

**Hamlet City Council Regular Monthly Meeting & Reorganizational Meeting
Hamlet Council Chambers - 201 Main Street, Hamlet, NC
Tuesday, December 17, 2013 – 7:00 PM**

Minutes

Governing Body Present:

Jeff Smart	Mayor
Tony Clewis	Mayor Pro-Tem Tony Clewis
Council Member	Pat Preslar
Council Member	Abbie Covington
Council Member	Johnathan Buie
Council Member	Dewey Brower

Staff Present:

City Manager	Marchell Adams-David
City Attorney	Steve Futrell
City Clerk	Tammy Kirkley
Finance Officer	Jill Dickens
Police Chief	Amery Griffin
Fire Chief	David Knight
Code Enf. Officer	Gail Strickland
WTP Superintendent	Robert Brown
Public Works Dir.	Billy Stubbs
Building Maintenance	Doc Sylvain

Approximately 57 people were in attendance in the audience.

Call to Order.

Mayor Jeff Smart welcomed everyone and called the meeting to order.

Invocation.

Reverend Chris Hawks of Second Baptist Church in Hamlet offered the invocation.

Adoption of Agenda.

Council members Covington and Brower motioned to adopt the agenda as presented. All were in favor with a vote of 5-0.

Approval of Minutes.

Minutes from the November 12, 2013 Regular and Executive session meetings were unanimously approved by motions of Councilman Preslar and Buie. The vote was 5-0.

Comments from Attendees.

There were no comments.

Special Presentation by Abbie Covington in remembering Retiree Frank Lloyd.

Mr. Floyd and his wife were casualties of a fire to their residence recently and Mrs. Covington offered kind words and memorabilia by way of an older photo taken of the couple as a remembrance of them and what the Floyds meant to the city. Family members came forward and were presented with the memorabilia and several of the family members gave comments thanking the fire department's assistance in the incident.

Update on Seized Vehicles.

Amery Griffin was called on by council to give an update on the seized vehicles. He has talked with eleven people and they have proved they are the true owners. Two appraisals have been obtained, Kelly Blue Book and a professional appraiser. There is a slight discrepancy between the two values received. Mr. Griffin confirmed that the eleven were the ones brought up by Mr. Preslar a few months back, they were dismissed or found no probable cause. The chief confirmed that the KBB value is present day value.

Council Member Buie motioned to table the matter until council can look at discrepancy and difference and come up with some type of settlement. There was no second to the motion on the floor. Council discussed the two values: \$18,713 and \$16,050 and the request for towing and storage is an established number. Abbie Covington recommended and motioned to mediate a settlement starting with the lower numbers and use the KBB as the maximum number for settlement. Council Member Preslar talked about the timing of the values. Mr. Preslar seconded Mrs. Covington's motion to start with the low number and to mediate from there; he also stated there needs to be a reasonable end date on making a claim in the matter. Steve Futrell gave his opinion, he said they are setting their path as they go along and further explained. Mr. Buie asked for clarity with the charges that were dismissed and the reasons for the towing charges. The chief confirmed that these vehicles should not have been towed to start with. The attorney questioned council's intentions about liability – he talked about where they are saying the funds will come from. The manager confirmed that the League will be contacted with the figures as reported tonight and the insurance company would then guide and direct the city as to the liability coverage and if they don't pay, it will fall back on the city to pay. Mrs. Covington said the city won't know a number until we meet with the owners and then the city can then go to the League to see what they are willing to do. The manager confirmed there are two different claims in this case.

Mr. Futrell suggested the best course of action at this point is that the city has done their due diligence and see what they are willing to do, and give the adequate notice of the range they are considering. Mrs. Covington then withdrew her motion to meet with the owners and said we need to first meet with the LGC to determine what part they will play in the matter. It was the consensus of council to move in the direction of talking with the LGC first.

Proposal to get Professional Services for the A&P Building.

The Mayor reported that current council agreed and purchased the old A&P building a few months back and the information before council is a quote for engineering services to the building. The quote is from Summey Engineering Associates, PLLC out of Asheboro, NC, which includes Building Engineering Services

at \$28,500 and Construction Specs & Bid Services at \$7,800. He stated the city will need to get architectural drawings in order to bring the building up to code.

