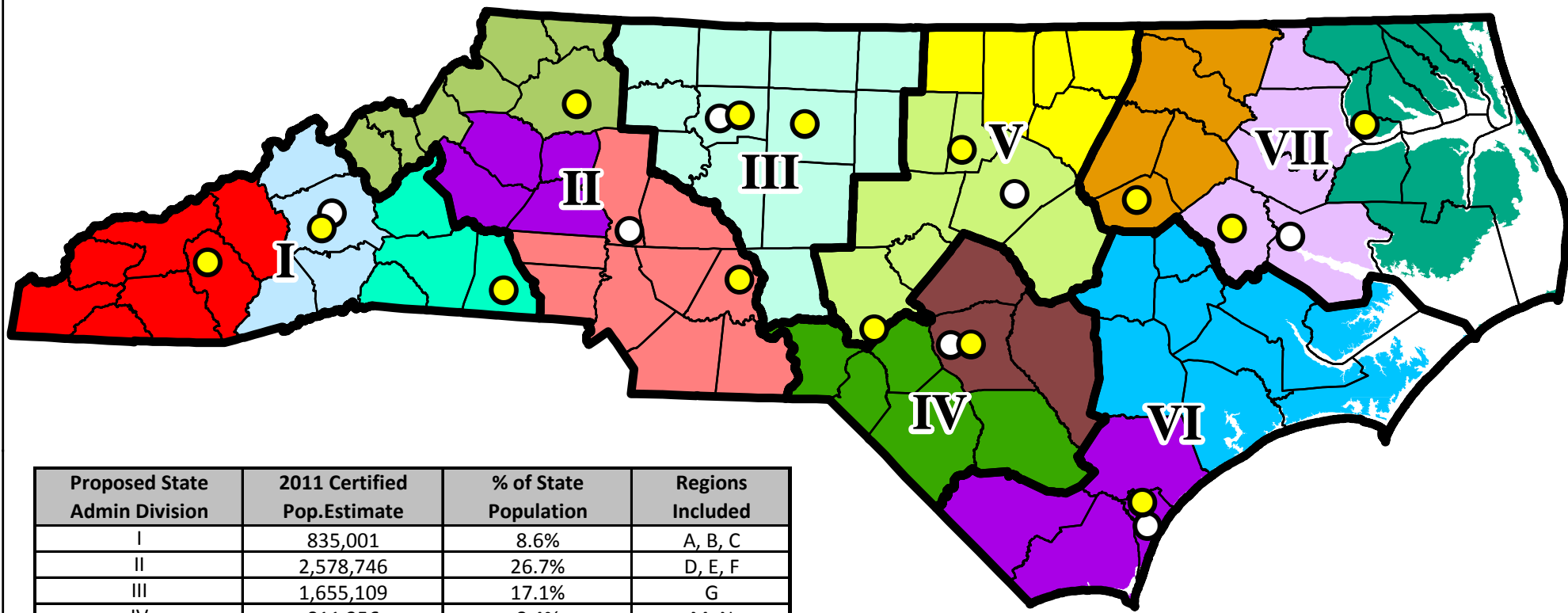
- NCDOT Division Office
- NCDENR Regional Office

NCARC Boundaries

- | | | | |
|--|--|--|---|
| A Southwestern Commission | E Western Piedmont COG | K Kerr-Tar Regional COG | O Cape Fear COG |
| B Land-of-Sky Regional Council | F Centralina COG | L Upper Coastal Plain COG | P Eastern Carolina COG |
| C Isothermal PDC | G Piedmont Triad COG | M Mid-Carolina COG | Q Mid-East Commission |
| D High Country COG | J Triangle J COG | N Lumber River COG | R The Albemarle Commission |

I-VII Proposed State Administrative Regional Divisions in S.B. 127

Proposed State Administrative Regional Divisions Aligned with NCARC Boundaries Option A



Proposed State Admin Division	2011 Certified Pop. Estimate	% of State Population	Regions Included
I	835,001	8.6%	A, B, C
II	2,578,746	26.7%	D, E, F
III	1,655,109	17.1%	G
IV	811,356	8.4%	M, N
V	1,947,505	20.1%	J, K
VI	1,012,951	10.5%	O, P
VII	828,576	8.6%	L, Q, R
State	9,669,244	100.0%	

