

**HAMLET CITY COUNCIL REGULAR MONTHLY MEETING  
COUNCIL CHAMBERS ROOM  
201 MAIN STREET, HAMLET, NC 28345  
TUESDAY, OCTOBER 8, 2019  
7:00 PM  
MINUTES**

**Governing Body Present:**

Mayor	Bill Bayless
Council Member	Jesse McQueen
Council Member	Eddie Martin
Council Member	Wendy Massagee
Council Member	Maurice L. Stuart, II

**Staff Present:**

City Manager	Jonathan Blanton
City Clerk	Gail Strickland
City Attorney	Brady Herman
Finance Officer	Jill Dickens
Public Works Director	Billy Stubbs

**Others Present:** Pastor Dan Blair, Linda Bayless, Glenda Hampton, Geraldine Ludlum, Corey Wilson, Kristi Wilson, Jaden Wilson, Drake Asbell, Kate Gibbons, AG Player, Tim Nevinger, Kay Cavendish, Polly Williams, Jack Robinson, Nikki Gibson, Amy Guinn, Ashlynn Gibson, Misty Gibson, Brent Gibson, Brynn Gibson, Ethan Gibson, Sandra Dickens, Ollie Ingram, Carol Fulmer, Audrey Stuart and Bishop Wooten

**1. Call to Order**

Mayor Bayless called the meeting to order at 7:00 pm. He explained the City was having technical difficulties with sound and video equipment.

**2. Invocation**

Pastor Dan Blair of First United Methodist Church offered the Prayer.

**3. Adoption of Agenda**

Council Member McQueen motioned to adopt the Agenda and Council Member Massagee provided the second. The vote was vote 4-0.

**4. Approval of Minutes**

Minutes from the September 10, 2019 Regular Meeting were approved by motions of Council Members Martin and Stuart. The vote was 4-0.

**5. Memorial Proclamation for Council Member Joe Robinson.**

Mayor Bayless read the Proclamation and presented it and Council Member Robinson's nameplate to the family. Corey Wilson, representing the Robinson Family, expressed their appreciation to the City and community.

**6. Comments from Attendees**

Bishop Wooten approached Council but was informed his issue was on the Agenda. No one else presented to address Council.

**Old Business**

**7. Public Hearing No. 1 – Commercial Vehicles Parking on Residential Lots.**

Mayor Bayless stated, at the June Council meeting, Council discussed the issue and sent the matter to the Planning Board for their recommendation on the proposed Ordinance Text Amendments. The Planning Board met on July 15, 2019 and offers a favorable recommendation to the amendments. At the August Council Meeting, the Public Hearing was postponed until September 10<sup>th</sup>. At the September Meeting, the Hearing was postponed until October.

The Mayor opened the floor for anyone to speak. Mr. AG Player came to the podium saying he is required to obey city and state laws. He stated he has several 18-wheelers in his neighborhood. He realizes they have to park somewhere but it needs to be somewhere other than residences. He also stated the noise from the refrigeration trucks is bothersome. He said he did not mind a person parking one truck on their property but he thinks we need to know we are not a truck stop city.

Mrs. Carol Fulmer approached Council saying her husband has parked his truck at their residence since 2003 and no one has complained. She explained he has to have his truck in sight and cannot leave it at a truck stop.

No one else voiced any concerns and the Public Hearing was closed.

**8. Consistency Statement and Decision of Text Amendments for Commercial Vehicles.**

The NC General Statutes now require the Board to complete the Consistency Statement prior to making a zoning text amendment. Council Member McQueen motioned to adopt the Consistency Statement that the changes were consistent with the City of Hamlet Ordinances. Council Member Massagee inquired if trucks currently parking on residential lots would be grandfathered and the Mayor replied they would not. Council Member Martin provided the second to approve the Consistency Statement. The vote was 4-0.

Council Member McQueen made the motion to adopt the changes in the Ordinance. Council Member Martin offered the second. Mr. McQueen stated this was a tough decision. He explained the City's Attorney drafted the Ordinance that mimicked other towns. He does not want to interfere with a person's work but they have to go with the Attorney's recommendation because of the City's roads. He added Council has to make a decision for the whole City.

Mayor Bayless stated the Planning Board had reviewed the amendments and recommended approval.

Council Member Martin said it is a tough decision. He does not want to interfere with jobs but he has spoken with a number of people and it is overwhelming the number of people that are opposed to trucks parking in the City.

Council Member Massagee voiced concerns for people that have been parking for 10 or more years and inquired what other vehicles will be next. The Mayor replied work trucks are covered in the Ordinance.

The vote to approve the Amendments was 3-1 with Council Member Massagee voting in opposition.

**New Business**

**9. Public Hearing No. 2. – ETJ Relinquishment**

Mr. Blanton explained he discussed the ETJ Relinquishment with Council several months ago. Council asked for the Planning Board to review the matter. The Planning Board met and suggested relinquishing a portion of the ETJ at this time. The Manager explained this is a trend for smaller communities and added patrolling the ETJ is a great task and requires a great deal of time with no benefit to the City. He said it is not fair to someone in the ETJ to be bound by the City's rules. A description of the proposed relinquished area was read by the Manager. Mr. Blanton advised the County has been alerted on the issue, and if Council approves, it will be effective January 1, 2020 along with areas the City of Rockingham is relinquishing as well. The City plans to relinquish other areas in the future.

