

**Budget Work Session #3
Hamlet City Hall - Council Chambers
201 Main Street, Hamlet, NC 28345
May 21, 2014 – 4:48 P.M.**

Minutes

Governing Body Present:

Mayor, Bill Bayless
Mayor Pro-Tem, Johnathan Buie
Council Members, Tony Clewis, Jesse McQueen, Eddie Martin

Absent:

Council Member, Pat Preslar

Staff Present:

Tammy Kirkley, Interim Manager/City Clerk
Jill Dickens, Finance Officer
Edna Cumberland, HR Officer
Robert Brown, WTP Superintendent
Zach Garner, IT Director
David Knight, Fire Chief
Billy Stubbs, Public Works Director
Amery Griffin, Police Chief

Others Present:

Candace Garner, Brian Carter, Rodney Tucker, John and Telena Haywood, Sarah Wicke

1. Call to Order. Mayor Bayless called the meeting to order.

2. Adoption of Agenda. The agenda was approved by motions of Council Members Buie and McQueen. The vote passed 4-0.

3. Announcement of Interim Police Chief. Mrs. Kirkley announced upon Police Chief Griffin's recent notice of retirement from the Hamlet Police Department; she has appointed Captain Rodney Tucker of the department as the Interim Police Chief. Mr. Tucker gave his appreciation for the opportunity; he said it is his intentions to maintain the services to the citizens of Hamlet until a new chief is hired. Council thanked Mr. Tucker.

(Councilman Preslar joined the meeting)

4. Budget Discussions.

Open Position City Shop: Mr. Buie questioned the vacant mechanic's position at the city shop. Ms. Cumberland reported the position has been filled. She explained that a current employee has been moved to the position of a mechanic.

Police Department Capital Outlay: A Livescan has been approved of \$25,000; the city expects to get \$11,000 back on a grant; a server and 10 desktops are included at \$15,000.

Public Works: The garbage truck, ambulance and police cars were set up for lease purchase this year.

Fire Department Capital Outlay: SCBA Bottles at \$9,600; Deck gun risers at \$11,000, T-5 Metal Paint at \$6,500 and replace Tanker at \$200,000. The fire tanker truck will be set-up for a five year lease purchase.

Mr. McQueen asked the fire chief if he has had any luck coming up with a fire truck within the price range council came up with and the chief replied not so far. Chief Knight said they have been actively looking, but not only do they have to find something within the price range, but the truck also has to meet insurance guidelines. The truck will have to be certifiable. Mr. McQueen said council may have to keep in mind if a truck can't be found within the approved amount, then down the road there may have to be a budget amendment. Mr. McQueen said council's goal is to get the truck and the fire chief said his goal is to not buy something that they can't actively get certified and use.

Public Works Capital Outlay: Garbage truck \$140,000. Jill Dickens said the budgeted funds were used up with all of the budget amendments for the year. Council and Ms. Dickens discussed the various budget amendments.

Memorial Park Capital Outlay: \$10,000 to repair the Wall at the park.

Mr. McQueen asked the latest on the storage container and Mr. Buie said he was waiting on new management to come in and consider. Jill Dickens confirmed that the funds for the POD or container were removed.

Non Departmental: Ms. Dickens asked for clarification under contributions to other agencies within Non Departmental. She confirmed with council that they wanted to contribute \$1,500 to Crime Stoppers. She explained the budget and request in writing process for payment. Council talked about the city contributes \$55,500 per year to the Library and also pay for the maintenance of the building and if the city is actually getting the benefits for the amount of money being paid. Mr. Preslar said the issue is with what other agencies donate compared to what Hamlet gives to the Library.

Water Treatment Plan Capital Outlay: valves for water tank \$15,000; SCADA \$31,500

Water Distribution Capital Outlay: F-150 Truck \$21,500

Waste Collection System Capital Outlay: Kohler Generator- Walls Pumping Station - \$63,000.

Forestry Service Trucks. Bryan Carter reported that they should know something towards the end of this month about these trucks.

Summary of Current Draft Budget. As it stands, the total revenues are at \$5.3 million; the expenditures are at \$5.3 million to include fund balance appropriations of \$821,720, which means taking it from fund balance to balance. Last year \$372,655 was appropriated from fund balance and Mrs. Dickens said estimations look like it will be a wash. She confirmed the during the last two years fund balance went down slightly and said the city had \$1.9 million in fund balance at the end of 2012. Mr. Preslar said council is looking at \$500,000 that needs to be trimmed or taken from fund balance, or raise taxes, which they're not going to do. He noted a few things that could be looked at cutting are: not giving a raise that would equal about \$65,000-\$70,000; not having the fire department employee, which would be about \$40,000 a year with benefits; he said both items would be about \$100,000. Mr. Preslar asked and confirmed with the chief that if the fire department employee is cut the city will probably have issues with overtime and time and a half will have to be paid, which will be a wash or the same as having an employee.

Mr. Preslar suggested council may look at the fund balance appropriations this year and try seriously not to do more next year. He said we are looking at a 2% pay increase across the board and an increase in healthcare premiums for employees. Mr. McQueen said a lot has been cut in this budget and a raise is being given to keep employees. He said at some point council is going to have to bite the bullet and look at all things that can be done and at some point taxes will have to be looked at or services may have to be cut. Mr. McQueen said the fire department employee is not going to be cut; he gave a recent personal scenario of calling them and having to wait because staff was busy and it went to Rockingham; he said this is not something that can be skimmed on. Council discussed the increase in medical insurance and Mrs. Kirkley informed council that the insurance representative told staff that it is very rare to see employers pay 100% of the medical benefits anymore, noting that that in itself is a major benefit to employees.