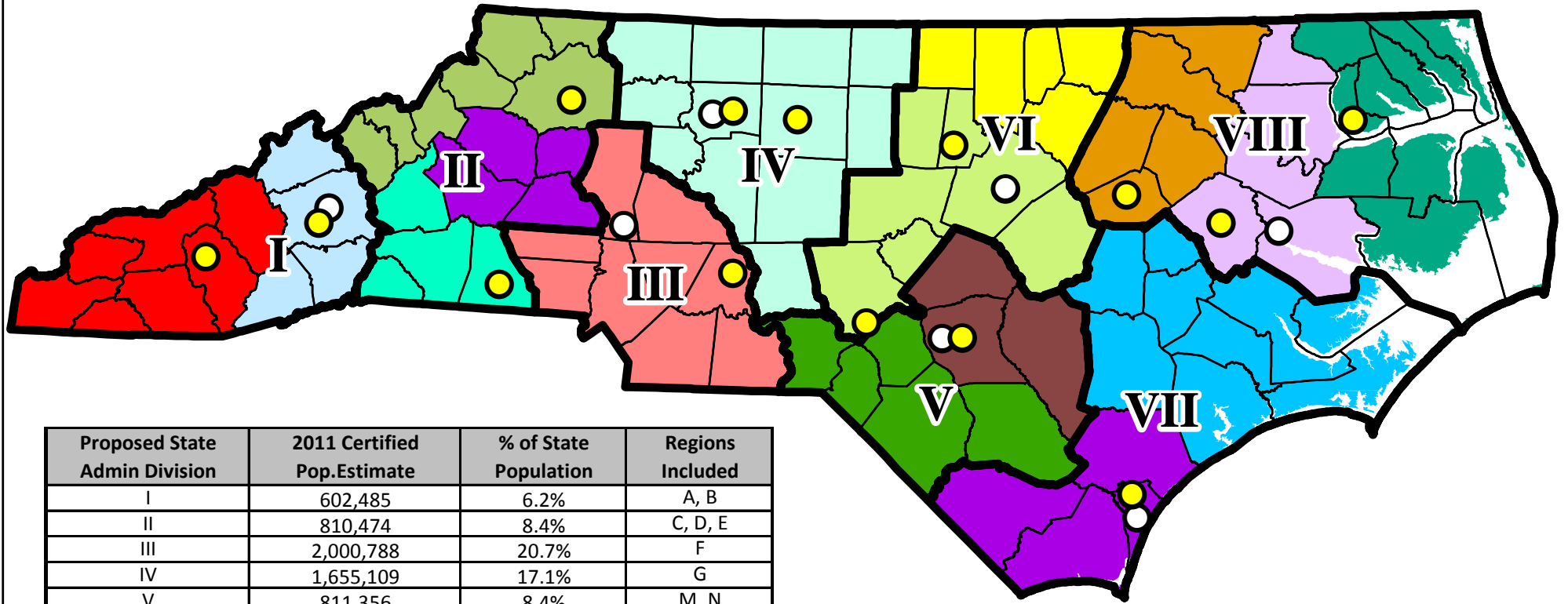
- NCDOT Division Office
- NCDENR Regional Office

NCARC Boundaries

- | | | | |
|--|--|--|--|
| A Southwestern Commission | E Western Piedmont COG | K Kerr-Tar Regional COG | O Cape Fear COG |
| B Land-of-Sky Regional Council | F Centralina COG | L Upper Coastal Plain COG | P Eastern Carolina COG |
| C Isothermal PDC | G Piedmont Triad COG | M Mid-Carolina COG | Q Mid-East Commission |
| D High Country COG | J Triangle J COG | N Lumber River COG | R The Albemarle Commission |

I-VII Proposed State Administrative Regional Divisions as Suggested by the NCARC

Proposed State Administrative Regional Divisions Aligned with NCARC Boundaries Option B



Proposed State Admin Division	2011 Certified Pop. Estimate	% of State Population	Regions Included
I	602,485	6.2%	A, B
II	810,474	8.4%	C, D, E
III	2,000,788	20.7%	F
IV	1,655,109	17.1%	G
V	811,356	8.4%	M, N
VI	1,947,505	20.1%	J, K
VII	1,012,951	10.5%	O, P
VIII	828,576	8.6%	L, Q, R
State	9,669,244	100.0%	

- NCDOT Division Office
- NCDENR Regional Office

NCARC Boundaries

- | | | | |
|--|--|--|--|
| A Southwestern Commission | E Western Piedmont COG | K Kerr-Tar Regional COG | O Cape Fear COG |
| B Land-of-Sky Regional Council | F Centralina COG | L Upper Coastal Plain COG | P Eastern Carolina COG |
| C Isothermal PDC | G Piedmont Triad COG | M Mid-Carolina COG | Q Mid-East Commission |
| D High Country COG | J Triangle J COG | N Lumber River COG | R The Albemarle Commission |

