

MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF TARBORO, HELD AT 7:00 P.M. ON MONDAY, OCTOBER 13, 2014 IN THE COUNCIL ROOM, TOWN HALL, TARBORO, NORTH CAROLINA

MEMBERS PRESENT

Rick Page	Mayor
Steve Burnette	Councilman
Al Hull	Councilman
John Jenkins	Councilman
Deborah Jordan	Councilmember
Taro Knight	Councilman
Carol F. Ruffin	Councilmember
Garland Shephard	Councilman
Othar Woodard	Councilman

MEMBERS ABSENT

None

ALSO PRESENT

M Alan Thornton	Town Manager
Leslie M. Lunsford	Town Clerk
Chad Hinton	Town Attorney

1. MEETING CALLED TO ORDER

The meeting was called to order by the Mayor.

A. Invocation

The invocation was given by Mayor Page.

B. Pledge of Allegiance

2. APPROVAL OF AGENDA BY COUNCIL

Councilman Shephard made a motion, which was seconded by Councilman Hull that the agenda be approved as is. Councilmember Ruffin made a substitute motion, which was seconded by Councilmember Jordan that Council add a discussion about the current seating arrangement, Councilmembers Ruffin, Woodard, Knight and Jordan voted for the substitute motion, Councilmembers Hull, Jenkins, Burnette and Shephard voted against the substitute motion. Therefore, Mayor Page voted against the motion.

The agenda was approved as presented.

3. REQUESTS AND PETITIONS OF CITIZENS

A. John Wooten – 3706 N Main Street

Mr. Wooten expressed concerns about local businesses moving away from the area and the effect on Town taxes. He asked about Superior Essex leaving and what effect that would have on the tax rate.

4. MATTERS SCHEDULED FOR PUBLIC HEARING

A. Zoning Map Amendment – AR-20 to I-2

The following Notice of Public Hearing was duly published in The Edgecombe Tribune:

NOTICE OF PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of the Town of Tarboro will conduct two (2) public hearings beginning at 7:00 p.m. on Monday, October 13, 2014, in the Council Room of the Town Hall of the Town of Tarboro for the purpose of considering and taking action on the following applications:

1. To consider a rezoning application submitted by Solar Noir, LLC to rezone 103 acres of land located on the south side of Daniel Street (between Baker Street Extension & Daniel Street intersection) from AR-20 (Agricultural Residential District) to I-2 (Industrial District). The property being more specifically described as follows:

Edgecombe County Tax Parcel No. 4739-71-5941-00:

All that certain tract or parcel of land containing 103 acres, more or less in No. 1 Township, Edgecombe County, North Carolina, well known as a portion of Frank Lloyd Homeplace, located on the Lloyd Farm Road, about one-fourth of a mile East of Tarboro, bounded now or formerly on the northwest by the Atlantic Coast Line Railroad, the lands of C.H. Henderson's Morrison Farm, C.H. Henderson, Jr.'s remaining part of the Frank Lloyd Farm, and S.H. Clark's "Hope Lodge Farm" on the East by the lands of W.G. Clark, Jr. and R.M. Fountain, said lands being more particularly described according to a map designated as property of Dr. M.D. Quigless as further described in Deed from Carol Marie Quigless, Trustee under Trust Agreement dated April 21, 2005, et al, to Haywood E. Harrell and wife Marion H. Harrell, dated August 8, 2006 and recorded in Book 1470, Page 656, Edgecombe Public Registry, to which deed and maps reference is hereby made for further description.

LESS AND EXCEPT tracts or parcels of land within this description previously conveyed of record, portions lying within the Rights of Way of any railroads or streets and highways, and

those portions of the above described tract lying within Edgecombe County Tax Parcel Nos. 4739-61-1544-00 and 4739-80-5590-00 as they appear on the 2013 Edgecombe County GIS map, incorporated herein.

2. To consider a Conditional Use Permit application submitted by Solar Noir, LLC to allow for the construction of a major solar energy facility.

The full text of these petitions which if adopted, will effectuate the proposed changes are on file in the office of the Director of Planning and in the office of the Town Clerk of the Town of Tarboro in the Town Hall and are available for review by interested parties during normal business hours prior to the holding of the public hearings.

All citizens and interested parties are urged to be present at said Public Hearings and make their views known on said proposed amendments and applications.

BY ORDER OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF TARBORO.

This the 22nd day of September 2014.

The Mayor declared the public hearing open.

Josh Edmondson, Planning Director, gave background information.

No one spoke in favor of or against the Zoning Map Amendment.

