

City of Hamlet Regular Monthly Meeting
201 Main Street, Hamlet, NC 28345
City Council Chambers
Tuesday, September 10, 2013
7:00 P.M.

Minutes

Governing Body and Staff Present:

Jeff Smart	Mayor
Tony Clewis	Mayor Pro-Tem
Johnathan Buie	Councilmember
Abbie Covington	Councilmember
Dewey Brower	Councilmember
Marchell David	City Manager
Tammy Kirkley	City Clerk
Steve Futrell	City Attorney
Jill Dickens	Finance Director
Amery Griffin	Police Chief
David Knight	Fire Chief
Robert Brown	WTP Superintendent
Gail Strickland	Zoning Officer
Donna McMillan-Aiken	Senior Center Director

Absent:

Pat Preslar	Council Member
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Others Present: RC Daily Journal- Iris Hunter, Bill Bayless, Bert Unger, Jesse McQueen, Jimmy Strickland, Van Billingsley

1. Call to Order.

Mayor Smart called the meeting to order.

2. Invocation.

Mayor Pro-Tem Tony Clewis gave the invocation.

3. Adoption of Agenda.

Council Members Clewis and Buie motioned to adopt the agenda. All were in favor – 4-0.

4. Approval of Minutes.

The Minutes from the August 13, 2013, Regular Monthly Meeting were unanimously approved as presented by motions of Council Members Clewis and Covington. The vote was 4-0.

5. Comments from Attendees.

There were none.

New Business

6. Public Hearing Telecommunications Tower Ordinance.

Mayor Smart explained that council will hold a public hearing tonight to allow discussion of the proposed Telecommunications Tower Ordinance submitted by the Hamlet Planning and Zoning Board. The updated ordinance is to allow Hamlet to be in-line with other municipalities in reference to the application process, regulation requirements, fees and penalties for the towers while protecting the health, safety and welfare of the residents. Mayor Smart then opened the floor to the public hearing.

- **Van Billingsley** presented council. He is the owner of Electronic Service Company of Hamlet, chief engineer for the radio station FM104.3 in Hamlet, chief engineer for the school radio station WRSB. He said he has worked on every radio station in this county at some point and said he is a stand-by engineer for WAYN and has 38 years in this business. He read over the proposed ordinance and noted his concerns. Mr. Billingsley said if this ordinance is enacted he will be forced to move part of his operation outside of the City of Hamlet. He gave an example of having to go to a radio station in Hamlet to change antennas and per the ordinance; the city has to be involved in the matter. Marlboro County SC, Bennettsville, is expanding their services and he said he approached the county commissioners about his concerns and the county worked with him and within 90 days the ordinance was changed to accommodate what he was doing for them. Van stated he has 10 businesses within Hamlet's local downtown area currently that get about a 30-40% reduction over the other carriers, which includes telephone vendors.

Van said he is concerned when he sees things going in the opposite direction as that in surrounding areas, he said he questions the matter and he gave further examples of how this will affect his business. Within this ordinance, it includes a \$5,000 fee to ask if he can build a tower in the community and if he is told no, the city gets to keep the \$5,000 and he loses. He said because Hamlet doesn't have the people with the expertise to determine what he is doing is correct or not, within this ordinance the city may hire an "expert" that will cost him \$8,500 along with the initial \$5,000 and noted if the funds are used up with the "expert", it can cost more money asking to build a tower than what it will cost to build the tower. He further talked about a letter he received from the city to discuss a 30 year partnership. He said every school bus in the county is using his communications tower, which the city previously used and is slightly outside of Hamlet and he talked about the tower's height and reachability to customers. He said tomorrow he will be presenting to Hamlet's city manager an application for him to install a 190' tower inside of the City of Hamlet at a cost of \$13,000 to him but noted per the proposed ordinance it will cost him more for the application than it will for him to build the tower. Mr. Billingsley said he was raised in Hamlet and his business is 2 miles outside of the city and he employs 23 people with a gross payroll of $\frac{3}{4}$ million dollars and said every dollar he puts in his payroll circulates back through the city; he currently has over 1700 internet customers. Mr. Billingsley noted a special clause that has been included in Marlboro County's permit process for WISP, as well as others. Other surrounding agencies' wireless internet service providers' applications are around \$250.

He added as far as public safety, he is 100% safe; he noted the federal regulations one must adhere to for safety. Mr. Billingsley added that this type of ordinance stifles the growth of local businesses as it is written.

The mayor confirmed with Mr. Billingsley that other cities in our county have this type of ordinances in-place that are less stringent. Mr. Billingsley pointed out it is necessary to have an ordinance in place but it's how you approach the matter. Other agencies are loosening their ordinances to work with the local businesses.

Council Member Covington asked Mr. Billingsley to review the proposed ordinance and bring back information pointing out some particular things that are stifling to an entrepreneur and that she will be willing to listen to what he has to say; Mr. Billingsley agreed to do so. Councilman Clewis inquired about the surrounding counties and cities' permitting fees and Van noted that the fees were originally going to be very high like what is being proposed by Hamlet but the agencies changed some things to work with him; they all charge around \$250, which he has no problem with paying.

There were no other comments and the public hearing was closed.