I-VII Proposed State Administrative Regional Divisions as Suggested by the NCARC



**CITY OF CLAREMONT
NORTH CAROLINA**

RESOLUTION # 19-12

**A RESOLUTION REGARDING THE PROPOSED STATE REGION
DESIGNATIONS FOR PROVISION OF SERVICES**

WHEREAS, The Western Piedmont Council of Governments (WPCOG) was established in 1968 by local governments in its region to address issues of long range planning, economic development and to provide technical assistance to local governments; and

WHEREAS, the U.S. Congress passed the Intergovernmental Cooperation Act in 1970 to promote closer cooperation between federal programs and state and local governments; and

WHEREAS, Regional Councils of Governments were formally established by the State of North Carolina in 1969 (G.S. 160A-470, -478) to promote regional examination of issues, provide assistance to local governments and administer specific programs on behalf of the State and Federal Government; and

WHEREAS, in 1970, an executive order, by the N.C. Governor, designated 17 regions in North Carolina and in 1971, the state announced its Lead Regional Organization policy that directed state agencies to deal with a single regional organization in each designated region of the state for the delivery of services in several departments; and

WHEREAS, the WPCOG Region, and other Council of Governments regions, best represent the economic centers, travel patterns, cultural ties, and physical commonalities of the State of North Carolina; and

WHEREAS, the N.C. General Assembly is considering House Bill 356 and Senate Bill 127 which realign several state agencies into common regional administrative divisions and the proposed boundaries split the WPCOG region by placing Burke County in a separate region from Alexander, Caldwell and Catawba counties; and

WHEREAS, it is reported that the N.C. Department of Commerce may recommend realigning the workforce development areas to match the seven regional economic

partnership boundaries while other reports suggest that the State may eliminate the regional economic partnerships altogether; and

WHEREAS, N.C. General Assembly House Resolution 55 and Senate Resolution 147 support the realignment of workforce development areas with the boundaries of regional councils of governments to promote greater effectiveness and efficiency in the administration of the Workforce Investment Act.

NOW, THEREFORE, BE IT RESOLVED that the Claremont City Council hereby calls on the North Carolina Governor and General Assembly to utilize the boundaries of the WPCOG Region, and other Council of Governments regions, when designating any new boundaries for the provision of workforce development, transportation, or environmental programs and other state or federal programs and resources.

Adopted this 1st day of April 2013.

David B. Morrow, Mayor

ATTEST:

Doug Barrick
City Clerk

REQUEST FOR COUNCIL ACTION

Date of Meeting: **April 1, 2013**

To: Mayor and the City Council

From: Doug Barrick, City Manager

Action Requested: Approve Ordinance 10-12 Budget Amendment

This budget amendment appropriates funds in the General Fund and Water & Sewer Fund. The General Fund portion recognizes the City transitional hold harmless funds for yearend projects and retirements. The Water & Sewer portion recognizes miscellaneous revenues for the purposes of a water line extension and engineering work associated with this project and various water repairs.

Recommendation: Approve Ordinance 10-12

City Council of the City of Claremont

Catawba County, North Carolina

Ordinance No. 10-12

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 \$32,000 in City Hold Harmless funds. The additional funds will be allocated in the General Fund Budget for various year end activities and retirements.

General Fund

<u>Revenues</u>	<u>Increase</u>	<u>Decrease</u>
City Hold Harmless 10.3450.0099	\$32,000	
<u>Expenditures</u>		
Police Salaries 10.5100.0200	\$10,000	
Fire Salaries 10.5300.0200	\$10,000	
Employee Relations 10.4200.0800	\$10,000	
Misc. Expenses 10.4200.5700	\$2,000	

Water & Sewer Fund

This budget amendment appropriates miscellaneous revenues of \$25,000. These funds will be used to cover some additional engineering working partnership with the City of Conover.

Water & Sewer Fund

<u>Revenues</u>	<u>Increase</u>	<u>Decrease</u>
Miscellaneous 30.3350.0000	\$32,500	
Appropriated Fund Balance 30.3990.000	\$25,000	
<u>Expenditures</u>	<u>Increase</u>	<u>Decrease</u>
Engineering 30.8220.0450	\$57,500	

INTRODUCED at the regular meeting of the City Council of the City of Claremont on April 1, 2013.

ADOPTED at the regular meeting of the City Council of the City of Claremont on April 1, 2013.

MAYOR David Morrow

ATTEST:

Doug Barrick, City Clerk

APPROVED AS TO FORM:

Bob Grant, City Attorney

REQUEST FOR COUNCIL ACTION

Date of Meeting: **April 1, 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 the sale of beer and wine on City property for various festivals and fundraising events. 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.

