

**City of Hamlet Organizational and Regular Monthly Meeting**  
**201 Main Street, Hamlet, NC 28345**  
**Tuesday, December 13, 2011**  
**7:00 p.m.**

**Minutes**

***Governing Body Present:***

Jeff Smart  
Pat Preslar  
Bill Bayless  
Tony Clewis  
Abbie Covington  
Diane Honeycutt

Mayor  
Mayor Pro-Tem  
Council Member  
Council Member  
Council Member  
Council Member

***Staff Present:***

Marchell Adams-David  
Steve Futrell  
Tammy Kirkley  
Jill Dickens  
David Knight  
John Haywood  
Gail Strickland  
Robert Brown

City Manager  
City Attorney  
City Clerk  
Finance Officer  
Fire Chief  
Police Chief  
Zoning  
WTP

***Others Present:***

Kelly Easterling, Johnathan Buie, Destiny Buie, Emily Buie, Ashley Buie, Linda Bayless, Terry Clewis, Kim Laberth, Jake Laberth, David Prather, Peggy Prather, Peggy Payne, Tori Bright, Annie Bright, James Prosser, Ken Anderson,

**Call to Order.** Mayor Jeff Smart opened the meeting and welcomed everyone.

**Invocation.** Reverend Tommy Legrand offered the invocation.

**Adoption of Agenda.** The presented agenda was unanimously adopted by Council Members Pat Preslar and Tony Clewis.

**Adoption of November Minutes.** Minutes from the Regular Monthly Meeting held on November 1 were approved as presented by Council Members Abbie Covington and Tony Clewis.

**Organizational**

**Presentation of Resolution and Plaque to Outgoing Councilman Bill Bayless.** Mayor Smart read aloud a resolution of appreciation to Bill Bayless for his 8 years service as city council member and Mayor Pro-Tem to the city. The Mayor also presented Mr. Bayless with a plaque as a token of the city's appreciation.

Mr. Bayless took a moment to thank city council, city staff and the citizens who supported him through his terms of service. He said he is not leaving the city and plans to stay involved in the community. Mr. Bayless officially stepped down from council.

**Oath of Office.** City Clerk Tammy Kirkley then asked Jeff Smart, Tony Clewis, Pat Preslar and Johnathan Buie to come to the front to administer the oath of office. Jeff Smart, Tony Clewis and Pat Preslar were given their oaths of office collectively and Johnathan Buie was given his oath of office separately. The clerk congratulated each member and introduced the Hamlet City Council to the public. Each member then officially took their seats up front as city council.

**Appointment of Mayor Pro-Tem.** Mayor Smart called for nominations for Mayor Pro-Tem. Councilman Pat Preslar nominated and motioned for Councilman Tony Clewis to serve as Mayor Pro-Tem and Council Member Covington made a second to the motion. Mr. Clewis accepted the nomination and there was no further discussion. All were in favor of the motion.

**Appointment of the City Clerk.** The Mayor called for an appointment for the city clerk. Abbie Covington, Tony Clewis and Diane Honeycutt motioned to appoint Tammy Kirkley as the city clerk. The vote passed unanimously.

**Appointment of the City Attorney.** Mayor Smart called for the appointment of city attorney. A motion was made by Council Members Diane Honeycutt and Johnathan Buie to appoint Steve Futrell as the city attorney again. The motion passed with a unanimous vote.

### **New Business**

**Presentation by City Auditor.** Ken Anderson presented council to give an overview of the city's audit. The history of the fund balance was discussed. He said property tax collections were up this year with a 94.41% collection rate and overall, is a solid tax collection. Independent audit report – unqualified opinion, which is a good report. Net Change in Fund Balance General Fund – the current year expenditures exceeded revenues by \$70,025; the net change in Fund Balance Water & Sewer Fund – current year revenues exceeded expenditures by \$475,421. Governmental activities debt increased the current year by \$219,255 and Business type activities debt decreased the current year \$174,229 for a total debt increase of \$45,026. Mr. Anderson mentioned the energy efficiency grant that came in a little higher than originally budgeted. He reported that the audit went well. (“Exhibit A” is attached as a part of the permanent minutes)