Everyone having had an opportunity to be heard, the Mayor declared the public hearing closed.

Councilman Woodard made a motion, which was seconded by Councilman Hull and passed unanimously, that Council approve the resolution, attached at page 72-80a, approving an amendment to the Official Zoning Map of the Town of Tarboro and the adoption of an ordinance entitled:

ORDINANCE NO. 14-05

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE UNIFIED DEVELOPMENT ORDINANCE (ZONING ORDINANCE) OF THE TOWN OF TARBORO AND ITS ENVIRONS TO AMEND THE ZONING CLASSIFICATION OF 103 ACRES OF LAND LOCATED ON THE SOUTH SIDE OF DANIEL STREET (BETWEEN BAKER STREET EXTENSION & DANIEL STREET INTERSECTION) FROM AR-20 (AGRICULTURAL RESIDENTIAL DISTRICT) TO I-2 (GENERAL INDUSTRIAL DISTRICT)

The Ordinance is recorded in Ordinance Book Number 11.

B. Conditional Use Permit – 2000 Daniel Street

The Notice of Public Hearing in its entirety is printed under 4.A. above.

The Mayor declared the public hearing open. Anyone wishing to speak at this public hearing was sworn in by the Mayor. Josh Edmondson, Planning Director, gave the background information.

Reginald Parker, Solar Noir, spoke in favor of the conditional use permit. He also explained the company and answered questions from Council.

No one spoke against the issuance of the conditional use permit.

Everyone having had an opportunity to be heard, the Mayor declared the public hearing closed.

Josh Edmondson reviewed the Conditional or Special Use Permit Board Consideration Worksheet, attached at page 72-80b, and explained that Solar Noir had met all of the Town requirements at this point in the process.

Councilmember Jordan made a motion, which was seconded by Councilman Knight and passed unanimously, that the application was complete.

Councilmember Ruffin made a motion, which was seconded by Councilman Jenkins and passed unanimously, that the application was in compliance with ordinance requirements.

Councilman Knight made a motion, which was seconded by Councilman Jenkins and passed unanimously, that the application be granted.

Councilman Knight made a motion, which was seconded by Councilman Shephard and passed unanimously, that Solar Noir has to provide the Town with an Interconnect Agreement between Solar Noir and the appropriate power agency before the Town can issue any permits to the company.

Councilman Knight made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that construction will not begin until the Planning Director is provided with a copy of the decommissioning plan.

Councilman Knight made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that Council approve issuing Solar Noir a conditional use permit.

5. REPORTS OF BOARDS AND COMMISSIONS

Josh Edmondson, Planning Director, presented the Planning Board and Zoning Commission report for September 15, 2014 to Council. The report

is attached at page 72-81a. Action taken on the report follows: Councilman Jenkins made a motion, which was seconded by Councilman Shephard and passed unanimously, that Council call for a public hearing to be held on Monday, November 10, 2014 at 7:00 p.m. regarding the UDO Text Amendment 14-02 Section 273.

Josh also informed Council that the Planning Board discussed and unanimously agreed that Section 273 (a)(7) – Certain Temporary Signs: Permit Exemptions and Additional Regulations, does not require any revisions. Councilmember Jordan requested that the current 3 day time period be changed to 15 days for signs to be displayed. Josh Edmondson recommended that the Planning Board conduct further research and to make a revised recommendation.

Josh Edmondson, Planning Director, also presented the Main Street Façade Committee report, attached at page 72-81b.

A. Tar River Antiques – 205 N. Main Street

Councilman Jenkins made a motion, which was seconded by Councilman Woodard and passed unanimously, that Council approve the grant application.

6. TOWN MANAGER'S RECOMMENDATIONS

A. Consent Items

Councilman Knight made a motion, which was seconded by Councilman Jenkins and passed unanimously, that the following consent items be approved:

(1) Memo 14-67 – 2013 Tax Levy Adjustment

Action taken: Council

- (1) increased the 2013 Tax Levy in the amount of \$74.50 for auto taxes billed by Edgecombe County,
- (2) approved the *Schedule of 2013 Tax Levy Adjusted as of October 13, 2014*, attached at page 72-81c, in the amount of \$3,511,560.12.

(2) Memo 14-68 – 2014 Tax Levy Adjustment

Action taken: Council

- (1) ordered the Tax Collector be charged with afterlists 3 - 5 in the amount of \$105,200.10,
- (2) approved 2014 Tax Levy release numbers 11-12 in the amount of \$211.27,
- (3) approved the *Schedule of 2014 Tax Levy Adjusted as of October 13, 2014*, attached at page 72-81d, in the amount of \$3,385,374.98.