Action Requested: 1st Read of Draft Ordinance 11-12 Beer & Wine

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

City Council of the City of Claremont

Catawba County, North Carolina

DRAFT Ordinance No. 11-12

AN ORDINANCE TO AMEND THE CLAREMONT CODE OF ORDINANCES
TO REVISE SECTION 6-2-25 OF THE CITY CODE OF ORDINANCES

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:

Section 6-2-25 Beer and wine consumption; possession of open container; disposal of containers; exception for community sponsored public festivals.

- A. *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- a. “*ABC permit*” or “*permits*” means any written or printed authorization issued by the Commission pursuant to the provisions of this Chapter, other than a purchase-transportation permit. Unless the context clearly requires otherwise, as in the provisions concerning applications for permits, “ABC permit” or “permit” means a presently valid permit;
 - b. “*Alcoholic beverage*” means any beverage containing at least one-half of one percent (0.5%) alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor, and mixed beverages, as defined by G.S. 18B-101;
 - c. *Beer* means the same as the term "malt beverage," as defined by G.S. 18B-101;
 - d. “*Commission*” means the North Carolina Alcoholic Beverage Control Commission established under G.S. 18B-200.
 - e. “*Fortified wine*” means any wine, of more than sixteen percent (16%) and no more than twenty-four percent (24%) alcohol by volume, made by fermentation from grapes, fruits, berries, rice, or honey; or by the addition of pure cane, beet, or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit,

berry, rice, or honey that is contained in the base wine and produced in accordance with the regulations of the United States, as defined by G.S. 18B-101;

- f. “*Malt beverage*” means beer, lager, malt liquor, ale, porter, and any other brewed or fermented beverage except unfortified or fortified wine as defined by this Chapter, containing at least one-half of one percent (0.5%), and not more than fifteen percent (15%), alcohol by volume. Any malt beverage containing more than six percent (6%) alcohol by volume shall bear a label clearly indicating the alcohol content of the malt beverage, as defined by G.S. 18B-101;
- g. “*Mixed beverage*” means either of the following:
 - a. A drink composed in whole or in part of spirituous liquor and served in a quantity less than the quantity contained in a closed package.
 - b. A premixed cocktail served from a closed package containing only one serving as defined by G.S. 18B-101;
- h. “*Nontaxpaid alcoholic beverage*” means any alcoholic beverage upon which the taxes imposed by the United States, this State, or any other territorial jurisdiction in which the alcoholic beverage was purchased have not been paid, as defined by G.S. 18B-101;
- i. “*Open container*” means a container that has a broken seal or a container other than the manufacturer's unopened original container.
- j. “*Public street*” means any highway, road, street, avenue, boulevard, or other way within and under the control of the city and open to public use, including the sidewalks of any such street.
- k. “*Spirituous liquor*” or “*liquor*” means distilled spirits or ethyl alcohol, including spirits of wine, whiskey, rum, brandy, gin and all other distilled spirits and mixtures of cordials, liqueur, and premixed cocktails, in closed containers for beverage use regardless of their dilution, as defined by G.S. 18B-101.
- l. “*Unfortified wine*” means any wine of sixteen percent (16%) or less alcohol by volume made by fermentation from grapes, fruits, berries, rice, or honey; or by the addition of pure cane, beet, or dextrose sugar; or by the addition of pure brandy from the same type of grape, fruit, berry, rice, or honey that is contained in the base wine and produced in accordance with the regulations of the United States, as defined by G.S. 18B-101;
- m. “*Wine*” means the same as the term "unfortified wine," as defined by N.C.G.S. 18B-101.

B. *Public Consumption Unlawful.* It shall be unlawful for any person to consume any alcoholic beverage, including malt beverages, fortified or unfortified wine, mixed beverages, or other spirituous or other spirituous liquors, all as defined in G.S. 18B-101, upon or within the limits of rights-of-way of any street, boulevard, alley or sidewalk in city parks and buildings, or on any other property owned or occupied by the city.