The Mayor asked council's wishes on the budget at this point. Mr. McQueen said he wished council could do more for the employees but said they are going into the fund balance more than they've had to do in previous years but he doesn't see a way around it. Mr. McQueen then made the motion to accept the draft budget as proposed and Mr. Buie made the second. The vote passed unanimously.

Mayor Bayless thanked the finance officer and staff for their work on the budget. Mrs. Kirkley said staff will move forward with preparing to present the draft budget for approval during the June monthly meeting. Mr. McQueen reminded council that a balanced budget must be in place and adopted before July 1st.

5. Other Business.

Donald Quick Sewer Issue. Mr. Martin reported that there has been an issue with the voting of a previous council in Mr. Quick's matter and said it is a legal issue. He said this issue has been going on since 1994 and continues to come up every time new council members are elected. Mr. Martin said he would like to ask Mr. Morphis to look at the matter. He explained the 1994 unanimous vote to give Mr. Quick \$1,207 and later that did not get done. He continued to note the events that occurred chronologically with Mr. Quick's issue from 1994 up until this year. Mr. Martin told of the vote that took place again to not give a refund at which time the Mayor had to vote to break the tie; the previous motion that was voted on was not rescinded and council at that time, went straight into another vote on the matter. He asked if council can take a vote on something without rescinding a previous motion and vote that was made. Mr. Martin suggested the situation could have occurred at that meeting if the city attorney was absent. He would like Mr. Morphis to look into Mr. Quick's request. Mr. Martin noted the facts are council voted twice to give Mr. Quick the refund. It was confirmed that this is not to look at revisiting the engineering or hooking up.

Council discussed and agreed that there needs to be an agreement indicating that this is a one-time issue and it will be based on a previous council's error to settle the matter and to pay the \$1,207.00.

Councilman Buie motioned to have the attorney to draw up a binding contract that once we pay out the \$1,207, that will resolve all issues and that there will be no other actions taken against the city at all. Councilman McQueen noted to be clear; council is asking the attorney to draw up a contract to pay what the council in 1994 agreed to do. Councilman McQueen seconded the motion. Councilman Preslar said this is the first time he's seen it at this angle as Mr. Martin explained and he said he can agree to it.

Mr. Martin reiterated that the October 25, 1994 minutes stated "The mayor informed council that they would either have to rescind or abide by the motion previously made to refund Mr. Quick his money"; at this time there was general discussion on the matter and a vote was called. Mayor Covington cast the dissenting vote defeating the motion by 3-2. Mr. Martin reiterated council never voted to rescind the previous motion they only voted not to refund the money. Mayor Bayless there is a motion and a second on the floor to pay Mr. Quick a one-time refund of \$1,207 and he asked for a final vote. The motion passed 5-0.

Canine Issues

Mr. McQueen asked about the information the police chief provided to council at the last budget meeting regarding the canine units. He said council needs to come up with something today because there are federal case laws that say there should be compensation for the K-9 handlers and the city has a policy that we pay to compensate our handlers and for whatever reason that stopped in 2012. Mr. McQueen said we either need to pay the guys for what they didn't get paid or give them comp-time. If we don't go back and do something, there could be liability. Mr. McQueen noted what the chief had reported, that the city manager said at the time the officers volunteered and they weren't going to be compensated. Mr. Preslar said the officers were training above and beyond their shift and then claiming the time, and when the officers were called out, they got even more time. Mr. Preslar said it was supposed to be laid out that if the officers worked a ten hour shift, they were supposed to get their training in. Mr. McQueen doesn't have a problem with that but the policy says one hour.

Amery Griffin reported that there was an issue with employees accruing more than 120 hours of comp-time that was under Federal Standards. Mr. McQueen said he doesn't like that it was a city policy and then decide it's not going to be followed. Ms. Cumberland confirmed that an employee can only maintain up to 120 hours of comp-time. Mr. McQueen said we need to amend the policy to say that are going to give the officers an hour on their days off and not while their working. He suggested giving the two officers what they are owed from when the policy changed without anyone knowing it in 2012 until now.

Mr. Preslar wants to see the reports and training logs of the canines. Ms. Cumberland reported she has never seen the policy and said the officers must have been given comp-time in the past. It was stated that some of the time that needs to be considered is the time for taking care of and feeding the dogs. Council reviewed the policy relating to this matter and the issue with getting rid of comp-time, as well as, issues of safety and the officers being out by themselves.

Councilman McQueen motioned to get with the city attorney and have him to look at the policy as it's written; to get with the staff to see the time that possibly is owned the officers, and compensate the canine officers of the Hamlet Police Department whatever money that we owe them based off of what that policy says.

Mr. Buie stated he asked about this matter last year and he was told it was being looked at. Mr. Preslar asked for a consensus that Chief Griffin and the upcoming Acting Chief evaluate our program. He said he would like to see when and how many times the dogs have been deployed, how many training hours there are, total amount of drugs seized, tracks, apprehension and such. Mr. Preslar would like them to compile something from reports that have already been filed in the office. Mayor Bayless said these reports need to be reviewed and approved on a regular basis.

Mr. Preslar suggested doing a cost benefit of the program and Mr. McQueen agreed that all departments and people need to be accountable, even council.

Councilman Buie provided a second to Councilman's McQueen's motion on the floor. All were in favor and the vote passed 5-0. It was confirmed that council get a report from the police department for the reports of the dogs for the last 2-3 years. Chief Griffin clarified that these records are hand-written and are not in database form.

Mayor Bayless recognized Attorney McInnis in attendance.

6. Adjournment of Meeting. Council Members Buie and McQueen motioned to adjourn the meeting at 5:52 pm. The vote passed 5-0.

Respectfully submitted,



Tammy Kirkley, City Clerk

