

**HAMLET CITY COUNCIL REGULAR MONTHLY MEETING  
HAMLET CITY HALL COUNCIL CHAMBERS  
201 MAIN STREET, HAMLET, NC 28345  
TUESDAY, AUGUST 11, 2015 – 7:00 PM**

**MINUTES**

***Governing Body Present:***

Mayor	William Bayless
Mayor Pro Tem	Johnathan Buie
Council Member	Tony Clewis
Council Member	Jesse McQueen
Council Member	Eddie Martin

**Absent:**

Council Member	Pat Preslar
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***Staff Present:***

City Manager	Marcus Abernethy
City Clerk	Tammy Kirkley
City Attorney	TC Morphis
Finance Officer	Jill Dickens
Police Chief	Scott Waters
Asst. Fire Chief	Calvin White
WTP Supt.	Robert Brown
Zoning	Gail Strickland
IT	Zach Garner
Public Works Dir.	Billy Stubbs

Others Present: Approximately 18 attendees. Kelly Pruitt, RCDJ Representative

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- 1. Call to Order.** Mayor Bayless reconvened the meeting from the earlier recessed meeting.
- 2. Invocation.** Councilman Clewis offered the invocation.
- 3. Adoption of Agenda.** Council Members Clewis and Buie motioned to adopt the agenda and noted a title error on Item #7 and asked to delete Item #9. All in favor of the agenda with the changes.
- 4. Minutes Approved:** The July 8, 2015 Regular and Closed Session minutes were approved with a vote of 4-0. Council Members Buie and Clewis made the motions.
- 5. Comments from Attendees.**  
The mayor recognized and welcomed Scout #527 in attendance. No comments were presented.
- 6. Presentation by Kelly Pruitt of the R.C. Tourism Board.** Ms. Pruitt introduced herself and reported that the county is reestablishing the Visitor's Center in Rockingham and she

gave the hours of operation. She said the center will house brochures via Richmond County and will represent all of Richmond County to include sports, history, textiles, racing, etc.; it will be all inclusive. Ms. Pruitt noted that the center is accepting donations for display and interested donors may contact her. She reported that one of her projects is to help develop a way finding system in the county that will pinpoint attractions within 2 miles. They are rebuilding the website, and attractions are being added daily. The goal is to develop more community events and increase the tourism in the county and in Hamlet. Ms. Pruitt said she spoke with Hamlet's manager regarding adding a car show to the city's events. There will also be a self-serving kiosk system implemented through Meridian that will utilize 18 kiosks in the county advertising all county attractions and will be completed in two phases. In Phase I, Hamlet will get a kiosk, which will be located at the Depot. Ms. Pruitt explained the benefits of kiosks. Richmond County is a pilot program for this project in NC.

- 7. Presentation by Matt Gordon with Wildlife Forest Service.** The manager said Mr. Gordon is in attendance to explain a recommended land management plan for a couple of parcels owned by the city. One parcel is located at the city's watershed and the other is on the sludge application site located at the WWTP. The Forestry Service is suggesting to thin and cut to reduce risk of forest fires, and to clear out the property to land apply. He said the state requires agencies applying in non-concentrated areas, that the roads be maintained; Mr. Gordon said this could be a source of revenue for the city as well. He said if this plan is agreeable with council, the city could hire a consultant to thin the trees and this will not wipe out the land. He discussed the numbered Areas on the map within the two parcels and talked about the land shed areas. Mr. Gordon also discussed the removal of hardwoods, the tree chipping operations and sending in the hardwood chips to a mill for wood purposes. The area needs to invite sunlight to hit the floor, which will bring about grasses and invite wildlife and will reduce wildfires. Once the hardwoods are removed it will open up to pine leaf, which brings in bigger money and will act as revenue source for the city. Currently, the noted forests are non-productive; the plan will make it a beneficial area for the city for years to come. The Plan suggests harvesting operations and not clear cutting the areas. Wildfires are a threat and Mr. Gordon referenced one that fell within Area 1. The Forestry Service is recommending to reseed after the trees are cut.

Mr. Gordon also discussed the income possibilities for the straw. The WWTP land application site, the city trucks are having problems maneuvering about due to the overgrowth of the trees and it is required by the state that the ingress/egress areas remain clear. Mr. Dunn reiterated the road clearing issue at this site must be adhered to per the state.

Mr. Gordon explained Consultants' position within a management plan; he said agencies many times do not have to pay up-front because many consultants work off of commission on the sale. He said Consultants make sure to get the best price possible for trees/wood because of commission. Council thanked Matt for the presentation and his work on the plan. A motion to allow the manager to hire a consultant was made by Council Members Buie and Martin. The vote passed 4-0.