- C. *Private Premises Consumption Regulated.* It shall be unlawful for any person to consume any alcoholic beverage, including malt beverages, fortified or unfortified wine, mixed beverages, or other spirituous or other spirituous liquors, all as defined in G.S. 18B-101, upon the private business premises of another without permission of the owner or person in control of such premises.
- D. *Possession of Open Container in Public Unlawful.* It shall be unlawful for any person to possess an open container of alcoholic beverage, including malt beverages, fortified or unfortified wine, mixed beverages, or other spirituous or other spirituous liquors, all as defined in G.S. 18B-101, upon or within the limits of any public right-of-way of any street, boulevard, alley or sidewalk in city parks and buildings, or on any other property owned or occupied by the city.
- E. *Container disposal.* It shall be unlawful for any person to drop, throw, cast or deposit any used container of alcoholic beverage, including malt beverages, fortified or unfortified wine, mixed beverages, or other spirituous or other spirituous liquors, upon any public street or sidewalk or upon the private business premises of another without permission of the owner or person in control of such premises.
- F. *Exception; permit required.* Consumption of beer and wine and spirituous liquor or mixed beverages is permitted during any community-sponsored public function, festival or celebration being conducted upon and within designated areas of any public street, sidewalk or other property owned or lawfully occupied by the City pursuant to a written permit issued by the city manager or his duly authorized designee to the holder of a valid permit from the Commission applicable to the community sponsored public function, festival or celebration. The permit issued by the city manager or his duly authorized designee shall be consistent with the permit issued to the permittee by the Commission. This permit, when issued, may allow the sale, service and distribution of beer, wine and spirituous liquors, including mixed beverages, on designated streets, sidewalks and areas reserved for the event, subject to all applicable ABC or ALE rules or regulations or laws of the State of North Carolina. The permit issued by the City shall designate the boundary of the area in which sale, service, distribution or consumption of beer and wine or spirituous liquors is permitted and the specific times during which such sale, service, distribution and/or consumption is permitted. The area in which such sale, service, distribution and/or consumption is permitted shall be delineated by barricades, with an entrance into such barricaded area clearly marked; the entrance shall be so constructed as to allow ready control of patrons, including viewing of identification to avoid underage persons being within the barricaded area; no malt beverages or unfortified wine or other alcoholic beverage shall be consumed outside of such barricaded area. Proper application for special permit to the proper state authorities shall be made so that a permit may be received prior to the opening of the special event, and such permit to be available for inspection by the city and its officers at any time. However, before permit is issued under this section, the city manager or his duly authorized designee shall designate the

boundaries of the event and provide for temporarily closing those streets or public areas within the boundaries for general public use during the times the permit is to be effective.

- G. *Application for permit.* Application forms for the permit referred to in subsection F of this section are available from the City Manager and must be filed at least 21 days prior to the opening day of the event.

INTRODUCED at the regular meeting of the City Council of the City of Claremont on April 1, 2013.

ADOPTED at the regular meeting of the City Council of the City of Claremont on May 6, 2013 .

MAYOR David Morrow

ATTEST:

Doug Barrick, City Clerk

APPROVED AS TO FORM:

Bob Grant, City Attorney

Department, Committee & Manager Reports

Date of Meeting: April 1, 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. Quarterly Financial Report
- B. Youth Council
- C. Fire Department
- D. Police Department
- E. Public Works
- F. Rescue Squad
- G. Utilities Department
- H. Planning and Zoning
- I. Parks & Recreation Committee
- J. Appearance Commission

Item 10

City Managers Report

Recommendation: Take Reports

Quarterly Financial Report Fiscal Year 2012- 2013

GENERAL FUND REVENUE

3rd Quarter

March 2013

	2012-2013 Budget	2012-2013 Actual	% Collected To Budgeted
Property Taxes(Current & Prior Year)	\$1,891,450	\$1,823,820	96.42%
Utility Franchise	\$187,000	\$227,744	121.79%
Sales Tax	\$192,000	\$203,916	106.21%
State Shared Revenues	\$112,625	\$112,646	100.02%
Fees	\$13,900	\$15,450	111.15%
Miscellaneous	\$9,000	\$17,202	191.14%
Occupancy	\$8,500	\$5,619	66.11%
Investments & Grants	\$3,000	\$670	22.33%
Total To Date	\$2,417,475	\$2,407,066	99.57%
Fund Balance Approp.	\$374,935	\$0	0.00%
Total Budget	\$2,792,410	\$2,407,066	

GENERAL FUND EXPENDITURES

	2012-2013 Budget	2012-2013 Actual	% 2012-2013 Expenses To Budget
City Council	\$84,621	\$62,502	73.86%
Administration	\$400,160	\$297,146	74.26%
Library	\$21,055	\$11,897	56.50%
Planning	\$28,700	\$20,477	71.35%
Police	\$772,198	\$552,449	71.54%
Fire	\$675,626	\$553,654	81.95%
Public Works	\$592,578	\$431,944	72.89%
Recreation	\$69,950	\$63,821	91.24%
Debt Service	\$147,522	\$147,520	100.00%
Transfer to other funds	\$0		
Total To Date	\$2,792,410	\$2,141,410	76.69%

