

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF TARBORO, HELD AT 7:00 P.M. ON MONDAY, MAY 11, 2015 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.

**2. APPROVAL OF AGENDA BY COUNCIL**

The Mayor requested that the 2015-2016 FY Budget be presented during Memo 15-36 and a public hearing be called for the June 8, 2015 meeting. Councilman Jenkins made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that Council approve the amended agenda.

**3. REQUESTS AND PETITIONS OF CITIZENS**

**A. Barbara Campbell Davis – 816 Saint Andrew Street**

Ms. Davis spoke on behalf of the Edgecombe County Arts Council, she asked that Council consider the nominees for the upcoming vacant terms to be Edgecombe County residents. She stated that one of the nominees lived outside of Edgecombe County and one lived outside of the city limits of Tarboro. Council requested clarification on the Arts Council by-laws.

The Mayor welcomed Boy Scout Troop 49.

**4. MATTERS SCHEDULED FOR PUBLIC HEARING**

**A. UDO Text Amendment 15-01 – Article XVI, Flood Hazard Areas, Section 251**

**NOTICE OF PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of the Town of Tarboro will conduct two public hearings beginning at 7:00 p.m. on Monday, May 11, 2015 in the Council Room of the Town Hall for the purpose of considering and taking action on the following application:

- To consider a proposed text amendment to the Unified Development Ordinance submitted by the Town of Tarboro to amend zoning text of Article XVI, Part 1– Flood Hazard Areas, Section 251, Subsections (4) and (19) to indicate the most recent flood insurance rate maps (FIRM) date of June 2, 2015; Section 251, Subsection (9) to amend the definition of “Building”, and Section 251, to add new definitions.
- To consider assessment roll and levying for demolition cost for the structure located at 917 St. David Street.

The full text of this petition which if adopted, will effectuate the proposed changes is 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 is available for review by interested parties during normal business hours prior to the holding of the public hearing.

All citizens and interested parties are urged to be present at said Public Hearing and make their views known on said proposed amendment and application.

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

This the 22<sup>nd</sup> day of April, 2015.

The Mayor declared the public hearing open.

Alan Thornton, Interim 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 72-95a, approving an amendment to the text of the Unified Development Ordinance and the adoption of an ordinance entitled:

**ORDINANCE NO. 15-05**

AN ORDINANCE AMENDING THE OFFICIAL ZONING TEXT OF THE UNIFIED DEVELOPMENT ORDINANCE (ZONING ORDINANCE) OF THE TOWN OF TARBORO AND ITS ENVIRONS TO AMEND ZONING TEXT OF ARTICLE XVI, PART 1 – FLOOD HAZARD AREAS – SECTION 251, SUBSECTIONS (4) AND (19) TO INDICATE THE MOST RECENT FLOOD INSURANCE RATE MAPS (FIRM) DATE OF JUNE 2, 2015, AND SECTION 251, SUBSECTION (9) TO AMEND THE DEFINITION OF BUILDING, AND SECTION 251, TO ADD NEW DEFINITIONS

The Ordinance is recorded in Ordinance Book Number 11.

**B. Demolition Assessment – 917 Saint David Street**

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

The Mayor declared the public hearing open.

Alan Thornton, Interim Planning Director, gave background information.

No one spoke in favor of or in opposition to the assessment roll for the cost of demolition.

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

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

**RESOLUTION CONFIRMING ASSESSMENT ROLL AND LEVYING ASSESSMENTS**

WHEREAS, the Town Council of the Town of Tarboro has on this day held a public hearing after due notice as required by law, on the Assessment for the demolition of the house at 917 Saint David Street; and

WHEREAS, the Town Council of the Town of Tarboro has heard all those present who requested to be heard, and has found the Assessment to be proper and correct;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Tarboro:

Section 1. That the Assessment for the demolition of the building at 917 Saint David Street, in the Town of Tarboro, North Carolina, and specifically identified as parcel no. 4738-37-9506-00 on the city-county tax maps, is hereby declared to be correct, and is hereby confirmed in accordance with Chapter 160A, Section 228 of the General Statutes of the State of North Carolina.

Section 2. That the Town Council of the Town of Tarboro, pursuant to authority conferred by Chapter 160A, Section 216 and Chapter 160A, Section 443 of the General Statutes of North Carolina, does hereby levy an assessment as follows:

\$8,426.00 for demolition of building at 917 Saint David Street

Section 3. That the Town Clerk is hereby directed to deliver to the Town Tax Collector the said assessment.

Section 4. That the Town Tax Collector is hereby charged with the collection of said assessment in accordance with the procedure established by Chapter 160A, Sections 232 and 233, of the General Statutes of the State of North Carolina.

Section 5. That the Town Clerk is hereby further directed to publish once on the 1st day of June, 2015 the notice required by Chapter 160A, Section 229 of the General Statutes of the State of North Carolina.

Adopted this the 11th day of May, 2015

**5. REPORTS OF BOARDS AND COMMISSIONS**

**A. Planning Board and Zoning Commission Report**

Alan Thornton, Interim Planning Director, presented the joint annual report of the Planning Board and Zoning Commission and the Development Review Committee to Council. The report is attached at page 72-95b.

