

HAMLET CITY COUNCIL REGULAR MONTHLY MEETING
COUNCIL CHAMBERS ROOM
201 MAIN STREET, HAMLET, NC 28345
TUESDAY, AUGUST 8, 2017 - 7:00 PM

MINUTES

Governing Body Present:

Bill Bayless	Mayor
Jesse McQueen	Council Member
Eddie Martin	Council Member
David Lindsey	Council Member

Present Via Phone:

Johnathan Buie	Mayor Pro-Tem
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Absent:

Wendy Massagee	Council Member
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Staff Present:

Jonathan Blanton	City Manager
TC Morphis	Attorney
Tammy Kirkley	City Clerk
Jill Dickens	Finance Officer
Calvin White	Fire Chief
Scott Waters	Police Chief
Billy Stubbs	Public Works
Gerald Adams	IT Director
Stephanie Thornsby	Museum Director
Gail Strickland	Zoning

Others Present: Approximately 11 attendees

1. Call to Order

Mayor Bayless called the meeting to order.

2. Invocation

A moment of silence was observed.

3. Adoption of Agenda

A motion was made to add the proposed Seaboard Festival stage matter to the agenda by Councilman McQueen, the manager said the Seaboard Festival Committee wants to forgo putting the stage on city property and instead put it on the Lindsey's property. It was suggested to add the matter to the agenda as Item 7A. Councilman Martin made the second and the motion carried. Mayor Bayless noted Councilman Buie is present via telephone tonight.

4. Adoption of Minutes

Minutes from the July 11, 2017, open and closed sessions were unanimously approved by motions of Council Members Buie and McQueen. The motion carried.

5. Comments from Attendees

William "Buddy" Caulder, Commander of 647 Military- Purple Heart presented council. He noted Hamlet is a Purple Heart City and suggested the city to purchase the signs and have erected in the city as the surrounding agencies. The signs are \$60 each and Hamlet will need five. The manager thanked the Commander for visiting tonight and said he will get with him to look into the matter.

Old Business:

6. **Amended Resolution No. 2017-04 – Additional Surplus Items.** Mayor Bayless reported additional items are being requested to be added to Resolution No.2017-04 to be declared as surplus. Council Members Martin and McQueen motioned to approve the amendment. The motion carried.
7. **Discussion of Raleigh Street Property.** Mr. Blanton explained the subject property is the overgrown park located beside BB&T and the railroad tracks on Raleigh Street. He noted the various requests he received for the cleanup effort made at the park. A representative from the North Carolina Environmental Control indicted where the oils were found it was in the railroad right-of-way. A representative from the state office came down and assessed the property; nothing was found as far as the state is concerned. Mr. McQueen commented on ownership issues and expressed due diligence was not done to find out the ownership of said property. Mr. Blanton stated he found the property to be last deeded to Hamlet Park.

Mr. Buie agreed with Mr. McQueen in the sense the city needs to have something in-place for protection before going on the property. Mr. Martin agreed with Mr. McQueen. Mr. Lindsey reminded all the matter started from a consensus vote in closed session. Mr. McQueen asked for the city attorney's advice.

Mr. Morphis agreed with the majority of council and he said it is trespassing unless certain steps are taken. The unclear title was discussed and Mr. Morphis said he's not hearing liability at this point; he said now it is a tradeoff. Mr. Morphis suggested obtaining a blanket permission from the railroad to do the work. Another option is to have a proper title search performed each time before going on the property, which is timely and costly. Mr. McQueen stressed this discussed cleanup was a clear-cutting and not maintenance with a mower. The amount of staff and the equipment used to do the cleanup was discussed.

Mr. Blanton explained all of the steps taken to find the owners of the property prior to the cleanup and accepted full responsibility for the efforts; he respectfully apologized. It was consensus of council, if the city doesn't own the property, to get permission from owner to clean it. Mr. McQueen said to make sure we have permission to be on the property. Mr. Blanton will do further check on the title issue.

Mr. McQueen inquired about the zoning of the Lindsey's property in reference to the earlier mentioned Seaboard Festival stage. A special use permit will be needed. Mr. Martin said the issue is the attorney's bill, which resulted from the request of the Seaboard Festival.

Along the same lines, Mr. Lindsey said council said they wanted his property he offered for the park and he paid for the surveying costs out of pocket and council then changed their minds. Mayor Bayless felt it is ludicrous to have a nonprofit to pay for the bill. Mr. McQueen asked for the matter to be put back on the September agenda to discuss with all council present.

Kim Lindsey President of the Seaboard Festival Committee presented council and said knowing at any time the city has the option to reverse the agreement was part of the reason the committee changed their minds and went with Plan B. She said the stage will be erected on their property, the Lindsey's, property. Mr. McQueen and Mrs. Lindsey recalled the discussion during last month's meeting concerning the committee's request. Mrs. Lindsey reiterated the board's thoughts and said they simply found a better option. She said the Seaboard Festival Committee will pay any type of costs incurred. Mr. Lindsey offered reasons for the change of plans due to grant opportunities. Mr. McQueen has an issue with spending city funds on the contract.