Revenues over(under) expenditures \$0 \$265,656

Quarterly Financial Report Fiscal Year 2012- 2013

WATER/SEWER REVENUE

3rd Quarter

March 2013

CURRENT YEAR

	2012-2013 Budget	2012-2013 Actual	% Collected To Budgeted
Water & Sewer Sales	\$1,003,432	\$777,218	77.46%
Taps & Connections	\$5,500	\$750	13.64%
Utility Penalties	\$8,800	\$8,040	91.36%
Sprinkler Fees	\$23,350	\$25,000	107.07%
Reconnect Fees	\$2,000	\$1,575	78.75%
Miscellaneous & Investments	\$16,150	\$10,168	62.96%
Appropriated Fund Balance	\$80,000	\$0	0.00%
Total	\$1,139,232	\$822,751	72.22%

WATER/SEWER EXPENSES

CURRENT YEAR

	2012-2013 Budget	2012-2013 Actual	% 2012-2013 Expenses To Budget
Water Treatment	\$207,200	\$146,543	70.73%
Water Maintenance	\$95,075	\$70,400	74.05%
Sewer Treatment	\$524,700	\$377,219	71.89%
Sewer Maintenance	\$150,045	\$57,993	38.65%
Debt Service	\$162,212	\$4,985	3.07%
Total To Date	\$1,139,232	\$657,140	57.68%

Revenue over (under) expenses \$165,611



CLAREMONT FIRE DEPARTMENT

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

March 2013

The Claremont Fire Department responded to 11 calls for the month of March 2013 and 38 year to date.

Man hours spent on fire calls for the month totaled 132.6.

The average number of member responses to calls this month 11, and for the year 10.

Average response time to calls 4 min. 42 seconds till the first engine was on the scene for structure calls.

Training for the month totaled 501 hours for the department.

There were 1 business inspections for the month.

The Fire Prevention Office performed 1 program this month, 8 installed smoke detectors and replaced 12 smoke detector batteries, installed 2 carbon monoxide detectors. Fire Prevention also participated in 2 car seat installation events.

Updates on projects and fire department information:

Continuing to plan for the annual Pancake breakfast, which will be held on May 4th. Engineers and other members are taking certification class for the operation of the ladder truck.

Respectively submitted,
Gary Sigmon, Fire Chief



*Claremont Police Department
Monthly Service
March 2013*

Calls Answered	926	Citations Served	68
Felonious Crimes	3	Warnings	75
Misdemeanor	36	Business Escorts	63
Accidents (PI)	0	Funeral Escorts	5
Accidents (PD)	5	Animal Calls	2
Warrants for Arrest	4	Vehicles Impounded	1
Subpoenas Served	3	Alarms Answered	22
Open Businesses	20	Motorist Assistance	31
Property Checks	1177	Part-Time hours	192
Court Hours	1		

Noted Events during the Month

1. Officer Russell investigated a case of B & E to a drink machine at Town & Country.
2. Deputy Chief Bost & Lt. Long investigated a case of B & E and Larceny at Public Works.
3. Cpl. Clark helped locate a vehicle from Iredell County which was also involved in a multi department chase.
4. Lt. Long and Cpl. Buff both had made arrest for Possession of Drug Paraphernalia and Drugs.
5. Officer Allen took a report for B & E to a vehicle in Ole Savannah.

*Respectfully Submitted
Gerald R. Tolbert
Chief of Police*

CLAREMONT PUBLIC WORKS

MONTHLY REPORT

MARCH 2013

WATER DEPARTMENT

<u>32</u>	WATER TURNED ON
<u>22</u>	WATER TURNED OFF
<u>41</u>	METERS RE-READ
<u>1</u>	WATER LEAKS
<u>0</u>	WATER TAPS
<u>0</u>	SEWER TAPS
<u>13</u>	DIRTY WATER COMPLAINTS
<u>1691+11</u>	JET SEWER LINES/ MANHOLES

MAINTENANCE DEPT.

<u>425</u>	LEAF BAGS TAKEN TO LANDFILL
<u>3.12</u>	TONS OF ROUGH TRASH PICKED UP
<u>108</u>	HRS. CHIPPING LIMBS
<u>32</u>	HRS. MOWING
<u>35</u>	HRS. BUSH HOG
<u>22</u>	HRS. CLEAN STORM DRAINS
<u>32</u>	HRS. CLEAN CURB & GUTTERING
<u>5</u>	# OF WHITE GOOD PICKUPS

PERSONNEL

<u>15</u>	OVERTIME HOURS
<u>12</u>	TRAINING HOURS

PARK

<u>4</u>	# OF TIMES RE-STOCK BATHROOMS
<u>5</u>	# OF TRASH PICKUPS

OTHER

jetted out and cleaned 585 feet of main sewer line & 4 man holes on W-Calvin street
jetted out and cleaned 649 feet of main sewer line & 5 man holes on N-Depot street
jetted out and cleaned 457 feet of main sewer line & 2 man holes on Anderson street
locate clear and bush hog 962 feet of sewer out fall line off of BGA drive
work at city park on old walk way & ditch lines



