

**HAMLET CITY COUNCIL REGULAR MONTHLY MEETING  
COUNCIL CHAMBERS ROOM  
201 MAIN STREET, HAMLET, NC 28345  
TUESDAY, AUGUST 14, 2018  
7:00 PM  
MINUTES**

**Governing Body Present:**

Mayor	Bill Bayless
Mayor Pro-Tem	Johnathan Buie
Council Member	Eddie Martin
Council Member	Jesse McQueen
Council Member	Wendy Massagee
Council Member	David Lindsey

**Staff Present:**

City Manager	Jonathan Blanton
City Clerk	Gail Strickland
City Attorney	TC Morphis
Finance Officer	Jill Dickens
IT	Zach Garner
Public Works Director	Billy Stubbs
WTP	Robert Brown Danny Nesbitt
Police Captain	Marc Terry
Patrol Officer	Anthony Jacobs

**Others Present:** Pastor Chris Hawks, Linda Bayless, John Carr, Ann Carr, Cecelia Altman, Steve Graham, Pamela Young with The Richmond Observer, Jasmine Hagan with the Richmond County Daily Journal, Mica Way, Helen Scholl, Robin Hewitt, Diane Mabe, Colene Ellerbe, Mary Sturdivant, Chuck Cobb, Tommy Overby, Kay Cavendish, Tim Nevinger, Tara Hancock, John P Hancock, Owen Hancock, Vernell Riggins, Don Norton, Shelby Nantz, Aimee Leviner, Chris Carpenter and James Brigman

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**1. Call to Order**

Mayor Bayless called the meeting to order.

**2. Invocation**

Pastor Chris Hawks of Second Baptist Church in Hamlet offered the opening prayer.

**3. Adoption of Agenda**

The presented agenda was adopted by motions of Council Members Buie and McQueen. The motion carried 5-0.

**4. Approval of Minutes**

Minutes to the July 10, 2018 Regular Monthly Meeting and Closed Session Minutes were approved by motions of Council Members Buie and Martin. The motion carried 5-0.

**5. Comments from Attendees**

Mr. Chuck Cobb with the Seaboard Festival Committee addressed the Board. He provided names of current volunteers assisting with the 36<sup>th</sup> Annual Seaboard Festival and thanked all for their assistance. He advised the Festival will have local crafters, vendors, kids' games and exhibitions by the NC Forestry Service. Mr. Cobb thanked the City for their support and advised he is working with Richmond County Tourism Authority to promote the Festival outside of Richmond County. Mr. Chris Carpenter, Treasurer of the Festival Board, spoke to Council, asking them to help identify persons that have assisted with the Festival on the day of the event in the past. He asked Council Members to contact them to inquire if they were willing to assist this year. If so, the individuals should contact himself or Chuck Cobb. The Mayor asked for the number of vendors attending at this time. Mr. Cobb reported 124 have committed and they have 35 spaces available.

Rev. Colleen Ellerbe addressed Council regarding her water bill. The City Manager explained the new tier rates. When he discovered her usage for 2 people in her household, he advised he would have someone check to see if she has a leak. Mr. Blanton reported the new rate system has customers paying for what they use. He also reported a deficit of \$400,000.00 last year between the cost to operate the plant and sales. Also noted was the need for updates to the sewer plant. He stated Hamlet's rates are comparable to other small towns as well as Richmond and Scotland Counties and reported notices of increases were sent for 3 months prior to the increase.

Tara and JP Hancock voiced their concerns with the rate increase, stating the average citizen would not understand the information provided in the rate increase notices. Mrs. Hancock also inquired why the increase occurred all at once and why not in \$10.00 increments. Mr. Blanton explained Council discussed different methods of increase at the budget meetings and the decided plan was not done haphazardly. He noted the City has to be at certain rates to apply for grants or low interest loans for repairs or updates to the systems. The City started preliminary studies on the Water Treatment and Waste Water Treatment Plant last spring and have an item on the agenda tonight for proposed updates. Mr. Hancock asked what number the City has to have to be eligible for the grants. The Manager explained the grants are competitive and if another municipality applies that has increased their rates more in line with the State's recommendation, they would be awarded the grant. Council Member McQueen explained in 2008, the City did implement a \$10.00 across the Board increase, but it was not fair to the ones that used the least amount of water. He said the tiered rate charges the people that use the most the highest rate and prepares the City for grants and loans. The Mayor added the City cannot get to the point where we cannot pay for what is needed and the State will not give the grants if we are not where we need to be. Council Member McQueen stated the increase should have taken place years ago. The City has been one of the lowest in the state.