(3) Minutes

Action taken: Council approved the minutes of the September 8, 2014 regular meeting.

B. Action Items

(1) Memo 14-69 – Budget Amendment – North Carolina Main Street Solutions Fund

Councilman Jenkins made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that Council adopt the following budget resolution:

BUDGET RESOLUTION
TOWN COUNCIL OF THE TOWN OF TARBORO
October 13, 2014

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TARBORO, NORTH CAROLINA, that the 2014-2015 Fiscal Year Budget be amended by amending Revenue and Expenditure line items as follows:

<u>Account No.</u>	<u>Account Name</u>	<u>Current Budget</u>	<u>Amt of Change</u>	<u>Revised Budget</u>
REVENUES – MAIN STREET SOLUTIONS GRANT				
843360.0700	Main St Solutions Grant	0+200,000		200,000
EXPENDITURES – MAIN STREET SOLUTIONS GRANT				
848510.4500	Contracted Services	0+200,000		200,000

BE IT FURTHER RESOLVED that the Budget Officer be and he is hereby authorized and directed to implement said budget as amended.

(2) Memo 14-70 – Budget Amendment – E-911 Funding

Councilman Knight made a motion, which was seconded by Councilman Woodard and passed by a 7 to 1 vote, that Council adopt the following budget resolution:

BUDGET RESOLUTION
TOWN COUNCIL OF THE TOWN OF TARBORO
October 13, 2014

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TARBORO, NORTH CAROLINA, that the 2014-2015 Fiscal Year Budget be amended by amending Revenue and Expenditure line items as follows:

<u>Account No.</u>	<u>Account Name</u>	<u>Current Budget</u>	<u>Amt of Change</u>	<u>Revised Budget</u>
REVENUES – EMERGENCY TELEPHONE SYSTEM				
213433.0100	911 Charges	106,433	+131,908	238,341
213990.0100	Fund Balance Appro	0+50,288		50,288

<u>Account No.</u>	<u>Account Name</u>	<u>Current Budget</u>	<u>Amt of Change</u>	<u>Revised Budget</u>
EXPENDITURES – EMERGENCY TELEPHONE SYSTEM				
214315.7400	Capital Outlay-Equip	0+182,196		182,196

BE IT FURTHER RESOLVED that the Budget Officer be and he is hereby authorized and directed to implement said budget as amended.

Councilman Knight called for questions after Council discussed Memo 14-70. Councilmembers Woodard, Jordan, Hull, Knight, Jenkins, Burnette and Ruffin voted for the motion. Councilman Shephard voted against the motion.

(3) Memo 14-71 – Budget Amendment – Governor's Crime Commission Grant

Councilman Woodard made a motion, which was seconded by Councilmember Jordan and passed by a 7 to 1 vote, that Council adopt the following budget resolution:

BUDGET RESOLUTION
TOWN COUNCIL OF THE TOWN OF TARBORO
October 13, 2014

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TARBORO, NORTH CAROLINA, that the 2014-2015 Fiscal Year Budget be amended by amending Revenue and Expenditure line items as follows:

<u>Account No.</u>	<u>Account Name</u>	<u>Current Budget</u>	<u>Amt of Change</u>	<u>Revised Budget</u>
REVENUES – GENERAL FUND				
103480.2900	Law Enforcement Gr	7,500	+1,459	8,959
EXPENDITURES – GENERAL FUND				
104310.3300	Dept Supplies & Mat.	48,356	-10,486	37,870
104310.5800	Governor's Cr Comm Gr	0	+11,945	11,945

BE IT FURTHER RESOLVED that the Budget Officer be and he is hereby authorized and directed to implement said budget as amended.

Councilman Woodard called for questions after Council discussed Memo 14-71. Councilmembers Woodard, Jordan, Hull, Knight, Jenkins, Burnette and Ruffin voted for the motion. Councilman Shephard voted against the motion.

(4) Memo 14-72 – Bid Award – Two (2) 2015 Single-Axle Dump Trucks

Councilman Jenkins made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that Council authorize staff to complete the purchase of two (2) 2015 single-axle dump trucks with Godwin dump bodies from Lilley International at a cost of \$141,967.56. A bid tabulation is attached at page 72-81e.

(5) Memo 14-73 – Resolution – NC Department of Commerce – Building Reuse Program

Councilman Jenkins made a motion, which was seconded by Councilman Shephard and passed unanimously, that Council approve the resolution, attached at page 72-81f, and authorize the Town Manager to execute any additional documents pertaining to the grant application.

