

MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF TARBORO, HELD AT 7:00 P.M. ON MONDAY, APRIL 14, 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 Rick Page.

2. APPROVAL OF AGENDA BY COUNCIL

Councilmember Shephard requested that a Closed Session be added to the agenda to discuss a legal & personnel matter. Councilman Knight made a motion, which was seconded by Councilman Jenkins and passed unanimously, that Council approve the request to add the Closed Session to the agenda.

3. REQUESTS AND PETITIONS OF CITIZENS

Joyce Turner – 905 Saint Patrick Street

Ms. Turner, Edgecombe County Arts Council, asked that the Town take into consideration the annual rent due for the Blount Bridgers House during the 2014-2015 FY budget planning.

Viola Harris – 609 Saint David Street

Ms. Harris asked Council to consider changing the parking around the Municipal Baseball Stadium. She explained that it was crowded and hard to see traffic during games. Ms. Harris also asked Council to declare Thursday May 1, 2014 as National Day of Prayer. The community will meet at Courtyard Square at noon to pray.

Mel Caison – 314 Kensington Drive

Mr. Caison spoke against the proposed revision to the residency requirement Ordinance.

Phil Holland – 608 Weeks Drive

Mr. Holland expressed concerns about a ditch in front of his house. He asked that the Town fill in the ditch.

4. PRESENTATIONS AND RECOGNITIONS

A. Tarboro Parks & Recreation's All Star Youth Basketball Program

Cheryl Gay and Karl Joyner recognized the 10 & under All Star Basketball Team. The team placed 2nd in the Statewide Athletics Committee (SWAC) NC Sectionals which qualified them to play in the State Tournament where they placed 3rd overall.

B. Recognition of 4 Electric Department Employees

Chip Dickson, Ross Whitehurst, Jimmie Lewis and Bryan Robertson were presented with a certificate for the Lineman Career Development Program.

C. Reliable Public Power (RP3)

Buddy Harrison, Electric Department Director, was presented with the Reliable Public Power (RP3) Gold Level award.

D. Certificate of Achievement for Excellence in Financial Reporting

Karla McCall, Finance Director, was recognized for Achievement for Excellence in Financial Reporting.

5. MATTERS SCHEDULED FOR PUBLIC HEARING

A. UDO Text Amendment 14-01 – Article III, Section 32(a) Voting; Section 91(a) Appeals, and Section 97(a) Board Action on Appeal and Variances

The following Notice of Public Hearing was duly published in The Daily Southerner:

NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of the Town of Tarboro will conduct a public hearing beginning at 7:00 p.m. on Monday, April 14, 2014, in the Council Room of the Town Hall of the Town of Tarboro for the purpose of receiving public input on the following:

1. To consider a request submitted by Carlton Moseley for a change in the Code of Ordinances, (Chapter 5, Section 5.5.1, Cemeteries) to allow the ashes of one or more cremated persons to be buried in a burial lot that has already been used for an interment.
2. To consider a recommendation submitted by the Town Manager for a change in the residency policy (Article IV, Section 13-80-b) that would allow Department Heads to reside in such proximity to the Town of Tarboro that they be able to appropriately respond to emergency events within a specified (20 minutes) period of time.
3. To consider a proposed text amendment (14-01) submitted by the Town of Tarboro to amend the Unified Development Ordinance as follow:

Section 32(a) Voting – the concurring vote of eight members or 4/5ths shall be required to grant any variance; all other actions of the Board shall be taken by majority vote, a quorum being present.

Section 91(a) Appeals – an application for an appeal will be filed with the Town Clerk instead of the Administrator.

Section 97(a) Board Action of Appeals and Variances – Appeals are subject to a majority vote and no longer require four fifths vote.

The full text of these requests which if adopted, will effectuate the proposed changes are on file 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 requests.

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

This the 27th day of March, 2014.

The Mayor declared the public hearing open.

Josh Edmondson, Planning Director, gave background information.

No one spoke in favor of or against the UDO Text Amendment.

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

Councilman Knight made a motion, which was seconded by Councilman Woodard and passed unanimously, that Council approve the resolution, attached at page 72-68a, approving an amendment to the Official Zoning Map of the Town of Tarboro and the adoption of an ordinance entitled:

ORDINANCE NO. 14-01
AN ORDINANCE AMENDING THE TOWN OF TARBORO UNIFIED DEVELOPMENT ORDINANCE TO REPLACE EXISTING PROVISIONS PERTAINING TO THE BOARD OF ADJUSTMENT.

The Ordinance is recorded in Ordinance Book Number 11.

B. Request for change in Ordinance (Chapter 5, Section 5.5.1) relating to Cemeteries

The Notice of Public Hearing in its entirety is printed under 5.A. above.

The Mayor declared the public hearing open.

Alan Thornton, Town Manager, gave background information.

Mel Caison, owner of Carlisle Funeral Home, spoke in favor of changing the Ordinance. He suggested that the Ordinance be changed to allow the cremated remains of up to 3 people be interred in a single burial lot.

Council discussed the change and made suggestions to the wording of the Ordinance.

Councilman Jenkins made a motion, which was seconded by Councilman Woodard and passed unanimously, that Council approve the changes suggested, which would allow for the cremated remains of up to 3 humans in a single burial lot in Town owned cemeteries.

C. Request for change in Residency Policy – Article IV, Chapter 13, Section 13-80

The Notice of Public Hearing in its entirety is printed under 5.A. above.

The Mayor declared the public hearing open.

Alan Thornton, Town Manager, gave background information.