Mr. Morphis reviewed the basics for quasi-judicial hearings and noted it is as a miniature court hearing. Any potential conflicts of interest need to be known beforehand. Anyone speaking including staff needs to be sworn in.

New Business:

8. Quasi-Judicial Hearing- James and Adi Jo Jenkins Special Use

Public Hearing Opened at 7:32 pm

Witnesses were sworn-in by the City Clerk

Applicant's Presentation. David Jenkins, Adi Jo Jenkins and Shirley McDuffie presented council collectively. David Jenkins said he is present on behalf of his mother and father who purchased the old VFW property on Veteran's Drive. He said they have several ideas about what they would like to do with the property. Contractors are working on the building and the primary goal currently is to have a venue available for the community to hold events, meetings and receptions, etc. Once the marketing is in-place, it will be a great place for the community.

Shirley McDuffie stated another idea being discussed is to have some type of military wall to recognize the local veterans. She named many community veterans and said the owners are interested in preserving the local's memory.

Jo Jenkins extended appreciation for the consideration of council and said they will try to save the building. David Jenkins further stated they are thinking of a weekend type venue but they are not certain on how often the venue will be open. It will depend upon the marketing.

Input from Members of the Public and Final Presentation by Parties.

Mr. McQueen said he thinks it will be a great thing. Council Members Martin and Buie stated they too are in favor of the request. Bayless mentioned the parking at the facility.

Gail Strickland said the property is zoned residential and special event/venue issues must go before council serving as the Board of Adjustments. She stated the owner's ideas are evolving and the main idea is to have a special event venue. Mrs. Strickland confirmed there is ample space for parking that must stay on the property itself. Mayor Bayless confirmed the readings with Mrs. Strickland.

Close of Public Hearing. The hearing closed at 7:45 pm.

Findings of Fact by the Board. The mayor reviewed the four findings with council. No one had any issues.

Final Decision. The Mayor asked council's wishes on granting the application. Motions were made by Council Members Buie and Martin to grant the application. The motion carried. Mr. Morphis stated the findings as of tonight are good to go and there is no need to come back.

9. **Adoption of Ordinance No. 2017-04. Demolition of 201 Monroe Ave PIN: 749109077347.** Gail Strickland reported the structure is vacant and has become a hangout site. The building was inspected September of 2016. Contact has been unsuccessful with the owner; staff is asking council for permission to demo the property. Council Members Lindsey and Buie motioned to approve Ordinance 2017-04. The motion carried.

10. **Adoption of Ordinance No. 2017-05 Demolition of the old Yanks Garage on Raleigh Street PIN: 748116939945.** It is the city's understanding the property owners Sally and Dennis Loftus are both deceased. The subject building is creating issues with the abutting property, which is a business. The plan is to do a partial demolition and it was reviewed. Mrs. Strickland reported the condition of the building when it was inspected on August 21, 2012. Mrs. Strickland referenced the various individuals who have looked at the property including the Richmond County Building Inspector. She confirmed a contract with the abutting business owner will be drafted. This is a safe way to go about addressing the problem. An explanation was also given as to why the city will be allowed to place a lien on the property for expenses incurred. Council discussed favorable. All were in favor of adopting Ordinance No. 2017-05.

11. **Museum Director Stephanie Thornsby presented council regarding her plans for Hamlet's Old-Fashioned Christmas.** This is the first year the city is planning the event and Mrs. Thornsby wants to change up the entertainment and keep the tradition. She has hired an organization out of Wilmington for entertainment. The entertainment will include a juggler, balloon maker, snow queen stilt walker and entertainers with Victorian attire. Mrs. Thornsby said this will take place on Main Street. She said as far as she knew Bernice Owens will be given the funds to have the events on Hamlet Avenue. Mr. Blanton reminded council they decided to not give the money to the Hamlet Downtown Business Association. \$1500 will be given for the Main Street events and the remaining \$1000 for Hamlet Avenue events. Council asked Stephanie to be sure and consult with Ms. Owens about the Hamlet Avenue events. Ms. Owens reported she is using a different horse/buggy company this year and the previous animal situations will not be an issue.

Mr. Martin said there needs to be better lighting on Hamlet Avenue for the Christmas event and the Mayor volunteered the lighting.

12. **Discussion Items by the City Manager:**

1. Revision of the personnel policy for comprehensive and consistent grammatical revisions and comprehensive and consistent numbering and formatting throughout. Art. XII & XIII rearrangement; Art VI, Section 5 revised requirements of performance evaluations; Art. III, Section 7 inconsistency regarding paid and unpaid leave; comprehensive and consistent grammatical revisions were made throughout. Council Members Lindsey and Martin motioned to approve the amendments. All were in favor.