Mr. James Brigman, who resides in East Rockingham, discussed the increase in the water bills, expressing concern for persons on disability. The Manager explained the increase in sewer bills for East Rockingham came from the City of Rockingham. Mr. Brigman complained that when the water lines are repaired, he has to drain his lines to remove the sediment. Council Member Buie offered an apology for the rate increase but explained its necessity. He stated if the issues are not fixed, the City cannot provide water. He continued by saying the current Board is working to fix things for the future. Council Member Martin explained the sewer rates are set by Rockingham.

### **New Business**

#### **6. Presentation by Mr. Tommy Overby with NC Department of Environmental Quality.**

Mr. Overby presented the City with the Area Wide Optimization Program (AWOP) Award. The NC Department of Environmental Quality has presented the prestigious award to 69 Water Treatment Plants that meet more stringent standards than the normal state and federal guidelines. In 2017, more than 3.8 million NC residents were served by the award-winning plants. He commended Water Plant Supervisor,

Robert Brown, and his staff for their work in receiving the award and noted the Hamlet WTP has received the award 7 times. Mr. Brown thanked his operators that carry out the day to day operations of the plant. Council Member Buie thanked the water plant employees and stated he hated the citizens that were concerned with the rates left prior to the award presentation. Mr. Brown continued by saying the plant needs significant work. He realizes the needs and if the City does not stay on top of it, there will be more problems; the plant is 120 years old. Mr. Overby added that he has seen what the City is going through in other places and he knows it is not easy, but it is necessary.

**7. Ordinance to Demolish 1305 McDonald Avenue.**

The Mayor reported the location is across the street from Hamlet Middle School. He asked Council Member Massagee for her comments on the matter. She suggested the City hold off on the demolition to complete more research on heirs of the property. Mayor Bayless asked Gail Strickland for information. She advised Code Enforcement Officer, Kim Lyerly, had a local Attorney prepare a Title Search on the property. The owners and both sons are deceased. It was discovered in the Title Search that two years prior to her death, the property owner prepared a notarized and witnessed document leaving everything to a local businessman that had helped look after her. The owner's brother had advised staff that the business owner did not want to accept anything from the estate. Council Member Lindsey asked if there was a legal chain of control by NC the City had to follow. Mrs. Strickland explained the City is required to give proper notification and do our due diligence to notify any next of kin. Council Member Buie stated the City does not have time for a buyer to purchase the property. It burned 2 years ago, the fence is damaged and the property is overgrown. He made a motion to approve the Demolition to Demolish and asked if the fence would be removed. Mrs. Strickland explained the City will advertise for 2 bids: 1 to demolish the house and remove the overgrowth and the 2<sup>nd</sup> bid to clear the overgrowth from the 2 adjoining lots. Staff is of the opinion the fence can be put back in place. Mr. Lindsey asked if everyone would be contacted and Mrs. Strickland answered the City is required to do so. Mr. Lindsey inquired if there was a will and Mrs. Strickland stated the Title Search provided the hand-written letter. Mrs. Massagee said at one time the property card did not have the Hudsons as the owners. Mr. Lindsey asked if the state had a method to turn the property over to someone. Attorney Morphis explained Gail Strickland has hired a local attorney to provide the Title Search. The City has the authority to complete the demolition, even if there were liens on the property. Council Member Lindsey questioned if fines were placed on the property and Mrs. Strickland stated they were not since the property owners were deceased. Mr. Lindsey said this could be a valuable piece of property and questioned if the City could foreclose. Mrs. Strickland explained the City cannot place a lien for code enforcement fines, but they can for all expenses incurred from a demolition. Mr. Morphis added the City could foreclose for the lien. Mr. Lindsey continued by saying the business man could change his mind. Council Member Martin stated the City needed to proceed; no one wants the property, they have had 2 years to get it. Mrs. Massagee inquired if the City would continue the upkeep of the property and Mrs. Strickland responded the City does not normally go back and upkeep properties involved in demolition. Mr. Morphis added the clearing of the lots does not create an on-going obligation to the City to maintain the lots. Council Member Massagee asked if Council was not going to try to resolve the issue. Council Member McQueen responded that if someone wanted the property, they could pay the City back for the demolition. Mr. Lindsey asked who they would purchase the property from and Mrs. Strickland replied they would need to contact an Estate Attorney for the procedures. Council Member McQueen provided the second to approve the Ordinance to Demolish. The vote was 3-2 with Council Members Massagee and Lindsey opposing. Mr. McQueen asked if this demolition was handled any differently than others and Mrs. Strickland answered it was not.

