

**HAMLET CITY COUNCIL REGULAR MONTHLY MEETING
COUNCIL CHAMBERS ROOM
201 MAIN STREET, HAMLET, NC 28345
TUESDAY, FEBRUARY 11, 2020
7:00 PM
MINUTES**

Governing Body Present:

Mayor	Bill Bayless
Mayor Pro Tem	Jesse McQueen
Council Member	Eddie Martin
Council Member	Maurice Stuart
Council Member	Terry Moore
Council Member	Oscar Sellers

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
Police	Chief TL McMasters, Sgt. Bill Williams, Lt. Amanda Raegan, Corp. Michael Johnson and Sgt. Kevon Arroyo

Others Present: Linda Bayless, Robert Singletary, Sr., Evan Ingram, Jim Covington, Stephen "Tug" Brown, Michelle Brown, Barbara Cato, Don Norton, Rachel Brown-Weinstock, Tim Nevinger, Kay Cavendish, Will Toler, Gavin Stone, Carrie Aquino Blanton, Pastor Al McCormick, and Carla Rose Anastasio

1. Call to Order

Mayor Bayless called the meeting to order at 7:00 pm.

2. Invocation

Pastor Al McCormick of First Pentecostal Holiness Church offered the Prayer.

3. Adoption of Agenda

Councilman McQueen motioned to adopt the Agenda with the addition of Attorney Client Privilege to Item #12. Councilman Martin provided the second. The vote was 5-0.

4. Approval of Minutes

Minutes from the January 14, 2020 Special Meeting Budget Review and Regular Meeting were approved by motions of Council Members Martin and McQueen. The vote was 5-0.

5. Comments from Attendees

Mr. Steven "Tug" Brown addressed Council. City Manager Jonathan Blanton reported Mr. Brown has purchased the property located at 115 Main Street and is in the process of closing an alley that dead ends into his property. He has requested the City allow him to install the fencing temporarily on City property until he could go through the process to have the alley closed. Mr. Blanton encouraged Mr. Brown to attend tonight's meeting and make

his request known to Council. Mr. Brown advised the alley runs next to the Cleaners and Mr. Caulder's lot for parking wrecked cars to the back of his parking lot and dead ends. It takes up about 7 feet of his parking lot. He has to have the property surveyed to apply for the closing. He cannot put up the fence and open his business until he has the alley closed. Council Member Martin, based on the Attorney's advice, motioned to close the alley temporarily to allow Mr. Brown to install the fence while he is in the process of permanently closing the alleyway. Council Member Sellers offered the second. The vote was 5-0. Councilman McQueen inquired on the process for closing the alley. Gail Strickland advised she researched road closures in the past. Surveys were required as well as 4 weeks of newspaper advertising, public hearings and document recordings at the Clerk of Courts' Office. Mr. McQueen suggested Mr. Brown speak with the Manger regarding the City's Façade Grant Program.

Old Business

6. Update – Purchase of Railroad Cooker

City Manager Jonathan Blanton recapped that last month Sam Ballard of the Depot Board came to Council requesting Council purchase Gene Ross' Railroad Cooker. At that time, it was consensus of Council for the Manager to negotiate a price. He later received comments from Councilmen Moore and Sellers that they would like to see the issue explored further so he did not finalize anything with Mr. Ross. The original price given by Mr. Ross was \$15,000.00, but he has also offered to remove the cooker and sell the steam train replica for \$12,500.00. Mr. Blanton asked for Council's consideration. Councilman Sellers stated taking the grill out would be a plus. He has listened to both sides of the matter from the citizens of Hamlet. He feels it would be a good purchase for the future of the City of Hamlet. Councilman Moore said the comments he has heard is it would be setting a precedence for buying artifacts for the Museum. Mr. Sellers said the Depot and Mr. Ross will move the cooker. Councilman Martin added the Museum Board came to Council with the request to make the purchase. He motioned to purchase the train replica without the cooker for \$12,500.00. Councilman Sellers provided the second. Councilman McQueen added the purchase is something of value, not just sentimental and symbolic value and the City could recoup the money, if needed. He supports the purchase. The vote was 4-1 with Councilman Moore voting in opposition.

New Business

7. Approval of Tax Releases

Councilman McQueen motioned to approve the Tax Releases. Councilman Martin provided the second. The vote was 5-0.

8. Approval to Advertise Delinquent Taxes.

Councilman McQueen motioned to approve to Advertise the Delinquent Taxes. Councilman Stuart provided the second. The vote was 5-0. Mayor Bayless reported the list of unpaid taxes totaled \$218,195.47. Councilman McQueen inquired on the collection rate. Mr. Blanton reported it was 97-98%.