CITY OF CLAREMONT UTILITY SYSTEM MONTHLY UPDATE March 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
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
January In	595	1,544,200	474	91	2,617,080	83
January Out	171	415,300	10	13	210,200	3
February In	597	2,270,022	476	83	2,784,510	83
February Out	172	657,400	10	3	182,500	3

Claremont Water Usage vs Water Purchased

Month	Purchased from Conover	Billed by Claremont
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
January 2013	5,849,000	4,786,780
February 2013	7,769,000	5,894,432

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
- Sent out bids to install back up power at the School Street Lift Station
- Working on construction plans to extend a water line along Kelly Blvd
- Working on pricing for plans to extend a water line along BGA drive
- Filed Local Water Supply Plans for Claremont & Shamrock
- Opened problem sewer lines for ease of access

McLin Creek WWTP

McLin Creek WWTP- February 2013 - NPDES Compliance				
Parameter	Limitation	Minimum	Maximum	Average
Flow, GPD	300,000	83,000	439,000	157,000
BOD mg/l	8.0mg	3.1	3.6	3.4
TSS mg/l	30mg	1.6	2.2	2.0
Fecal Coliform	200ml	1	1	1
Ammonia-Nitrogen, mg/l	2.0mg	.10	.11	.08
Dissovled Oxygen, mg/l	5.0mg	7.7	8.5	8.0

McLin Creek WWTP Flow, Gallons per day			
Month	Min	Max	Average
February 2013	83,000	439,000	157,000
January 2013	79,000	541,000	161,000
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

NCDENR LETTERS & NOTICES OF VIOLATIONS

- None

North WWTP

North WWTP-February 2013 - NPDES Permit Compliance				
Parameter	Limitation	Minimum	Maximum	Average
Flow, GPD	100,000	52,000	177,000	75,000
BOD mg/l	30.0mg	8.6	74	38
TSS mg/l	30mg	7.2	41.0	21.6
Fecal Coliform	200ml	1	6000	23
Ammonia-Nitrogen, mg/l	4.0mg	.10	1.50	.47
Dissovled Oxygen, mg/l	5.0mg	8.0	9.4	8.6

North WWTP Flow, Gallons per day			
Month	Min	Max	Average
February 2013	52,000	177,000	75,000
January 2013	40,000	164,000	76,000
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

NCDENR LETTERS & NOTICES OF VIOLATIONS

- None

Claremont Waste Water Collections System

No Fines or Issues



Claremont Planning Report March 2013

Zoning Permits Issued

- March 4th – AT&T Cellular Equipment Upgrade – 3431 Jessie Hill Dr
- March 6th – Change of Occupancy – 3252 W. Main St (new pizza restaurant)
- March 11th – Rear Carport – 2944 N. Lookout St
- March 18th – New Single Family Home – 2421 Genelia Dr (ETJ)

Code Enforcement

- Monitored outdoor storage issues

Planning Board Work

- Planning Board worked on revising sign regulations

Other Work

- Answered numerous zoning/planning questions
- Completed Certificate of Occupancy for Sutter Street
- Attended MPO meeting March 28th
- Attended National Flood Insurance Program Workshop March 7th
- Attended workshop for Western NC Vitality Index

PARKS AND RECREATION COMMITTEE
Meeting March 25, 2013

REPORT OF MEETING

Opening: The meeting was called to order by Chairperson, Tim Lowrance.

New Member: Tim introduced Bob Brinkley who has stated that he would like to get involved with programs in the City of Claremont. Everyone introduced themselves for Bob to get an idea of the membership.

Approval of the Minutes: The minutes were sent out by e-mail and the committee approver them.

Keeping the Records Straight: City Manager, Doug Barrick did not get to the meeting as his wife gave birth to their second child the day before the meeting. Henry Helton gave just a short bit of information that the City Manager would give. We will have him attend the next month's meeting. Helton stated that all purchases \$500.00 or more have to have a purchase order, and all invoices have to have a cover page with it giving the account number. Helton stated that if you have a situation of this nature, call him and he will walk the item through the bookkeeping process. All Contracts have to be signed by the City Manager or the Finance Officer.

Easter Egg Hunt: Susan Tucker stated that it was very cold Saturday morning, and there was a light rain. The rain date will be the following Saturday, March 30. It was suggested and all of the committee agreed that next year plan to have the Easter Egg Hunt starting at 1:00 or 2:00 PM.

