

**HAMLET CITY COUNCIL REGULAR MONTHLY MEETING  
COUNCIL CHAMBERS ROOM  
201 MAIN STREET, HAMLET, NC 28345  
TUESDAY, NOVEMBER 10, 2020  
7:00 PM  
MINUTES**

**Due to Governor Cooper's Order in regards to the Coronavirus, the meeting had limited seating. Additional seating was provided in the foyer.**

**Governing Body Present:**

Mayor	Bill Bayless
Mayor Pro Tem	Jesse McQueen
Council Member	Eddie Martin
Council Member	Maurice Stuart
Council Member	Oscar Sellers
Council Member	Abbie Covington

**Staff Present:**

City Manager	Matthew Christian
City Attorney	TC Morphis
Finance Officer	Jill Dickens
IT	Zach Garner
Public Works	Billy Stubbs

**Others Present:** Constance Lanier, Ray Lanier, Katrina Chance, Sue Nelson, Jeff Graves, Chris Clark, Tina Clark, Meg Pleasants, Michele Singletary, Billy Singletary, Katrina Chance and Gavin Stone

**1. Call to Order**

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

**2. Invocation**

A Moment of Silence was observed.

**3. Adoption of Agenda**

Council Member Covington motioned to adopt the Agenda with the addition of Item 6A, Discussion of Water Leaks on Secondary Meters. Council Member McQueen provided the second. The vote was 5-0.

**4. Approval of Minutes**

Minutes from the October 13, 2020 Regular and Closed Session Meetings were approved by motions of Council Members Covington and Sellers. The vote was 5-0.

**5. Comments from Attendees**

Katrina Chance with Richmond County Crime Stoppers presented decals to City Manager Matt Christian.

**New Business**

**6A. Discussion of Water Leaks on Secondary Meters**

Council Member McQueen addressed a situation a citizen had with a water leak on one of their 2 meters from a malfunction. The property owner was told by the Water Department the City's Policy is to not adjust the second meter, only the main meter. He asked Council to consider affording the second meter the same privileges as the main meter. Jill Dickens reported the City's policy is to adjust the main meter once a year, but not the second meter. Mr. Christian suggested the City design a clear, actionable policy; he will research the matter and bring it back to Council.

**6. Public Hearing No. 1. – Rezoning 107 Locust St.**

Mayor Bayless explained Jeff Graves has submitted a rezoning request for his property located at 107 Locust St. The request is to rezone the property from Residential 8 to Residential 6. The Planning Board met on October 19, 2020 to discuss the rezoning. Their recommendation, with a 4-1 vote, was to deny the request based on their interpretation of the factors that create Spot Zoning. He stated the property owner wants to change the single-family residence to a duplex. The Mayor opened the floor to the Public Hearing.

Constance Lanier, owner of property at the corner of Hawthorne and Locust St., addressed Council. She spoke against the rezoning. She cited numerous uses that would be allowed in the R-6 zoning district as: medical and dental offices, rehab clinics, behavioral clinics, urgent cares, a satellite location for a college, art museums, nursing home, homeless shelters, and ambulance service. Her concerns are the increased traffic, increase in the number of persons in the neighborhood, elevated noise levels and safety for the neighborhood. Ms. Lanier asked Council to deny the rezoning request.

Jeff Graves, the owner of 107 Locust St. and rezoning applicant, spoke to Council. His original plan when he purchased the property was to keep the same footprint of the house, but convert it to a duplex. He noted there are other duplexes in the area and assumed his was zoned the same. Mr. Graves advised he currently has 5 duplexes in Hamlet that he keeps in good condition. Either way, he will do the right thing. If rezoned he will convert to a duplex, if not, he will make repairs and sell the property.

Meg Pleasants, a lifelong resident of Pineroft, voiced opposition of the rezoning. She noted the drastic decline to her neighborhood that she attributes to rentals, duplexes and triplexes. Ms. Pleasants gave examples of neighborhood disturbances when the police have been called, code enforcement issues and speeding.

Chris and Tina Clark, who live across the street from the Graves property, spoke to Council in opposition of the rezoning that would allow a duplex and other uses. Mrs. Clark stated the increased traffic poses a problem on Locust St.

Sue Nelson, who lives at 107 Beech Street, came to the podium to speak against the rezoning for the reasons mentioned by the previous speakers. She added she bought her house 7 months ago because it was an established neighborhood.

Michele Singletary, who lives on Beech Street, addressed Council. She discussed issues she is having with renters that live next door and feels the rezoning will bring rental properties and lower tax values on the homes in the neighborhood.

The Public Hearing was closed.