(6) Memo 14-74 – Taxes – Charge Off of Uncollectable Personal Taxes – 2004 Tax Levy

Councilman Knight made a motion, which was seconded by Councilman Hull and passed unanimously, that Council:

- (1) authorize the 2004 personal property tax for each taxpayer listed on the schedule, attached at page 72-81g, in the amount of \$1,436.28, which is determined to be uncollectable, be charged off the books of the Tax Collector and the Tax Collector be relieved from the collection of same, and also be given credit for same in her settlement,
- (2) authorize the outstanding 2004 motor vehicle tax receivable in the amount of \$6,848.04, which was billed and remains uncollected by Edgecombe County, be charged off the books of the Tax Collector and the Tax Collector be given credit for same in her settlement,
- (3) authorize the accounts charged off be turned over to the Finance Director for verification and disposal in accordance with The Municipal Records Retention and Disposition Schedule.

(7) Memo 14-75 – Appointments – Citizens Advisory Recreation Committee

Councilman Knight made a motion, which was seconded by Councilman Jenkins and passed unanimously, that the following individuals be appointed to fill the two-year term expiring October 2016.

<u>Citizens Advisory Recreation Committee (2year term)</u>	
John Harris – Ward 1	Reappointed
Charles Johnson – Ward 2	Reappointed
George Whitehurst – Ward 3	Reappointed
Dwayne Owens – Ward 4	Newly Appointed
Michael K. Everette – Ward 5	Reappointed
Claude Carr – Ward 6	Reappointed

Vacant until the November 2014 meeting – Ward 7
 Keith Hale – Ward 8 Reappointed
 LeShawn Jenkins – At Large Reappointed

(8) Memo 14-76 – Appointments – Edgecombe County Tourism Development Authority

Councilman Woodard made a motion, which was seconded by Councilman Jenkins and passed unanimously, that Rosena Ricks be nominated to fill one of the vacant terms.

Edgecombe County Tourism Development Authority (1 year term)

Buddy Hooks	7 votes	Reappointed
Sarah Peveler	2 Votes	
Rosena Ricks	7 votes	Appointed

(9) Memo 14-77 – Appointment – Parking Authority

Councilman Jenkins made a motion, which was seconded by Councilman Woodard and passed unanimously, that Council reappoint Dean Bryan (Bryan Drugs).

Parking Authority (5 year term)

Dean Bryan (Bryan Drugs)	Reappointed
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(10) Memo 14-78 – Appointments – Planning Board and Zoning Commission

Councilman Jenkins made a motion, which was seconded by Councilmember Jordan and passed unanimously, that the following individuals be appointed to fill the four year terms.

Planning Board and Zoning Commission (4 year term)

Donnie Davis – Ward 1	Reappointed
Reuben Thompson – Ward 3	Reappointed
Dickie Guill – Ward 5	Reappointed
Sabrina Bynum – Ward 7	Newly Appointed
Earl Miller – At Large	Reappointed

(11) Memo 14-79 – Appointments – Redevelopment Commission

Councilmember Jordan made a motion, which was seconded by Councilman Knight and passed unanimously, that the following individuals be reappointed to fill the five-year term expiring October 2019.

Redevelopment Commission (5 year term)

Annie Pippen	Reappointed
Lillie Worsley	Reappointed

(12) Memo 14-80 – Appointment – Tarboro Edgecombe Airport Authority

Councilman Jenkins made a motion, which was seconded by Councilman Shephard and passed unanimously, that the following individual be reappointed to fill the five-year term expiring October 2019.

Tarboro-Edgecombe Airport Authority (5 year term)

Scott Fisher	Reappointed
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7. OTHER REPORTS

A. Town Manager

The Town Manager informed Council that a representative from Electricities would be making a presentation at the November meeting.

B. Town Attorney

None

C. Mayor

The Mayor reminded Councilmembers to provide him with any work objectives they had for the Town Manager.

D. Council Members

Councilman Woodard expressed concerns about parking for Downtown business owners. He asked if Main Street business owners could be given one parking space near their business. Troy Lewis, Public Works Director, stated that parking spaces adjacent to the building are for customers.

Councilmember Jordan stated that she did not think Council would be authorized to reinstate Mayor Page's retiree insurance since it was an agreement with the former Town Manager and Page. Chad Hinton, Town Attorney will research and report back to Council at a later time.

8. ADJOURNMENT

Councilman Jenkins made a motion, which was seconded by Councilmember Jordan and passed unanimously, that the meeting be adjourned.

Rick Page, Mayor

Leslie M. Lunsford, Town Clerk