Other Business

9. City Manager's Report

Mr. Blanton welcomed the attendees. He announced demolition packets are available for the property on Washington Avenue that Council approved to demolish last month. Also reported was this Friday is the deadline for quotes for the Waste Water Treatment Plant upgrades. He and the Public Works Director have met with 3 engineers and he is hopeful they will receive competitive bids. The next process will be for Council to meet and determine the company to move forward with. He hopes to have the information when Council meets on March 6th for the 2020-2021 Budget Work Session. The Manager provided information for a Community Meeting at the Hamlet Senior Center on February 18th at 6 pm to gather the community's feedback on the priorities for the City Lake Master Plan Project. The City will then move forward with the grant process. Mr. Blanton advised a

Community Watch Meeting is also scheduled for the last Thursday in February at City Hall at 6 pm and baseball registration is ongoing for ages 5-13 at City Hall.

10. Comments of Council.

Councilman Martin advised he missed the January meeting due to a death in his family and he expressed appreciation for the acts of sympathy for his family.

Councilman Stuart expressed appreciation to the Police Department and Neighborhood Watch Group, Parks and Recreation, Cornerstone Insurance for opening their business in Hamlet and Steven Brown for locating his business in the City. He thanked those in attendance and the Staff at City Hall for assistance.

Councilman Moore stated he is glad the report is good on the Waste Water Treatment Plant.

Councilman McQueen asked Chief McMaster to introduce the new Hamlet Police Officers. Recognized were Sgt. Bill Williams, Lt. Amanda Raegan, Patrol Corp. Michael Johnson and Sgt. Kevon Arroyo. Mr. McQueen added the Sewer Plant expansion will add to the City's ability to treat waste.

11. Mayors Comments.

Mayor Bayless expressed his appreciation to the new police officers. He advised the City has been stymied with the expansion of the sewer plant and the quicker the City can move forward with the renovations, the better it will be. He wished everyone a great Valentine's Day.

12. Motion to go into Closed Session per NCGS§ 143-318.11 (a)(3)(6) for attorney-client privilege and personnel matters.

At 7:20 pm, Councilman McQueen motioned to go into Closed Session and stated the Statutes. Councilman Martin provided the second. The vote was 5-0.

(Councilman Moore left during the Closed Session Meeting at 7:59 pm after announcing that he was resigning).

At 8:32 pm, Council returned to Open Session. The Mayor reported Council did not vote on any matters. He stated it had come to his attention that a Censure may be necessary and read the Resolution (Attachment 1). Councilman McQueen motioned to adopt the Resolution. Councilman Martin provided the second. The vote was 3-1 with Councilman Sellers voting in opposition.

Councilman McQueen noted Councilman Moore left the Closed Session Meeting. While leaving, Mr. Moore announced that he was resigning and would have a Letter of Resignation to the Mayor the next day. Mr. McQueen motioned to accept the letter of resignation when received. Councilman Martin offered the second and the vote was 4-0.

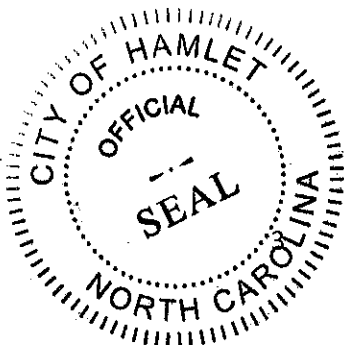
13. Motion to Adjourn.

At 8:40 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



**RESOLUTION OF THE HAMLET CITY COUNCIL CENSURING CITY
COUNCILMAN TERRY MOORE FOR CONDUCT DETRIMENTAL TO THE CITY OF
HAMLET, THE HAMLET POLICE DEPARTMENT, AND THE HAMLET CITY
COUNCIL**

WHEREAS, on November 9, 2010, the City Council of the City of Hamlet adopted a Code of Ethics in an attempt to guide and govern the conduct of the City's elected officials, consisting of the Mayor and members of the City Council; and

WHEREAS, Terry Moore was duly elected to the City Council on November 5, 2019 and was sworn in as a member of the City Council on December 10, 2019; and

WHEREAS, since Councilman Moore has been elected and been on the Council, he has engaged in conduct that has been violative of the Code of Ethics and which has been detrimental to the City, the City's Police Department, and to the City Council; and

WHEREAS, the following are the specific instances of such conduct on the part of Councilman Moore relative to specific provisions of the Code of Ethics and North Carolina General Statutes:

- (1) On December 5, 2019 and on January 10, 2020 Councilman Moore requested and obtained from an external agency seventeen documents containing matters of personnel within the City of Hamlet Police Department in violation of North Carolina General Statute 132-6. This action was in derogation of the City's Code of Ethics which require public officials to obey all local, state, and federal laws and resulted in the possibility of compromising the safety of the City's Police Officers and investigations of the Hamlet Police Department. Further, obtaining these documents from an outside agency risked violating the confidentiality of City employee records.
- (2) On January 15, 2020, Councilman Moore publicly disclosed to City Manager Jonathan Blanton that he was in possession of said information and on January 27, 2020, Councilman Moore utilized aforementioned information to draft a memorandum to City Manager Blanton in which he admits to requesting said information to investigate what he perceived to be pervasive problems within the Hamlet Police Department and in which he admits to inquiring, interfering, and critiquing the actions of ongoing administrative, investigative, and personnel matters within the City and within the Hamlet Police Department. These actions were in violation of North Carolina General Statute § 160A-168, which provides for privacy of employee personnel records, including investigations into possible disciplinary actions. Furthermore, these actions were in derogation of the City's Code of Ethics which require public officials to conduct the affairs of the City of Hamlet in an open and public manner, including complying with all applicable laws governing open meetings and public records.
- (3) On February 5, 2020 Police Chief Tommy McMasters brought to the attention of City Manager Blanton the concerns he had regarding the outside activities of Councilman Moore in relation to the Police Department and on February 11, 2020 City Manager Blanton conveyed these