**8. Discussion of Wooten Company Proposal for WWTP Improvements.**

The City Manager provided a scope of services to study improvements to the Waste Water Treatment Plant. The proposal is split into 4 phases. Phase 1 is to evaluate what operational changes can be made to

address the issues. The Manager reported the City may be able to use an idle primary clarifier that was never used when Imperial Foods did not re-open. Phase 2 will be an evaluation of the WWTP equipment. Phase 3 will provide formal findings and Phase 4 will address the belt press. The cost of all 4 phases is \$17,500.00. Studies were done several years ago, but regulations have since changed as to what the City can put in the creek. We may be able to do minor renovations at this time. Council Member Lindsey asked if the City could discharge 2 million gallons under the new state guidelines. Mr. Blanton confirmed if the City meets the requirements. The Mayor stated the City would save money with the belt press, but solids would need to be hauled to Anson County. Council Member McQueen added the City is fortunate the amount of waste permitted has increased; this is part of a long-term plan. The Mayor announced the City has the opportunity to purchase a belt press from St. Pauls. Mr. Blanton stated the City would want to get an independent evaluation of the press before purchasing. Council Member Martin stated he did not see where the City had any choice but to approve the Wooten Company's Study and made a motion to proceed with the Proposal. Council Member Buie provided the second. The vote was 5-0. Mr. McQueen stated he wished the people that were in attendance earlier would have stayed to hear the issue discussed.

**9. Discussion of Interlocal Agreement for the Recognition of City Fire and EMS as a Wilderness Search and Rescue Resource.**

The Mayor stated he has read the agreement and had a concern with the item regarding the City's responsibility in purchasing equipment. He met with the Fire Department and was informed they have everything needed. City Manager Jonathan Blanton said he also discussed the equipment issue with the Fire Department and was advised it would be of no cost to the City. Attorney Morphis stated he is comfortable with the revised contract. Council Member Buie motioned to approve the agreement and Council Member Lindsey offered the second. The vote was 5-0.

**10. Discussion for the Planning Board to Review Zoning Map Amendments.**

Gail Strickland explained Council Members previously inquired on the zoning designation for Richmond Community College. She has spoken with RCC Staff and learned they have several upcoming projects for which the Residential Zoning may be a hindrance. Staff is asking Council to allow the Planning Board to research and suggest a better zoning designation for the College. Their recommendation will come back to Council for a final decision. Council Member Lindsey suggested a review of the hospital be included. Mrs. Strickland suggested waiting to see the use of the building. It may be that Office Institutional would be a better fit than commercial. Mr. Lindsey agreed. Council Member Buie motioned to have the Planning Board review the zoning map and make recommendations to Council of any needed changes. Mr. Lindsey offered the second. The vote was 5-0.

Mrs. Strickland explained a Cellular Company has interest in placing a communication tower on the City's property. The current zoning does not permit towers in the zoning district. Staff is asking Council to allow the Planning Board to research and suggest a zoning designation that will allow the tower. The recommendation will come back to Council for a final decision. Council Member Buie motioned to have the Planning Board review the zoning map and make recommendations to Council of any needed changes. Council Member Martin offered the second. The vote was 5-0.

**11. Re-appointment to Hamlet Housing Authority Board.**

Mrs. Shari Parks, Director of Hamlet Housing Authority, has requested the re-appointment of Mrs. Wanda Auman to the Board for a 5-year term. Council Member McQueen asked Staff to search if the Appointment should be a Mayoral Appointment. Council Members Martin and Massagee motioned to re-appoint Mrs. Auman. The vote was 5-0.

**12. Appointments to Planning & Zoning Board.**

Mrs. Strickland reported The Planning Board has 2 members whose terms expire September 10, 2018. Staff is asking Council to appoint Alternate Member David Quick to one of the vacancies as a Regular Member and select the second appointment from 2 applications provided. Council Member Buie made the motion to appoint David Quick as a regular member. Council Member McQueen provided the second. The vote was 5-0. Council and Staff discussed the need for additional applicants and appointments to the Board. Council Member Lindsey motioned to appoint Mr. Dewey Brower as a Regular Member. Mr. Buie offered the second and the vote was 5-0.