**7. Consistency Statement & Decision of Rezoning Parcel 103 & 105 Gin Mill Rd.**

Council Member McQueen inquired on the uses permitted in R-6 zoning that are not allowed in R-8 zoning. The City Manager responded that any time a parcel is rezoned, you are allowing all uses permitted in a zoning district. In response to permitted uses in R-8, Mr. Morphis read from the Table of Permitted Uses some of those allowed in R-6 that are not allowed in R-8: boarding house, multi-family, duplexes, colleges and universities, hospitals, libraries, nursing home, orphanages, medical and dental offices, and tourist homes,

Mayor Bayless mentioned the Planning Board recommended denial of the rezoning with a 4-1 vote. They felt the rezoning was not consistent with the City's Zoning Ordinance. All surrounding properties are R-8 and rezoning would create Spot Zoning.

Council Member Stuart stated the citizens in attendance were the future and their concern was what the propensity of the rezoning could cause. Ms. Lanier responded her concern is the many uses that would be allowed if rezoned. Council Member Sellers added the citizens were interested in keeping the integrity of the neighborhood, value of their homes and safety.

For clarification, Mayor Bayless read the list of names the Rezoning Notification Letters were mailed to. He added the Planning Board denied the Rezoning due to Spot Zoning. Mr. Morphis advised not all spot zoning is illegal in North Carolina but in this case, he feels it would be because it is a small tract of land surrounded by a uniformly zoned area, all R-8. The change in zoning would allow a benefit to this property; they could do more uses than their neighbor. In NC, you have to have a clear reason for the use for it to not be illegal. Council Member McQueen stated he would be in favor of the rezoning if it was for the current property owner, but the rezoning would go with the property and if sold, could be used for any of the permitted uses.

Council Member McQueen motioned the rezoning was not consistent with the Zoning Ordinance and would be spot zoning. Council Member Martin provided the second. The vote was 5-0.

Council Member McQueen motioned to deny the rezoning. Council Member Martin offered the second. The vote was 5-0.

**8. Proclamation for National Hospice and Palliative Care Month.**

Mayor Bayless read the Proclamation proclaiming November 2020 as National Hospice and Palliative Care Month and presented the Proclamation to Autoro De Aguilar with Hospice.

**9. Veterans Day Proclamation.**

Mayor Bayless read the Proclamation and encouraged citizens to recognize the contributions made by veterans and pay tribute to them on November 11th.

**10. Public Hearing No. 2. – Text Amendment to Zoning Ordinance – Meeting Times for the Planning Board.**

Mayor Bayless stated at the October 19, 2020 Planning Meeting, the Board voted to change their meeting times to 6 pm, effective January 2021. The change to the Zoning Ordinance requires a Public Hearing and vote of Council. The Mayor opened the floor to the Public Hearing.

Council Member Covington motioned to approve the text amendment. Council Member Stuart offered the second. The vote was 5-0.

**11. Consideration of Ordinance No. 2020-04 – Disposing of Personal Property.**

City Manager Matt Christian discussed the Ordinance. It will delegate, at the discretion of the City Manager, the disposal of personal property under \$30,000.00. The purpose is to comply with State Law and give Department Heads the discretion to surplus small items. This does not include large items valued at over \$30,000.00 or real property; those items will come to Council.

Council Member McQueen asked the Attorney if the Ordinance was within normal guidelines. Mr. Morphis responded it is common to have the policy for smaller items.

Mayor Bayless inquired on the methods to dispose of the property. Mr. Christian answered his preference is to use Clearing Houses such as GovDeals or surplus websites; they are experienced and get the highest dollar for the City.

Council Member Sellers asked if the limit could be raised and how many times a year property could be sold. The City Manager responded State Law sets the limit, but the City can have numerous sales each year, as many as needed for the efficient operation of the City.

Council Member Martin motioned to approve the Ordinance. Council Member Sellers offered the second. The vote was 5-0.

**12. Consideration of Ordinance No. 2020-05 – Demolition of 216-218 Spring St.**

Mayor Bayless advised the property is a 2-story brick house that was burned. Council Member Sellers inquired on the process to remove dilapidated structures. Mr. Morphis explained there has to be an enforcement process before Council can adopt an Ordinance to Demolish. Once adopted, the City can move forward with the demolition. Mr. Sellers asked if the demolition was at the City's expense and if the property owner was not responsible. Attorney Morphis answered the City has a budget item for demolitions. After the demolition, a lien is placed on the property. If it is ever sold, the lien has to be cleared or continues on. Mayor Bayless added eventually the County will sell the property and the City does not receive any money. Mr. Morphis replied he remembered one property that the City received money from. Most times, the property is sold for less than the total outstanding debts and taxes are paid first. Council Member Stuart asked if the City reached out to the property owners. The Attorney explained there is a statutory process to follow before it comes to Council. The motion to approve the Ordinance to Demolish was given by Council Member Stuart. The second was offered by Council Member Covington. The vote was 5-0.