Phil Holland, 608 Weeks Drive, spoke against changing the Ordinance.

Donald Hale, 2206 Robin Drive, spoke against changing the Ordinance.

John Wooten, 3706 N Main Street, spoke in favor of changing the Ordinance.

Councilmembers voiced their opinions on changing the Ordinance.

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

Councilman Knight made a motion, which was seconded by Councilman Woodard and passed by a 6 to 2 vote, that Council approve the recommended changes made to Section 13-80 (a) & (b). Councilmembers Burnette, Ruffin, Knight, Hull, Jordan and Woodard voted for the motion. Councilmembers Jenkins and Shephard voted against the motion.

Councilmember Jordan made a motion, which was seconded by Councilman Hull and passed unanimously, that Section 13-80 (c) be amended to all on-call or emergency-call employees live within 30 miles and can be present for duty within 30 minutes after notification.

ORDINANCE NO. 14-03
AN ORDINANCE AMENDING SECTION 13-80 OF
ARTICLE IV, CHAPTER 13 OF THE TOWN OF TARBORO
CODE OF ORDINANCES ON PERSONNEL TO AMEND
THE RESIDENCY POLICY FOR TOWN DEPARTMENT
HEADS BY REMOVING CERTAIN POSITIONS AND
AMENDING THE RESIDENCY REQUIREMENT.

The Ordinance is attached at page 72-69a.

The Ordinance is recorded in Ordinance Book Number 11.

6. TOWN MANAGER'S RECOMMENDATIONS

A. Consent Items

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

(1) Memo 14-24 – 2012 Tax Levy Adjustment

Action taken: Council

- (1) decreased the 2012 Tax Levy in the amount of \$42.72 for auto taxes released by Edgecombe County, and
- (2) approved the *Schedule of 2012 Tax Levy Adjusted as of April 14, 2014*, attached at page 72-69b, in the amount of \$3,544,088.04.

(2) Memo 14-25 – 2012 Tax Levy Adjustment

Action taken: Council

- (1) increased the 2013 Tax Levy in the amount of \$255.84 for auto taxes billed by Edgecombe County,
- (2) decreased the 2013 Tax Levy in the amount of \$58.23 for auto taxes released by Edgecombe County, and
- (3) approved the *Schedule of 2013 Tax Levy Adjusted as of April 14, 2014*, attached at page 72-69c, in the amount of \$3,486,024.12.

(3) Minutes

Action taken: Council approved the minutes of the March 10, 2014 Council meeting.

B. Action Items

(1) Memo 14-26 – Approve Contract – Auditing Services 2013 - 2014

Councilman Woodard made a motion, which was seconded by Councilmember Ruffin and passed by a 5 to 3 vote, that Council award the audit contract for the fiscal year 2013-2014 to Martin Starnes & Associates at the proposed cost of \$27,475 and authorize the Mayor to execute the necessary contract. Councilmembers Woodard, Jordan, Hull, Knight and Ruffin voted for the motion. Councilmembers Shephard, Burnette and Jenkins voted against the motion.

(2) Memo 14-27 – Fire Lane Parking Matters – Parkhill Mall

Councilman Jenkins made a motion, which was seconded by Councilmember Ruffin and passed by a 6 to 2 vote, that Council adopt the resolution, attached at page 72-69d, amending the fire lane parking at Parkhill Mall by removing the fire lane designation at the requested location. Councilmembers Woodard, Jordan, Hull, Knight, Jenkins and Ruffin voted for the motion. Councilmembers Shephard and Burnette voted against the motion.

(3) Memo 14-28 – Destruction of Rodents, Squirrels, etc.

Councilman Knight made a motion, which was seconded by Councilman Hull and passed unanimously, that Council call for and hold a public hearing at the May 12, 2014 Council Meeting. Alan Thornton, Town Manager, asked that Council send questions

and suggestions to him in advance and he would try to provide information to all Councilmembers, Attorney and Mayor prior to the meeting to assure accurate information.

(4) Memo 14-29 – Fair Housing Day in Tarboro, North Carolina

Councilman Hull made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that Council approve the resolution, attached at page 72-69e, designating Monday, April 28, 2014 as Fair Housing Day in the Town of Tarboro.

7. OTHER REPORTS

A. Town Manager

The Town Manager informed Council that the NC Department of Commerce would make a presentation to the Town of Tarboro as an official Retirement Community on Tuesday April 22, 2014 at 9:00 am.

The Town Manager informed Council that the 2014-2015 FY budget was in progress.

B. Town Attorney

Chad Hinton, Town Attorney, stated that he had researched the destruction of rodents, squirrels, etc and found that it was not a conflict with the Wildlife organization.

C. Collector of Revenue

The Collector of Revenue's report was presented to Council and is attached at page 72-69f.

F. Council Members

Councilman Hull requested that all Councilmembers be informed about grand openings and ribbon cutting ceremonies.

Councilman Shephard asked questions regarding the delinquent cutoff policy for past due utility bills. The policy was explained by Karla McCall, Finance Director and Julie Braxton, Collector of Revenue.

8. EXECUTIVE SESSION

Councilman Jenkins made a motion, which was seconded by Councilman Hull and passed unanimously, that Council enter into Executive Session.

Councilman Woodard made a motion, which was seconded by Councilmember Jordan and passed unanimously that Council enter into Open Session.

9. ADJOURNMENT

Councilman Woodard made a motion, which was seconded by Councilman Hull and passed unanimously, that the meeting be adjourned.

Rick Page, Mayor

Leslie M. Lunsford, Town Clerk