**Comments from Attendees.** David and Peggy Prather presented council. Mrs. Prather stated that they are here to ask if council will waive the code penalties that have been accruing against their structure located on Hamlet Avenue. She stated that Mr. Prather is working on the home and they hope to eventually reside in same. Mrs. Prather spoke of the financial burden that this will put on them if these fines have to be paid. The Prathers are aware of what needs to be done to get the structure to code and all has been taken care of except for two pieces of cap on the roof. They were told by Howard Campbell, the Code Enforcement Officer that once this was completed the fines would stop; the material to address this issue was delivered last week. This has now been taken care of and it has been finished expect for the two pieces of metal.

Peggy Prather stated they did not find out that a permanent roof had to be put on until after an inspection. Abbie Covington reviewed all of the items needed. It was confirmed that fines began in November of this year. The abandonment and deterioration issues were discussed. Mr. Prather stated that the house hasn't deteriorated since they purchased it.

Mayor Smart said the code is not to discourage the repair and the city appreciates the amount of money the Prathers have put into the home. He talked about matters of appearance. Mayor Smart stated that council will meet with administration staff about the matter and he reminded the Prathers of the protocol in-place. Council will inform the Prathers of their decision. Mr. Prather reported that the two pieces of ridge will be put up tomorrow and at that point, the home should be in compliance. Council Member Covington discussed the timeline that the Prathers said they would work within. Mr. Prather talked about his work hours and said during the summer he was on the roof every day trying to get the issues taken care of. Council will get an answer to the Prathers.

**Rezoning Request and Public Hearing.** A rezoning petition has been submitted by Thomas Bright to rezone his property located at 349 High Street from a Residential 6 to B3 Neighborhood. The floor to the public hearing was then open.

**Mr. James Prosser** of 224 West Ave presented council to speak on the matter. He said that this matter has come up before for the same building and talked about the proximity from the building to the church and the other houses. He stated if the property is rezoned for a business, it would open the floor for other businesses if this one folded. Mr. Prosser stated that this is a peaceful area and he would hate to see undesirables hanging around it. The mayor explained the specifics for a business neighborhood. Off premise alcohol sales would be allowed in this area if rezoned.

**Ms. Annie Bright** presented council and stated that she wants this to be a store and a video game room for kids. She said selling alcohol is not the purpose for the business. Council talked about what could happen in the future if this business doesn't work out. The fact that churches are nearby and the hours of operation were discussed. Ms. Bright suggested that the business could be open after church on Sundays from 1-5 pm or 1-6 pm. Council talked about the sale of alcohol at the business and the fact that there could not be a bar where alcohol is served; however, alcohol may be sold and taken off premises. The required 200 ft. guidelines from churches were discussed, as well as, ALE's potential guidelines requirements. Certified letters to nearby neighbors were sent out about the matter. The tentative property owners do not live in Hamlet and Council Member Covington said she is concerned with the lack of vested interest.

Mr. Bright said they just want to use it as a neighborhood store. She stated that the arcade room will have games for the kids and she confirmed that there will be no form of gambling at the business. The mayor thanked Ms. Bright for her comments.

There were no other comments presented and the public hearing was closed. The manager stated that council could establish conditions on the permit for the Brights to operate, which would protect the city and the neighborhood with future owners coming in. Councilman Preslar motioned to table the request until council may explore other options and can agree on some

conditions that would better suit them. Councilman Buie made a second the motion and all were in favor. The mayor stated that council will get back with the Brights in January. Mrs. David suggested council may want to consider as a condition to not have late hours of operation.

**Appointment of a Hamlet Representative to the Lumber River Council of Governments Board.** Mayor Smart reported that previously Bill Bayless served as the Hamlet representative to the LRCOG Board and Tony Clewis served as the alternate representative. He stated that Mr. Clewis has now been nominated to serve as the Hamlet representative to the LRCOG and Johnathan Buie has been nominated to serve as the alternate member. Motions were then made by Council Members Preslar and Covington to appoint Tony Clewis as the LRCOG Board Member for Hamlet and to appoint Johnathan Buie to serve as the alternate member for Hamlet. The vote passed unanimously. The mayor thanked both Mr. Clewis and Mr. Buie for their willingness to participate in this capacity.