7. Consideration of the Proposed Telecommunications Tower Ordinance and the Statement of Consistency.

Council Member Buie motioned to table this matter until council can meet and come up with some kind of plan that will work; he said council is not trying to destroy businesses. Council member Covington seconded the motion. Councilman Clewis felt council needed to put a time limit on the matter to keep the matter from lingering. Mr. Buie then amended his motion to table the matter for 60 days. The mayor confirmed with the manager that if the matter is tabled for 60 days, it will then take another 30 days for the ordinance to become effective. Mrs. Covington seconded the amended motion. Mayor Smart called for a vote and the vote passed 4-0.

8. Appointment to the Planning and Zoning Board.

The mayor explained that two board members' terms have expired on the Planning and Zoning Board. There are no other applications on file with a desire to serve on this board and the two members have agreed to serve another 5-year term. Council Member Covington, Clewis and Brower motioned to reappoint David Adeimy and Shirley McDuffie to serve on the Hamlet Planning and Zoning Board for another 5-year term. Council was unanimously in favor of the motions with a 4-0 vote.

9. Appointment to the Hamlet ABC Board.

The mayor explained Bert Unger's term in filling an unexpired term with the Hamlet ABC Board has expired. The ABC Board has recommended the reappointment of Mr. Unger and Mr. Unger has agreed to serve 3-year term. There is one other application on file wishing to serve on this board. Council Member Buie noted that the other applicant has expressed interest in the recent past to serve and said he wasn't opposed to new members and new ideas. After brief discussion on the matter, Council Members Covington and Brower motioned to reappoint Mr. Bert Unger to serve a 3-year term to the Hamlet ABC Board.

The vote passed unanimously- 4-0. Mr. Unger was thanked for his interest to serve on the board.

10. Consideration of Resolution 13-12 - Sale of Surplus Property.

The Mayor explained the resolution and staff confirmed a date has not yet been set for a sale but noted that it will be properly advertised according to the law. Council Member Clewis motioned to adopt Resolution 13-12 the sale of surplus property and Council Member Buie made a second to the motion. All were in favor 4-0. The manger will keep council abreast of the dates for the sale and the disposition of the property.

11. Consideration of Tax Releases.

The tax releases were presented and Council Members Covington and Clewis motioned to approve same. The vote was 4-0 in favor.

12. Proclamation for the National Service Day for September 11th.

Mayor Smart took a moment to read aloud the Proclamation for the National Day of Observance and Remembrance of 9-11 for the consideration of the public. He then called for a moment of silence in observance of remembering this time.

Staff:

- *Donna McMillan-Aiken* then took a moment to announce that the Hamlet Senior Center has a Facebook page and invited all to add them to their "like" list. All events are available on the FB page. She said she has started a marketing campaign in the county in an effort to bring more participants; as of yesterday the center's running number is 708.
- *Tammy Kirkley* invited Hamlet citizens interested in serving on volunteer boards to visit the city's website for applications or to call, or stop by, City Hall for information and forms.

Other Business

13. City Manager's Report.

Soccer season started with Fun-Day last Saturday and games will continue on Mondays, Tuesdays and Thursdays for the next month and a half. Football and Cheerleading registration has started. Regular registration will go on thru October 4, and late registration will take place the following week and end on October 11th. Mrs. David reported she was invited to attend a ground breaking ceremony for Prayer and Faith Temple Church of God in Christ, Family Enrichment Center. This is another great endeavor taken on by Reverend Legrand and the community is looking forward to the ribbon cutting in the spring of 2014. -Saturday, September 21 the city will hold the "Meet Me Downtown"- from 8:00-11:00 am. This is a day volunteers will work together in the downtown areas in a clean-up effort. The public is invited and encouraged to come out and help. Mrs. David then reported as a Team Building Exercise department heads partnered with United Way for the Day of Caring earlier today. She expressed how proud she is of both teams that participated from the City of Hamlet.

14. Comments of Council.

- **Dewey Brower** – He enjoyed the church ground breaking activities yesterday and thanked the church for their efforts. The store in South Hamlet that came before council earlier this year for a rezoning is doing well. The sidewalk project with NCDOT is going well.
- **Johnathan Buie** - The Park and Recreation season is going great thus far and the fields are looking good; kids are having fun. Hats off to Jerry and Mitch with keeping the fields maintained.
- **Abbie Covington** – Proud that the City of Hamlet was well represented in the United Way projects, Back Pak Pals and Habitat for Humanity. She appreciates staff's service to the people in the city.
- **Tony Clewis** – He talked about the Back Pak Pals program and noted it is all volunteer and there are no paid positions; he said all items go to help the kids. He reminded all about the LRCOG Annual Meeting and Dinner October 17 at 6:30 pm.

15. Mayor's Comments.

- **Mayor Jeff Smart** – Notified the public that council made the decision to purchase the old A&P building across from city hall and said this was done since the last meeting and the vote was unanimous. The mayor noted the building will be the future Hamlet Police Department. He said this was a great purchase.

Mayor Smart said there was a good crowd in Hamlet last Friday night for the Car Show. He concluded with commending staff and citizens for helping with United Way today.

16. Adjournment of Meeting.

The meeting adjourned at 7:45 pm by motions of Council Members Clewis, Buie and Covington. The vote passed 4-0.

Respectfully submitted,


Tammy Kirkley, City Clerk