The manager confirmed to assess a construction or renovation value to the building, there first has to be design plans, which will layout electrical, mechanical and floor plans so that the bidder will know what they're bidding on. Mrs. David confirmed that the chief spoke with other firms and Summey was the only one that submitted a proposal. In comparing the fee schedule based on recent past projects, the fees are in-line with other structural engineers. The manager suggested council go ahead and consider this proposal because the engineering firm will not hold any longer than the December date. She said what council can do at the Work Session in January and ultimately at the Planning Session is determine the amount such as what it's going to take and how to budget for the rehab project. Mrs. David noted the city cannot get to the point of the rehab cost until these services are performed. She also noted that permits may not be pulled without these type of plans. The manager stated that the city may want to negotiate the bid documents and bid openings amount and do it in-house. A total of three firms were contacted to submit proposals.

A motion was made by Council Member Covington and Buie to approve the submitted proposal for this particular scope of services from Summey Engineering. Mr. Buie inquired when the firm will begin the services and the manager confirmed if the chief contacts them this week, they should start at the beginning of 2014. All were in favor and the vote passed 5-0.

New Business

Transition - Reorganization of the Governing Body

Mayor Jeff Smart took a moment to give outgoing members an opportunity to make comments.

Dewey Brower thanked the city for the opportunity to serve, he thanked them for the opportunity to help fulfill this dream to serve the public. He encouraged others to pursue their dreams.

Abbie Covington noted this is a bitter-sweet time for her; she said it has been an adventure and a learning experience. Mrs. Covington noted a number of high profile items that she has seen throughout her years of service. She thanked council, the manager, staff and employees and concluded with saying it has been a wonderful opportunity. Mrs. Covington suggested the public thank city employees for the work they do on a daily basis for the city.

Jeff Smart thanked the citizens of Hamlet for their support while he was Mayor. He then took a moment to read aloud a letter of appreciation to the attendees and to the public. He noted the years of service to the City of Hamlet between he and his father; he said he gave all he had in his position as Mayor. Jeff spoke of the new partnerships formed, the new positions filled, the benefits made to the city, the new projects completed, and a number of other accomplishments during his 6 year tenure as Mayor. He thanked council, staff and the employees for working with him. Mr. Smart extended best wishes to Mayor Elect Bill Bayless and said he supports him. Jeff ended with thanking his family for their support and he thanked the city manager for the professional job she does for the city. Mr. Smart then wished everyone a Merry Christmas and a Happy New Year and asked God's blessings upon the City of Hamlet.

The Mayor then read aloud and presented individually Dewey Brower and Abbie Covington with a Resolution of Appreciation.

A plaque was presented to Mr. Brower recognizing his service, and after four decades of service by Council Member Covington, she was presented with a photo of the Hamlet Depot as appreciation.

Mayor Smart then turned the meeting over to Mayor Pro-Tem Tony Clewis. Mr. Clewis gave the remaining council members an opportunity to offer comments.

Council Member Buie thanked Dewey for his service and he thanked Abbie for all of her time she contributed to the city.

Council Member Preslar thanked Dewey for his honesty and his loyalty. He stated the city is losing a lot of experience with Abbie and he thanked her for all of her years of dedication to the city. Mr. Preslar thanked Jeff Smart for the opportunity to serve with him in his role as Mayor. He thanked him for all of the good changes made within the city and noted a number of his accomplishments and wished him the best of luck with his future plans.

Council Member Buie thanked Jeff Smart for his help while working with him and he thanked him for being there.

Mayor Pro-Tem Clewis thanked Dewey for his integrity and he thanked him for being a citizen of this city and said it has been a true honor to serve with him on council. He thanked Abbie and said her knowledge is invaluable and noted his appreciation for all she has done and said she will be missed. Mr. Clewis then thanked Jeff for his six years of service to the city as Mayor, he said although they didn't always agree but noted no one in this position will always agree. Mr. Clewis recognized Jeff's strong drive to get things done and ended with thanking Mr. Smart for his love for the City of Hamlet.