2. Draft Volunteer Policy. Mr. Blanton gave a review of the formal policy amendments. It will require a 15-year age minimum limit unless other arrangements are made; a completed volunteer application; completed additional required training as necessary and a signed waiver of liability. A waiver of liability to shield the city while on city premises. This is not for city employees, it is only for uncompensated volunteers on city property. A group of students or will need an adult for supervision, an isolated one-time situation will have be looked at and approved. Short-term events are viewed differently. Mr. Morphis stated the policy is designed to cover various types of volunteers and it gives consent if a background check is needed. Mr. Blanton and Mr. Morphis further explained the specifics of various types of volunteers. Mr. Martin said the applications will be approved through the city manager's office. Mr. Blanton explained why a form is needed for protection and should further background be needed. Mr. Morphis informed council they may table the matter until the next meeting if more time is needed.

Council Members McQueen and Martin motioned to approve the changes. Mr. Lindsey thinks council is restricting volunteers. Mr. Blanton confirmed this is for all city properties. Some volunteers may be set to serve on a case by case basis. The vote passed 3-1, with Mr. Lindsey being opposed. Mr. Blanton will make sure any policy changes are before council ahead of time in the future.

3. Purchasing Policy. Mr. Blanton noted one change was made since sent to council last week and it was a pre-auditing certificate. The policy provides for a 5% matching preference for City of Hamlet businesses; documents formal and informal bidding process required by law; outlines a step-by-step guide for making purchases for the city. Mr. Morphis said the Purchasing Policy looks good and it reflects agencies for a jurisdiction Hamlet's size. Motions were made by Council Members McQueen and Martin to approve the updated policy and the motion carried.
4. Tackle Football Program. Council previously asked for the matter to be revisited. Last year there was a 9 -10-year-old program. The director is predicting the city will have enough participants this year to have a program. Council discussed the tackle football may need to be cancelled due to liability. Mayor Bayless stated council never decided on weight classes, council only decided on age brackets. Mr. Lindsey said it's an unpopular thing to do; however, talked about head injuries.

Council said to wait and see if enough kids register and if so, make sure to train coaches. Mr. Blanton said it's his understanding the training is there now. Council agreed if the volunteers/coaches are trained and enough children register to play, the city will continue with registration. Mr. Buie agreed basic training needs to be mandatory for coaching. Mr. McQueen suggested in the future the city look into having a separate season for the football program due to travel ball.

Jerry Lamont presented council and said if Hamlet doesn't have a football program a number of kids will not have the chance to play at all; he said Hamlet is the only program in the county for the kids. Mr. McQueen stated for the record, no one has said council is doing away with football.

13. **Adoption of Budget Amendments.** Enterprise Fund Expenditures with a net increase of \$28,000 and General Fund Expenditures net increase of \$1,000. Council Member Lindsey and Martin motion to approve. All in favor.

14. **Annual Charge to the Tax Collector.** The insolvents date back to 2006. Council Members Lindsey and McQueen motioned to approve the charge. The motion carried. The collection rate is 96%.

15. **Mayoral Proclamation.** Awareness month is September for Chiari Malformation. The mayor read the proclamation aloud for the public.

Other Business:

16. **Manager's Report.**

The Hamlet Water Department won the AWOP Award again this year and the manager thanked the supervisor and the employees for their hard work. The Hamlet PD participated in a raid last week and the detective unit solved an armed robbery. He thanked the Public Works employees for their hard work in the weather and he thanked Mrs. Strickland and Mrs. Thornsburys for their work.

17. **Comments of Council.**

Jesse McQueen said a resident in Raintree inquired about lighting at the end in the cul-de-sac area. The manager will look into the matter.

David Lindsey said the AC unit installed at gym is doing well and is a benefit to the community. He reminded the public of the upcoming eclipse and the public-school start date.

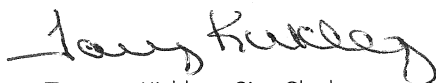
Eddie Martin recognized the work of all city departments. He relayed a compliment received on the city's garbage and debris pickup. He complimented the quickness of the city departments.

Johnathan Buie thanked council for allowing him to participate via telephone. He gave his appreciation for all that everyone is doing for the city.

18. **Mayor's Comments.** The city will observe Monday, September 4th - Labor Day and offices will be closed in observance of the holiday. He noted some complaints regarding the condition of several fire hydrants. The Hamlet Lion's Club sponsors the Leos and on July 29th the group cleaned up at the city lake and he thanked them. The Mayor asked about the repairs of the pier and the manager provided an update.

19. **Motion to Adjourn.** At 8:42 pm, Council Members McQueen and Lindsey motioned to adjourn. The motion carried.

Respectfully submitted,



Tammy Kirkley, City Clerk