**Appointment to the Hamlet Historic Depot Board.** The Depot Board has recommended to fill an open position on the board. Mr. Preslar inquired about terms limits for board's officers. Mrs. David stated that board development will be one of the first tasks that the new museum manager will look at once hired. She stated that the term limits were set up to be on a rotating basis. Mrs. David stated that the administration for the complex will be addressed now that construction is completed and noted that the current board has done a great job and this project couldn't have been done without them. It was stated that the museum board needs to operate according to the bylaws. Council Members Covington and Clewis moved to accept the recommendation by the Depot Board and appoint Mr. Greg Warnock to the board. There was no further discussion and the vote passed unanimously. Staff will notify Mr. Greg Warnock of the appointment.

**Approval of Tax Releases.** The tax collector submitted tax releases totaling \$122.83, per Richmond County, to be approved by council. Council Member Covington and Clewis moved to approve the releases as requested and all were in favor.

### **Other Business**

**Tammy Kirkley** took a moment to encourage interested citizens who reside in the city limits to fill out a volunteer application to serve on city boards. She stated that applications may be picked up at Hamlet City Hall.

### **City Manager's Report.**

**Marchell David** reported that basketball registration is now going on and will end on Friday, December 16. City Offices will be closed on December 26 & 27 in observance of the Christmas Holidays and will be closed on Monday, January 2 for New Years. The sanitation crew at Public Works will have a slightly different Christmas schedule and will be off on December 23 & 26 so there will be no changes to residential pickup; the commercial pickup will be on Thursday instead of Friday. The New Years closing will not be affected the trash pickup.

The manager welcomed Councilman Buie and she wished all a Merry Christmas and Happy New Year.

**Comments from Council.**

**Johnathan Buie** took a moment to thank his supporters and said he is looking forward to working with everyone in Hamlet.

**Diane Honeycutt** began with welcoming Mr. Buie and thanked Bill Bayless for all of his help to her and to the city. Ms. Honeycutt wished everyone a Merry Christmas and a Happy New Year and thanked all of the employees for everything they do.

**Pat Preslar** also welcomed Johnathan Buie and said he welcomes the new energy and looks forward to new ideas. He thanked Bill Bayless for his years of service. Mr. Preslar thanked all who supported him in the election. He noted the good audit received tonight and commended the Parks & Recreation program for their hard work. Mr. Preslar thanked the coaches and the parents for their participation.

**Abbie Covington** said she had a wonderful time last night with the employees at the Christmas Dinner and she thanked them for all they do. She welcomed Mr. Buie to the board and welcomed another good new year.

**Tony Clewis** thanked Bill Bayless for his service and for the opportunity to work with him and he welcomed Johnathan aboard. Mr. Clewis thanked Chief Knight for his department's participation in Hamlet's Old Fashioned Christmas this past weekend. He thanked all who voted for him this election and said he will do his best and will do everything he can to make the right decisions with what he has. Mr. Clewis thanked his wife for all of her support as well. He wished everyone a Merry Christmas and Happy New Year.

**Mayor's Comments.**

**Mayor Smart** thanked Bill for helping the city get to where it is and he thanked the citizens of Hamlet for their support as Mayor. Mr. Smart said he will work as hard as he can to get where the city needs to be. He said Hamlet now has a new refurbished street sweeper and it has already been put to work. He thanked the group who put together the Christmas events in Hamlet this past weekend and said it was great. The mayor concluded with thanking the city and everyone who contributes; he also gave his appreciation to the manager. He is looking forward to a great year.

**Adjournment of Meeting.** At 7:25 p.m., Tony Clewis and Abbie Covington motioned to adjourn the meeting and all were in favor.

Respectfully submitted,

Tammy Kirkley, City Clerk