Tony Clewis then read aloud a Resolution of Appreciation and presented Mr. Smart along with a plaque.

Oath of Office.

The meeting was then turned over to City Clerk Tammy Kirkley. Mrs. Kirkley called for Bill Bayless, Jesse McQueen and Eddie Martin to come forward. She then offered the Oath of Office individually to each newly elected member. After the Oath of Office was administered, the new members took their respective seats among council. City Clerk Tammy Kirkley then introduced the new governing body for the City of Hamlet to the public.

Mayor Bayless then took over the meeting. At approximately 8:02 pm, he said the first item to continue with will be a motion to amend the agenda and go into closed session. Council Member Buie and McQueen made the motions to go into closed session to discuss a personnel matter pursuant to NCGS Section 143.318.11 (A) (6). The mayor called for a vote and Council Members Clewis and Preslar did not offer a vote, which stands as an affirmative vote. The vote passed 5-0.

At 8:28 pm open session reconvened. Mayor Bayless reported that no decisions were made and there were no changes done while in closed session.

Appointment of City Clerk.

Mayor Bayless called for a motion for the appointment of the City Clerk. Council Member Buie and Martin motioned to appoint Mrs. Tammy Kirkley as the City Clerk and all were in favor. The vote passed 5-0.

Appointment of City Attorney.

The mayor entertained a motion to appoint the City Attorney. Council Member Preslar and Clewis motioned to reappoint Steve Futrell as the City Attorney. The motion failed by vote of 3-2. Council Members McQueen, Buie and Martin were opposed to the motion.

Appointment of Mayor Pro-Tem.

Council Member Preslar motioned to appoint Tony Clewis, and Council Member McQueen motioned to appoint Johnathan Buie. Council Member Martin made a second to McQueen’s motion. The Mayor called for a vote in favor of Mr. Clewis, and Preslar and Clewis voted in favor. Mayor Bayless then called for a vote for Buie, and McQueen, Martin and Buie voted in favor. Mr. Buie was then appointed as the Mayor Pro-Tem by a vote of 3-2.

Bid Award of Refuse Collection Truck.

Mayor Bayless confirmed with the manager that this item included in this year’s budget. Mrs. David reported the city had two bid openings for the truck. The Clerk reported there were two bidders for the first bid opening and a specific part of the specs was not included in the first bid so the city held a second bid opening to allow for the needed parts on the truck. During the second bid opening Amick Equipment was the only bidder. Councilman Buie motioned to approve the bid award to Amick Equipment for the refuse collection truck and a second motion was made by Councilman McQueen. The vote passed with a 5-0 vote.

Approval of Tax Releases.

A request to approve tax releases totaling \$31,469.92 and tax refunds totaling \$419.32 per the county was submitted to council for consideration. The releases and refunds were unanimously approved by motions of Council Members Buie and McQueen. The vote passed 5-0.

Other Business.

Departmental Comments. The Mayor welcomed Doc Sylvain to the meeting and noted he is the new department head replacing retiree Bobby Moser.

Tammy Kirkley welcomed interested applicants to fill out volunteer applications to serve on various city boards.

City Manager’s Comments.

The manager reported that City Offices will be closed next Tuesday-Thursday, December 24-26, in observance of the Christmas Holidays, and offices will be closed Wednesday, January 1 for the New Year Holiday. Billy Stubbs then gave the schedule for the sanitation pick-up during the aforementioned holidays.

Mr. McQueen asked council if they would have an issue with the city picking some of the things in the community that are eye sores until council can come up with a new way to handle the trash pickup policy. He suggested handling the problem of absentee landlords with those specific individuals and not the tax paying individuals. He requested to put that as an item at the budget meeting. Mr. Preslar suggested saying “all” not “some” of the items because it leaves too much room for discrimination.