**13. Approval of Annual Tax Settlement for FY2017/18.**

Tax Collector, Thomasena McDonald, provided Council with the Annual Tax Settlement for review and approval. Council Members Lindsey and Buie offered the motion and second to approve. The vote was 5-0. Mr. Buie stated the collection rate was 94.25% on taxes. Council Member McQueen stated the rate was down slightly, but still good. The City Manager confirmed the rate in 2017 was 95.97% but felt the 2018 rate would increase.

**14. Approval of Tax Releases.**

Mayor Bayless provided the total for tax releases as \$257.28 and stated the refunds are for vehicles sold or errors for vehicles not in the City limits. Council Members Buie and Massagee motioned to approve the tax releases as presented. A 5-0 vote was received.

**15. Mayoral Proclamation – Chiari Awareness Month.**

Mayor Bayless read the proclamation declaring the month of September as Chiari Awareness Month.

**Other Business**

**16. City Manager's Report**

The City Manager reported the Planning & Zoning Board needs applicants. Council Member Lindsey asked if the terms could be staggered so all terms do not expire at the same time. Attorney Morphis will write a text amendment for the change in Board appointments and terms. Mr. Blanton reported football and cheerleading regular registration is taking place now until August 31<sup>st</sup> and late registration will be September 4<sup>th</sup> – 7<sup>th</sup>. He offered congratulations to the City of Hamlet 7-8-year-old Allstar baseball team who placed 3<sup>rd</sup> in the State Tournament. Also announced was City offices will be closed Labor Day with no change in the garbage schedule. Council Member McQueen thanked the Manager for explaining the water rates to the attendees.

**17. Comments of Council**

Council Member McQueen stated he hated the rate increase in water but now the ones that use the most water pay the most and the increase gets the City in line for money needed for repairs. He also said everyone did not see a 30-50% increase.

Council Member Lindsey commented on Fun Day at Library. He thanked the Fire Department, Police Department and Public Works for their assistance and noted the Baylesses helped as well.

Council Member Massagee offered apologies for the water. She inquired on the progress of the City owned properties that were discussed in February. The City Manager responded that he and the Public Works Director had reviewed all the properties and found that only 2 of them are not in use for right of ways or underground force mains. Mr. Lindsey asked if the City has to keep the right of ways cleared. Billy Stubbs confirmed sewer right of ways are but not water. Mrs. Massagee called attention to a storm drain issue at the intersection of Rice St. and Jefferson St. She said when it rains, the road and sidewalk are covered, creating a hazardous condition. Mr. Stubbs replied the biggest issue is undersized drainage. The residents along the street place their clippings in the street. When it rains the clippings wash into the

drain, reducing a 12-inch line to 6 inches. Mayor Bayless mentioned an issue with the drain at Hamlet Cleaners and the Manager reported a crew went to clean it on Friday. He and the Public Works Director had inspected it.

Council Member Martin stated no one on the Board wanted to raise water rates and no one wants to raise taxes. He explained when you operate a facility at a cost of \$2.7 million but take in \$2.3 million, you have to take \$400,000.00 from somewhere. You will not be in business long if you continue to do so.

Council Member Buie commented on the \$400,000.00 deficit and said it could not continue. He stated the City could have increased in increments, but when you have old plants you cannot prolong it. He understands no one wants their bill to increase and asked if citizens complain when other services increase. He said the Board has to think about the future of the City and the water systems. He noted citizens have some confusion regarding irrigation taps and explained it is clean water. The water is not in 2 separate lines. The water is the same but customers with a separate meter for irrigation do not pay for sewer. Mr. Buie also said this has been an opportunity for some citizens to find leaks and when found, their bills were adjusted.

**18. Mayor's Comments**

The Mayor stated water rates were discussed at length at each Budget Session. Council has to look at the tough issues. The City has to purchase water and sewer lines, chemicals and the equipment is aged. He said the Board is doing the best they can for the City. He offered appreciation to the Hamlet Business Development Association, the 2 museums located in the City, and thanked the Lindseys and all that volunteered at the Library Fun Day.

**19. Motion was made to go into Closed Session per NCGS § 143-318.11 (a) (3) (6)**

At 8:23 pm Council Members Buie and Martin motioned to go into closed sessions per NCGS § 143-318.11 (a) (3) (6) for client-attorney privilege and a personnel matter. The motion carried with a vote of 5-0.

At 8:36 pm Council Members Lindsey and McQueen motioned to return to Open Session. The vote was 5-0. The Mayor reported no action was taken in Closed Session.

**20. Motion to Adjourn**

At approximately 8:37 pm, Council Members Buie and Martin motioned to adjourn the meeting. The motion carried 5-0.

Respectfully submitted,



Gail M. Strickland,  
City Clerk