HOPE 4 Care: Angie Sigmon gave an update on the progress of this event. She outlined the running route and gave the names of the groups that will be entertaining. There will be a few groups providing food. The run route has been changed. She plans to get another one from the Police Department. She gave the committee members a packet of entry forms and other information to be given out at their churches or schools. More final details will be presented at the April meeting.

Concerts in the Park: The first concert will be Saturday, May 11. Roger Shook has obtained one of the American Idols, Dave Pitman. Pitman is giving concerts for the "Race for Cure". Roger was able to pin down the date with the manager of the show.

Roger has a concert set for June 8 from 6:00 to 8:00 or 7:00 to 9:00 PM. This concert will feature 2 artists. Roger has arranged for another group of singers for July 6. This will serve as a 4th of July celebration. There will be 4 artists in this concert. Roger is looking at September 6 which is a Friday night and a

possible football game. This will have to be worked out to program around the football game. He is able to arrange all of these with radio station 103.3 for only \$175.00 for each concert.

Sponsors Letter and Pledges: Henry Helton had for all of the committee to review the letter that has been sent to all businesses and industries for the past 11 years. He stated that this is a low pressure campaign to get sponsors for Claremont Daze. Along with the letter is a pledge where the sponsor may select the type of sponsorship they desire. Helton also gave the committee a list of all of the people to whom he has sent letters in the past. He asked the committee to send him the names and address of any business or industry that they feel should be asked. This letter will be mailed the last week of May. The committee did suggest some changes and corrections.

Claremont Daze: Danny Hedrick stated that things are coming along well. Tim and Henry will be going down to talk with the manager of Recreation Equipment to get a good feel of what we want to do and get the manager's suggestions. Danny is looking for the committee to approve the arrangement that Tim makes. The stage, sound system and tent have all been scheduled for October 4 and 5.

Other Programs: Tim asked if there was any development on some of the events that will be coming up during the year.

Bunker Hill Homecoming – Pep Rally - Angie Sigmon will get with Mr. Taylor to get a date that will be the best. She will report back at next month's meeting.

Scaremont – Roger Shook stated that he has not put anything down to be firm for the program, but he is working on the idea.

Christmas Parade – Danny Hedrick reported that nothing has been started yet other than to find a way to get more bands.

Carriage Ride – Gail Wartner has not been contacted about doing the ride again this year.

Senior Citizens Christmas Dinner: is on hold until later on in the year. It will be the second Saturday in December, which is the 14th.

City Wide Valentines Day Party - It was suggest that the committee put together for next year a “Shag Dance Party” for Valentines Day, February 14, 2014. More discussion on this item will take place during future meetings.

Adjournment: The meeting was adjourned



Appearance Commission Minutes Monday March 11, 2013

Members present: Chairman Glenn Morrison, Carmen Crane, Judy Setzer, Nick Setzer, Jan Colson, Jane Robbins, Nancy Murray

Chairman Glenn Morrison opened the meeting with prayer.

Treasurers Report: We have \$2,400.00 in the checking account.

OLD BUSINESS:

Committee member names were updated in the Claremont Courier. Glenn did notice Nick Setzer's name was accidentally left off the listing. Carmen will contact Scott Ramsey to request a correction.

Mural: Glenn still has not heard from his artist contact. If the artist does not contact Glenn, we will continue looking for someone to do the mural.

Pots on Main Street: discussion was held about possibly adding black verbena to the pots. Glenn will ask Doug for his opinion.

Arbor Day: Arbor Day is April 22nd. We need to think of things we can accomplish and discuss at the next meeting.

Claremont Welcome Signs: Junior Setzer said we could have the sign bases tiered for approximately \$2,500.00. We could also do it ourselves, asking the City to lay the bricks. We still need to have volunteers to take care of the signs.

Yard of the Month: We should start looking around for a yard to select for the Yard of the Month Award for the month of April. Please bring your list of possibilities to the April meeting.

Repairs: If you notice any street or sidewalks that have need of repairs we need to inform Doug. This also goes for any street lights that need a new bulb.

Bronze Author Plaques: We are still planning on asking to have the plaques moved to the Library Building.

NEW BUSINESS: There was no new business to be discussed.

The meeting was adjourned.

Next meeting: April 8, 2013 at 6:00 pm

Submitted by: Carmen Crane

REQUEST FOR COUNCIL ACTION

Date of Meeting: April 1, 2013

To: Mayor and the City Council

From: Doug Barrick, City Manager

Action Requested: Closed Session

The City of Claremont City Council under attorney Client privileges and General Statues will hold a Closed Session to discuss the following matters

- A lawsuit under Attorney Client Privilege's (General Statue 143-318.11(3))

Recommendation: Hold A Closed Session