Mr. McQueen said he is fine with that, and he is saying until council can iron out possibly a new policy on how the city handles the trash pickup. It was the consensus of council for public works to pick up anything they see on the side of the street and to give them the authority and permission to do so. The Mayor said this item will need to go on the agenda in January and he reiterated it was council's consent to take care of the Christmas trash between now and the January meeting where this will be discussed further. The Mayor stated council will get it worked out in one of the January meetings but asked Public Works to make sure to pick up the holiday trash.

The manager then gave information on Parks & Recreation basketball registration and gave the late registration dates and fees. She reported that the football tournament is currently underway within the P&R department. She then offered a welcome to Mr. Bayless, Mr. McQueen and Mr. Martin. She wished all a Merry Christmas.

Mr. Preslar asked what council will do since the attorney wasn't reappointed when/if legal matters arise. Mr. Bayless stated that they have already gotten the ok from the League of Municipalities to contact them if there are any legal problems. The Mayor then expressed his appreciation to Mr. Futrell for his services throughout the years; he said this wasn't anything personal, but said Mr. Futrell represents the county and council wanted to go in a different direction. Mr. McQueen reiterated the Mayor's comments and gave his appreciation to Mr. Futrell.

Council's Comments.

Pat Preslar wished everyone a safe and Merry Christmas; he wished all of the city employees a Merry Christmas. He reminded the adults and teenagers about the responsibility of underage drinking and the liabilities.

Eddie Martin thanked all of the people in Hamlet for their support with him serving as council member and he pledged to do everything he can for the City of Hamlet to the best of his ability.

Jesse McQueen noted the service that was lost and gained tonight. He said he looks forward to working with the entire board and to the job at hand. He has concerns with council bringing up the issue involving the police department during council meetings. Mr. McQueen wants to be transparent with all but he has a problem with releasing information whenever there are active criminal cases being investigated and said council needs to be careful because this is not a civil court and he doesn't want to be a party to such. He suggested allowing the issues of the law to stay with the court. Mr. McQueen thanked his family for their support and said council will get the town moving in the right direction. Best wishes for a Merry Christmas were offered, especially to the employees and he said wants to be an active council member.

Tony Clewis gave his appreciation to Steve Futrell for all that he has done for the city; however, noted he doesn't think the timing of the change is good. He congratulated the new members of council and said they will not always agree, and with that said, he then disagreed with Mr. McQueen for the moment, and said Mr. McQueen's comments sounded as if the former council ran the city into the ground and he disagreed with same. Mr. Clewis feels like council did a good job and said they will continue to do a good job. He said they will work together and move the city forward.

Johnathan Buie thanked Steve Futrell for his services and said he was very helpful whenever he had questions during their time of working together. He then congratulated the city clerk. Mr. Buie said we are leaving the past in the past and are moving to the future. He then stated concerns brought to him of double parking in the alleyway at the back of city hall. He said he wants to see every vehicle, city and employee vehicles, in a designated parking space rather than blocking the alleyway. He noted the unsafe conditions of this issue. He said he doesn't expect the K-9's to not park there but asked all others to park in a parking lot. Mr. Buie also stated that when employees are leaving city hall for city business, that they need to be in city vehicles and said this is for all employees and is to insure liability. Mr. Buie wished all a safe and Merry Christmas and a Happy New Year.

The manager confirmed that she will be emailing council to schedule a mid-year Work Session to be held in January. The Mayor added, in reference to the comments about the parking, council will let staff handle it.

Mayor's Comments.

Mayor Bayless took a moment to thank everyone for their confidence in him and said he will do the best that he can for the city. He said they will all work thru the ups and downs as they come. Mr. Bayless said one of the things he learned in Mayor's school is they will not allow any personal attacks during the meetings and if there are issues with anyone, council will go into closed session to discuss it. He said everyone will have an opportunity to speak and there will not be any accusations made against individuals. He said he will miss the former members and thanked them. Mayor Bayless thanked his wife Linda for her support. He wished all a Merry Christmas and Happy New Year.

Motion to Adjourn.

At approximately 8:56 pm motions to adjourn were made by Council Members Buie and McQueen. All were in favor with a 5-0 vote.

Respectfully submitted,



Tammy W Kirkley, Clerk for the City of Hamlet