Mayor Bayless added the County's zoning is basically the same.

The Public Hearing was opened by the Mayor. When no one came forward, the Public Hearing was closed.

**10. Consistency Statement and Decision of Rezoning for ETJ Relinquishment.**

The NC General Statutes now require the Board to complete the Consistency Statement prior to making a zoning map amendment. Council Member McQueen provided the motion to approve the Consistency Statement and Council Member Stuart gave the second. The vote was 4-0.

Council Members Stuart and McQueen provided the motion and second to approve the relinquishment. The vote was 4-0.

**11. Sewer Tap Fees for Dobbins Heights**

Bishop Thomas Wooten approached to discuss his sewer tap fees with Council. The City Manager provided an update on the situation. Approximately 6 months ago, Mr. Wooten came to see him and requested a waiver on the \$1,000.00 sewer tap fee for his property in Dobbins Heights. Antonio Blue, Dobbins Heights Mayor, has voiced his opinion that Mr. Wooten should pay \$500.00, the amount others paid 10 years ago when they connected to sewer. Mr. Wooten said his house was left out of the grant and Dobbins Heights was not notified when the fees were raised to \$1000.00. He felt if others paid \$500.00, he should pay \$500.00.

Mayor Bayless inquired if the City had any funds in installing the lines. Mr. Blanton stated he asked Mayor Blue for paperwork, but he only received what was in their packet. The Mayor noted the paperwork showed 10 properties were hooked up 10 years ago at the fee of \$500.00 each. Mr. Blanton responded the Town of Dobbins Heights paid for the hook-ups and at that time, the fee was \$500.00.

Council Member McQueen inquired why the Town of Dobbins Heights paid for those ten, but would not pay for this one.

The Mayor suggested Council allow Mr. Wooten to pay \$500.00, the same as the ten since the City did not install the lines. Council Member Massagee agreed.

Council Member McQueen stated a City resident would be required to pay the current rate of \$1000.00. He added the City did not have an investment in the installation of the lines but if Mr. Wooten had hooked up when the others did, Dobbins Heights would have paid the tap fee for him. Mr. McQueen explained the reason the City increased the fees was due to a deficit in the water and sewer fund of \$600,000.00. He added the increases still have the City in the negative but only \$15,000.00.

Council Member Stuart inquired on the fee City residents and Dobbins Heights residents would pay and asked if this situation would come up again. Mr. Blanton stated he could not confirm this was the last house on the line but irrelevant to who paid for the line, the City took ownership of them and have to maintain them. He gave examples of Carl Martin and Lillians Lane where the developer installed the lines but the City took possession and makes all repairs.

Council Member McQueen asked Public Works Director Billy Stubbs if the contractor at Woodstone put in the infrastructure and Mr. Stubbs confirmed. Mr. McQueen continued by saying a new house is under construction now and the owner would have to pay the current tap fees. Mr. Blanton added there were other areas around town in the same situation.

Mayor Bayless asked why the house was not connected.

Mr. McQueen asked Attorney Herman if the reduction in fees for Mr. Wooten was setting a precedent for other areas of town where the City did not install the lines. The Attorney replied from a legal standpoint, there were enough facts and circumstances that would support this is not unfairly discriminating by giving a lower sewer rate; however, it comes down to Council's discretion.

Council Member Martin asked if this was the only property Council would have to deal with. Mr. McQueen answered the City Manager had stated there was no way to know. Mr. Blanton responded the only paperwork he has is what is before Council and it gives no indication if there are other residences. The Mayor suggested more research. Mr. Blanton replied they have researched the matter for 6 months and this is all the information they have.

Council Member McQueen stated the house was probably not hooked up because they did not want to pay the monthly fee. Mr. Wooten said the property was the Church parsonage and it was rental property. He thought the sewer was taken care of until he went to Dobbins Heights. Mayor Bayless asked if Dobbins Heights paid for the sewer connections in the past, why they are not paying for his now. Mr. Wooten responded they applied for another grant but did not get it.

Mr. Bayless responded Mr. Wooten has a situation he should discuss with Dobbins Heights and Mayor Blue. Mr. McQueen added they paid \$500.00 because it was the fee at that time. He added, if they hooked up 10 years ago, they would have paid monthly sewer payments.

Council Member McQueen stated it would be setting a bad precedent and made the motion to keep tap fees at \$1000.00 for everyone. Council Member Martin provided the second. Council voted with Members McQueen and Martin voting in favor. Council Members Massagee and Stuart did not vote in support or opposition. When Staff inquired on their vote, both were in opposition, resulting in a tied vote of 2-2. Mayor Bayless voted in favor of the motion making the final vote 3-2.