concerns to the City Council. These concerns include personal, private investigations initiated against Chief McMasters; questions directed to outside agencies in relation to citations being written; and comments made to former elected officials and businesspeople through unauthorized information was disclosed and derogatory comments in regards to Chief McMasters and the City of Hamlet Police Department were made. These comments could possibly be construed as creating a hostile work environment. These actions were in derogation of the City's Code of Ethics which require public officials to avoid impropriety in the exercise of the board member's official duties, specifically that Council members demonstrate the highest standards of personal integrity, truthfulness, and honesty in all of their public activities. Furthermore, these actions interfere with the City Manager's authority and responsibility to manage and supervise all departments pursuant to North Carolina General Statute 160A-148.

WHEREAS, Councilman Moore's repeated conduct as described above evidences a disregard for the Code of Ethics and North Carolina General Statutes to promote his personal agenda rather than the best interests of the City; and

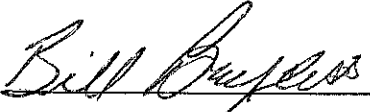
WHEREAS, the Hamlet City Council wishes to differentiate and condemn the actions of Councilman Moore as being of a personal nature and not reflective of the City of Hamlet or the Hamlet City Council; and

WHEREAS, the Hamlet City Council has the right to make public resolutions and proclamations, including the authority to formally censure one of its members; and

NOW, THEREFORE, BE IT RESOLVED by the Hamlet City Council that Councilman Terry Moore is hereby formally **CENSURED** by the Hamlet City Council for actions in derogation of the Code of Ethics and detrimental to the City, the City's Police Department, and the City Council.


BE IT FURTHER RESOLVED that Councilman Moore is hereby directed to promptly return to the City Manager any and all copies of documents obtained from outside agencies that pertain to the Hamlet Police Department, Chief McMasters, and/or other City police officers.

ADOPTED, at the regular meeting of the City Council by the affirmative vote of 3 to 1 on this 11 day of February 2020.

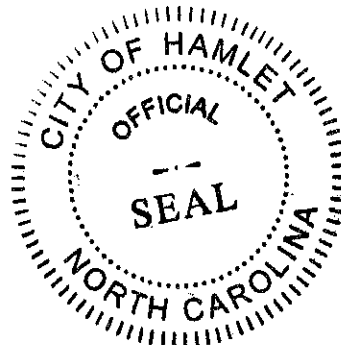


Bill Bayless, Mayor

ATTEST:



Gail Strickland, City Clerk



**Resolution
Adoption of a Code of Ethics for
Hamlet City Council**

WHEREAS, North Carolina General Statutes, Section 160A-86 requires local governing boards to adopt a code of ethics, and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of the City of Hamlet, and with obeying the law.

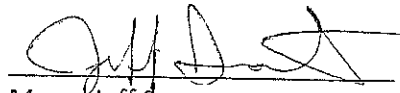
NOW, THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina, and as public officials representing the citizens of the City of Hamlet, we, the Hamlet City Council, do hereby adopt the following General Principles and Code of Ethics to guide the Hamlet City Council in its lawful decision making:

General Principals Underlying the Code of Ethics

- Obey all local, state and federal laws.
- Uphold the integrity and independence of his/her office or position, yet be responsive to the needs of those he/she represents in an advocacy capacity.
- Avoid impropriety in the exercise of the board's member's official duties: demonstrate the highest standards of personal integrity, truthfulness and honesty in all their public activities.
- Conduct the affairs of the City of Hamlet in an open and public manner, including complying with all applicable laws governing open meetings and public records.
- Per NCGS § 160A-87, all council members shall provide record of Ethics Education to be filed with the City Clerk.

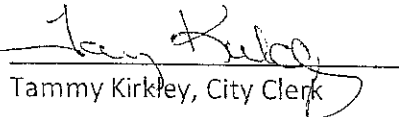
BE IT RESOLVED, that the purpose for the Code of Ethics is to establish guidelines for ethical standards of conduct for all such officials and that upon adoption of this Resolution the Hamlet City Council hereby agrees to the same.

Adopted this the 9 day of November, 2010.



Mayor Jeff Smart

ATTEST:



Tammy Kirkley, City Clerk