- 8. Update on the Animal Control Ordinance.** The city manager stated there was a typo within the enclosure last month and he has since found out the hours of operation and

availability that the animal shelter will accept the animals. He said someone is at the shelter at 8:00 am every day and there is a drop off location; he said the shelter cannot turn down an animal. Marcus met with police chief and police captain to determine what all will be needed as far as personnel and equipment. Trapping equipment, a person and a vehicle will be needed. Mr. Martin stated there is a lot involved in catching dogs and this will take up a good amount of the officer's time and said the city may need to look at hiring an animal control officer and perhaps look at a part-time officer. The manager said we can look at things like changing the officers, overtime pay, and auxiliary officers. Mr. McQueen liked the idea of starting an auxiliary officers program to assist for a lower cost.

Mr. Buie motioned to approve the ordinance and Mr. McQueen made the second. The vote passed unanimously.

**9. Personnel Leave Time.** This item was taken care of in the special meeting.

**10. Swimming Pool Amendments.** The manager explained how the needed amendments for clarifications to the pool ordinance came about and said the ordinance is in place for safety purposes.

Gail Strickland presented council and explained that the current ordinance was adopted in 2009 and it was the intention of the planning board and council that any swimming pool over 24" that had a soft side material would require a separate fence/barrier. She said pool materials have changed since 2009 and the city has not changed its practice, the only thing this ordinance update does is clarify the type of wall, to say a hard resin or all metal swimming pool wall can serve as the barrier as long as it is 48" or higher but if it is a soft sided pool, those types do not serve as a barrier and an additional 48" barrier all remains the same. She said the city is just adding clarification for the type of wall that serves as a barrier. Mrs. Strickland said this is the same practice that we have been enforcing since 2009 and every year we get calls about people buying the small pools but they are soft sided. She said this is a safety issue and she hates telling people to take their pools down but it will be worse if a child drowns. Nothing is changing in practice and the city does not go out and look for these code issues. She noted the process that takes place when it is found the code is being broken.

Gail continued to explain the current code and enforcement that is not changing. Mr. Martin asked if there is a ladder outside where someone could climb up and fall in, he could see that being a safety issue. Gail said it depends on what the pool is made of and talked about the required separate fence rules. She said what serves as a barrier and the types of pool walls; she noted hard resin or metal pools for 48" or higher do not have to have a fence, anything else you must have a separate fence.

**Katie Miller** of 620 Oak Avenue presented council. She said someone reported her above ground pool as being out of code. She stated that the ordinance isn't very clear about the above ground pools and talked about the sizes and the types of pool walls with the ladders for these pools. She said there are questionable pools on Oak Avenue and Henderson Street

but that she isn't going to call on them, but she doesn't think it's fair. Mr. Martin said he doesn't see why it matters if its vinyl or steel, as long as there is not access to the pool from the outside so no one can get in it. Mr. McQueen said he would like to see the city move more towards safety issues and not so much the fence, he said if there is an above ground pool that meets the criteria for the fence, make them safe by removing the ladders or drain the smaller pools.

Mr. Buie pointed out no one with the city rides around to find these issues and he reiterated that there is a Planning and Zoning Board in-place who handles these issues and makes recommendations. He noted for safety purposes that pools with 24" walls and below need to be drained every day and pools with 24" walls and above need to be secured.

**Herbert Bruce** asked what type of fence has to be erected and Mrs. Strickland explained and she noted that a fence permit is also required. Mrs. Strickland said she will enforce what council tells her to enforce; however, she is in needs a lot of clarification from council on what to do. It was also reiterated for the public that pools are not allowed in front yards. Mr. Clewis agreed whatever you do with the pools or the fence, there is going to have to be enforcement.

The Mayor opened the floor to the hearing and welcomed comments, none were presented and the hearing was closed.

**11. Adoption of the Amendment to the Pool Ordinance.** Council Members Buie and McQueen suggested tabling the matter in order to make adjustments to the ordinance to include the changes discussed and talk to the attorney. Mr. McQueen suggested Mrs. Strickland to continue to follow what she has been following for now until council can come to some agreement with changes. Gail Strickland said the Planning & Zoning Board will meet again on Monday. The attorney will get with Mrs. Strickland for a revision to present to the P&Z Board. The vote passed 4-0.

**12. Consistency Statement.** Council Members Buie and Martin motioned to table this matter. The vote passed 4-0.

**13. Body Cam Policy.** The manager said staff has developed a policy to define how the cameras will be used. The Police Chief reported that the policy was taken from several other agencies. Chief Waters said the department met as an administrative team and came up with the presented draft policy. Mr. Martin motioned to accept the Body Cam Policy the chief has brought forward and Mr. Buie seconded. Mr. McQueen agreed; however, added anything involving the use of the cameras is not to be used or put on social media, email, etc. The Chief and Mayor replied that there is an area under Section 5 of the policy that addresses these concerns. The vote passed 4-0.