**13. Consideration of Resolution No. 2020-05 – International Tie Disposal, Inc.**

Mayor Bayless advised there is a company that wants to come to the railroad property and put in a plant that burns used railroad ties. Initially, they will have 500,000 used railroad ties stacked at the location, within 2500 ft. of the City's water site, plus over 10,000 people live in the area that obtain water from the site. City Manager Matt Christian informed Council he has received some of the information Council requested from the County. The Resolution presented is formally asking the NC Department of Environmental Quality to have a public process, which they are not required to have, but they have discretion to have one. He feels it is meaningful for Council to request this of DEQ because of the impact it will have on our utility, our Extra-territorial Jurisdiction and our corporate limits are not that far away. It is reasonable to get meaningful public input before this permit is approved. Mayor Bayless read the Resolution.

The motion to adopt the Resolution was given by Council Member Covington. The second was offered by Council Member Stuart. The vote was 5-0.

Council Member McQueen asked Mr. Morphis, in relation to the close proximity of the plant to the City's water source, if there were any EPA guidelines that would be relevant to it. The Attorney responded he has not looked into all the permits that are required. The Resolution the Manager presented is so there can be meaningful comment and air quality is an area where they can provide comment. There may be other options they will discuss in Closed Session.

**14. Approval of Submitted Tax Releases.**

Council Member Covington motioned to approve the Tax Releases. Council Member Martin offered the second. The vote was 5-0.

**Other Business**

**15. City Manager's Report**

City Manager Matthew Christian thanked American Woodmark, a County Industry, for a grant to the Depot Board in the amount of \$1500.00. Bob Young, Plant Manager, presented the donation to the Board. He reported the City is shopping for a phone system due to issues experienced the past month. The Manager announced City Hall is closed Wednesday, November 11, 2020 for Veteran's Day with no interruption in City services. He offered condolences to families that have experienced recent losses.

Council Member McQueen asked for an update on the Tree Board Project. Mr. Christian reported he met with the Tree Board President, Vice President and Treasurer. They discussed planting trees on Hamlet Avenue and Main St. The Tree Board did not realize there are tree beds below the railroad tracks on Hamlet Avenue. He told them he would like to see a proposal from them to consider, but the City has no issues with it and looks forward to making the project happen to beautify the downtown area. He added he has not received the proposal and the City will need to get approval from the local DOT office to plant on Main St. The Tree Board is preparing budgets and reaching out to corporate citizens for possible donations. He is waiting to hear from them.

**16. Comments of Council**

Council Member Covington extended her sympathies to the Strickland family, Ussery family and other employees that have had losses.

Council Member Sellers gave condolences to the Strickland family and wished Police Chief McMasters success in his new endeavor. He thanked all the veterans for their sacrifice and service and wished everyone a safe and Happy Thanksgiving.

Council Member Stuart thanked the City Manager for the Tie Disposal Resolution saying it is something the City does not need to remain idle on. He offered sympathies to the Strickland family. To the citizens of Hamlet, he encouraged them to practice COVID guidelines.

Council Member Martin extended condolences to the Strickland family and Ussery family.

Council Member McQueen thanked the Hamlet Tree and Beautification Board for their plan to help with Main Street and Hamlet Avenue. He thanked the Veterans for their service to our country and thanked the citizens that participated in the meeting. Mr. McQueen thanked the Mayor for the Proclamation

against International Tie Disposal, saying it was true leadership. He wished everyone a Happy Holiday Season and thanked the employees for their work.

**17. Mayor's Comments**

Mayor Bayless stated he was extremely hopeful there will be change in the County Commissioners and the new Board will have more communication with the City before they move forward with things. He offered condolences to the Strickland and Ussery families. The Mayor thanked the citizens that came and participated in the meeting. He wished everyone a great Veteran's Day and Thanksgiving and asked citizens to abide by the COVID guidelines.

**18. Motion to go into Closed Session per NC General Statute §143-318-11(a)(3) (6) Attorney-Client Privilege and Personnel.**

At 8:19 pm, Mayor Bayless asked for a motion to go into Closed Session per NC General Statute §143-318.11 (a)(3) (6). Council Member Covington offered the motion. Council Member McQueen provided the second. The vote was 5-0.

At 9:43 pm. Council Members McQueen and Covington motioned to return to Open Session. The vote was 5-0.

**19. Motion to Adjourn**

At 9:44 pm, Council Members McQueen and Covington provided the motion and second to adjourn the meeting. The vote was 5-0.

Respectfully submitted,



Gail M. Strickland, City Clerk