Mr. McQueen suggested Mr. Wooten speak with Dobbins Heights. Mr. Wooten responded they would not speak to him; they send him to the City of Hamlet. Mayor Bayless added that Mr. Wooten had 10 years to get hooked up but did not.

## **12. Discussion of Ordinance Amendments for City Parks Operating Hours.**

City Manager Jonathan Blanton discussed the proposed changes to the City Lake Park. The current hours have the park closed from 10 pm – 7 am. He informed Council the Police Department has made

numerous arrests there. He and the Police Chief feel the best way to stop people from being there is to have a strict schedule of hours. He has spoken with Attorney Morphis and a change in the Ordinance requires a vote of Council. He read the recommended hours and welcomed feedback and revisions from Council. Council Member Martin found the various hours confusing and Council Member Massagee stated using dusk to dawn could be confusing as well. Council Member Stuart asked if the City would have someone manning the gate and the City Manager confirmed. After discussing several options, Council Member Martin made the motion to open the park from 7 am – 9 pm. Council Member McQueen provided the second and the vote was 4-0.

**13. Re-Appointments to ABC Board.**

Mayor Bayless reported Mr. Jerry Thomas' and Mr. Billy Wise's terms on the ABC Board are expiring in October. The Manager of the ABC Store has requested re-appointments for both. Council Member Martin motioned to approve the reappointments and Council Member McQueen provided the second. The vote was 4-0.

**14. Mayoral Proclamation – Pastor Tommy LeGrand**

The Mayor read the Proclamation.

**15. Proclamation for Veterans Day.**

Mayor Bayless read the Proclamation.

**16. Approval of Tax Releases.**

Council Member Martin motioned to approve the Tax Releases. Council Member Massagee provided the second. The vote was 4-0.

**17. Budget Amendments – 2<sup>nd</sup> Quarter**

The City Manager explained the amendments were tidying up bookkeeping for the second quarter. He added the City had a strong quarter with sales tax so they are increasing the revenue items. There have been issues with police cars being wrecked so they are putting the insurance money back into the budget. Council Members McQueen and Stuart provided the motion and second to approve the amendments. The vote was 4-0.

**Other Business**

**18. City Manager's Report.**

Mr. Blanton reported the City's audit came in last week and showed a very strong year for the General Fund. Mr. Anderson will attend the December meeting to update Council more formally on the findings. The Manager stated previously the Enterprise Fund was in a deficit of \$650,000.00 in 2018, but after increasing the water and sewer rates, the deficit decreased to \$15,000.00 in 2019. He expressed his appreciation to Council for their forward thinking and getting the rates where they need to be. He is cautiously optimistic that next year the deficit will be down even more.

The Manager reported City offices will be closed on November 11<sup>th</sup> but there will not be an interruption in garbage collection.

He thanked the Police Department and Public Works for their efforts at City Lake. Police patrolling has led to numerous arrests. The Public Work's employees have put in a lot of time and energy in the project. Work is underway for the picnic areas and the new fountain has been received. It will be visually appealing and help with aerating the water. He appreciates Council's support and the positive comments he has received from the citizens.

**19. Comments of Council.**

Council Member Stuart thanked Council for the Veterans Day Proclamation and he commended Pastor Tommy LeGrand for his 50 years of ministry. He announced the upcoming Seaboard Festival and invited all to attend Oct. 26<sup>th</sup>. Mr. Stuart thanked his colleagues and the citizens for their support.

Council Member Martin commented on the American Legion Baseball project saying it was coming along well. He said Mr. Chip Gordon has done a lot of work fixing the park. He is looking forward to American Legion Baseball coming back to Hamlet,

Council Member McQueen reported the Seaboard Festival has worked tirelessly to get new vendors and attractions. He commented that it would be difficult to find someone who has done more for their community than Pastor LeGrand. Mr. McQueen reminded the citizens of Veterans Day and discussed the Truck Ordinance. He said that Council does not want to hinder people with their time and money but it was a decision that had to be made. Council did not agree on the matter but each person made their own decision.

**20. Mayor's Comments.**

Mayor Bayless thanked all the people that have worked on the Seaboard Festival. He announced the Hamlet Agriculture Fair will be Oct 29<sup>th</sup> – Nov. 2<sup>nd</sup>, during Halloween, and they will have activities related to the Halloween theme. Also announced was the new fountain has been installed at Mary Love Cemetery and is doing great. He thanked the Manager and employees for the improvements at City Lake. Work is continuing; the caboose will be sand blasted and painted and a fountain will be installed. Also mentioned was damage from wind at the Water Plant but no problem with the telemetry. The Mayor encouraged citizens to get their flu shots and expressed he was pleased with the reduced deficit in the Enterprise Fund.

Council Member McQueen inquired on the hours for trick or treating and Gail Strickland stated in the past it has been from 5:00 pm – 9:00 pm.

Council Member Stuart thanked the Mayor and Manager for the Proclamation to the Robinson Family.

**21. Motion to Adjourn.**

At 8:11 pm. Council Members McQueen and Martin provided the motion and second to adjourn. The vote was 4-0.

Respectfully submitted,



Gail M. Strickland, City Clerk