**14. Approval of Tax Releases.** The submitted tax releases were approved by Council Members Buie and Clewis and the vote passed 4-0.

**15. Mayoral Proclamation.** A Mayoral Proclamation in observance of Chiari Malformation Awareness Month whereby declaring September 2015 as the awareness month was presented by the Mayor.

**16. Appointments to the Hamlet Depot Board.** The Mayor explained that there are two openings on the Hamlet Depot Board and the current board has approved the two applicants. Councilman McQueen and Buie motioned to accept the two recommended applicants. The vote passed 4-0. Amber Covington and Kiersten Rose-Bean were appointed.

**17. Departmental Reports.**

**Police Chief Scott Waters** asked for council to consider allowing a take home car which would be a considerable benefit to the employees. He noted Hamlet has 19 officers and 18 cars. He said there is a 5 mile radius to adhere to with the request. The chief noted benefits of having this type of program. Currently, the furthest distance we have for an officer is in Cordova. The previously set requirements was a 5 mile radius and inside of Richmond County. The manager said he and the chief can develop a policy for council to consider that would allow take home cars. Mr. McQueen asked the manager to see how many it would be and put together a cost plan and come back to council with a proposal in the next month or so.

**Assistant Fire Chief Calvin White** reported that the new fire truck is about 6 weeks out from being ready and the GI Truck is expected back in the next few months. He announced that the Library's Fun Day is scheduled for tomorrow from 10 am – 2 pm on Main Street and the fire department will participate in the event by having the soaker present.

Tony Clewis asked **Gail Strickland** about the status with the mobile home park off of Boyd Lake Road and Mrs. Strickland replied that the project is coming along fairly well and said four trailers were pulled out of the park last week. She said there are no fines being issued because the owner is working with the plan and the city is working with the owner. Regarding the house that sits in the middle of the subject area, the city is working with the attorney and has contacted potential heirs. Mrs. Strickland noted that this type of thing just takes time. Mr. Buie asked about the Monroe Garden Apartments and Mrs. Strickland noted the owners are not paying the fines; there has been a re-inspection performed on the units and the city is waiting to hear back from the Richmond County Building Inspector before we can move forward with this project. Calvin White confirmed that this property can be burned.

**Tammy Kirkley** welcomed applications for the city's volunteer boards and referenced several of the boards that citizens are appointed to assist.

**18. Manager's Report.**

The manager reported that the Library's Fun Day is scheduled for tomorrow and is open the public; he said a portion of Main Street will be closed during the event and traffic will be

rerouted to Henderson, Jefferson and Rice Streets. Mr. Martin confirmed that only one block will be closed. Mr. Abernethy announced that the city has taken on an intern, Mr. Taylor Smith of Rockingham, who is a graduate of Richmond Community College and UNC Greensboro. Mr. Smith was recognized and the manager provided background history and said Mr. Taylor will be job shadowing with a number of city departments.

The Mayor welcomed any questions of the attending Boy Scouts.

**19. Comments of Council.**

**Jesse McQueen** mentioned that crews have replaced a number of the street lights with the new type bulbs. He then piggy-backed off of the Mayor and introduced the scouts individually. Mr. McQueen talked about the badge of citizenship of the county. The scouts went forward for a photo.

**Tony Clewis** also welcomed the Boy Scouts to the meeting. He thanked all city employees for all that they do for the city.

**Eddie Martin** welcomed the Scouts and talked some about the organization and advised the young men advice to obtaining the Eagle Scout Award.

**Johnathan Buie** also welcomed the scouts and he welcomed Ms. Kelly Pruitt. He said tonight's meeting has been good and the city is moving forward and is working with the county to help Hamlet grow. Mr. Buie gave a brief reminder of where to the leaves and limbs are to be placed for city pickup.

**20. Mayor Comments.**


Mayor Bayless thanked everyone who attended the meeting tonight. He thanked the city employees for their work. The Mayor reminded the public that City Hall will be closed on Monday, September 7<sup>th</sup> in observance of Labor Day.

**21. Motion to go into Closed Session per NCGS Section 143.318-11 (a) (3) to discuss matters within the attorney-client privilege.** The Mayor said council will discuss the Veach lawsuit and other matters with the attorney. At 8:38 pm, Councilman Buie and McQueen motioned to go into closed session per the statutes. The vote passed 4-0.

**Open Session reconvened** at 9:05 pm and the Mayor reported that there were no votes made in closed session.

**22. Adjournment of Meeting**

At 9:06 pm, Council Members Buie and Clewis motioned to adjourn the meeting. The vote passed 4-0.

Respectfully submitted,  
  
Tammy Kirkley, City Clerk