Alan Thornton, Interim Planning Director, presented the Planning Board and Zoning Commission report for May 2014 – April 2015 to Council. The report is attached at pages 72-95c and 72-95d.

**B. Historic District Commission**

Alan Thornton, Interim Planning Director, presented the annual report of the Tarboro Historic District Commission to Council. The report is attached at page 72-95e through 72-95g.

Councilman Jenkins made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that Council accept the reports presented.

**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 15-23 – 2009 Tax Levy Adjustment**

Action taken: Council

- (1) approved the 2009 Tax Levy release number 28 in the amount of \$226.67, and
- (2) approved the *Schedule of 2009 Tax Levy Adjusted as of May 11, 2015*, attached at page 72-96a, in the amount of \$3,220,651.43.

**(2) Memo 15-24 – 2010 Tax Levy Adjustment**

Action taken: Council

- (1) approved the 2010 Tax Levy release number 36 in the amount of \$226.67, and
- (2) approved the *Schedule of 2010 Tax Levy Adjusted as of May 11, 2015*, attached at page 72-96b, in the amount of \$3,236,553.97.

**(3) Memo 15-25 – 2011 Tax Levy Adjustment**

Action taken: Council

- (1) approved the 2011 Tax Levy release number 24 in the amount of \$258.15, and
- (2) approved the *Schedule of 2011 Tax Levy Adjusted as of May 11, 2015*, attached at page 72-96c, in the amount of \$3,548,280.94.

**(4) Memo 15-26 – 2012 Tax Levy Adjustment**

Action taken: Council

- (1) approved the 2012 Tax Levy release number 18 in the amount of \$258.15, and
- (2) approved the *Schedule of 2012 Tax Levy Adjusted as of May 11, 2015*, attached at page 72-96d, in the amount of \$3,591,747.00.

**(5) Memo 15-27 – 2013 Tax Levy Adjustment**

Action taken: Council

- (1) approved the 2013 Tax Levy release number 16 in the amount of \$258.15, and
- (2) approved the *Schedule of 2013 Tax Levy Adjusted as of May 11, 2015*, attached at page 72-96e, in the amount of \$3,511,296.96.

**(6) Memo 15-28 – 2014 Tax Levy Adjustment**

Action taken: Council

- (1) approved the 2014 Tax Levy release number 22 in the amount of \$258.15, and
- (2) approved the *Schedule of 2014 Tax Levy Adjusted as of May 11, 2015*, attached at page 72-96f, in the amount of \$3,395,529.19.

**(7) Memo 15-29 – Utilities – Annual Charge Off of Uncollectable Bills**

Action taken: Council approved the list, attached at pages 72-96g through 72-96i, and authorized the Collector of Revenue to charge off utility bills of 191 former accounts which amount to \$68,425.11.

**(8) Minutes**

Action taken: Council approved the minutes of the April 13, 2015 regular meeting.

**B. Action Items**

**(1) Memo 15-30 – Budget Amendment – Law Enforcement Fund**

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

BUDGET RESOLUTION  
TOWN COUNCIL OF THE TOWN OF TARBORO  
May 11, 2015

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>
<b>REVENUES – GENERAL FUND</b>				
423350.0100	Drug Seizure/Inform	5,000	+2,000	7,000

**EXPENDITURES – GENERAL FUND**

424318.5701	Drug Seizure/Inform	12,000	+2,000	14,000
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BE IT FURTHER RESOLVED that the Budget Officer is hereby authorized and directed to implement said budget as amended.

**(2) Memo 15-31 – Golden Leaf Foundation – Approval of Grantee Acknowledgement and Agreement**

Councilman Jenkins made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that Council authorize the Mayor to sign the agreement and execute all documents pertaining to the agreement.

**(3) Memo 15-32 – Memorandum of Agreements and Understanding Between Edgecombe Community College and the Town of Tarboro**

Councilman Jenkins made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that Council allow ECC to utilize the Town's facilities and resources by authorizing the Mayor to sign the agreements between ECC and the Town of Tarboro. The facilities include the Braswell Center, E.L. Roberson Center, M.A. Ray Center, Tarboro Edgecombe Airport and the firing range.

**(4) Memo 15-33 – Resolution – Conveyance of Fixed Asset to Edgecombe County Rescue Squad**

Councilman Woodard made a motion, which was seconded by Councilman Knight and passed unanimously, that Council approve the resolution, attached at page 72-96j, for the donation of the 1999 Chevy Tahoe to the Edgecombe County Rescue Squad.

**(5) Memo 15-34 – Resolution – Disposition of Fixed Asset**

Councilman Jenkins made a motion, which was seconded by Councilman Knight and passed unanimously, that Council approve the resolution, attached at page 72-96k, for disposal of the asset attached at page 72-96l.

**(6) Memo 15-35 – Disposition of Town Owned Property – 608 South Avenue**

Councilman Jenkins requested to be abstained from voting stating that he advised Mr. James in this process. Councilmember Ruffin made a motion, which was seconded by Councilman Knight and passed unanimously, that Council approve Councilman Jenkins request. Councilman Knight made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that Council accept Ernest E. James' offer to purchase 608 South Avenue subject to the upset bid procedure.

**(7) Memo 15-36 – Call Public Hearing – 2015-2016 FY Budget**

Councilman Woodard made a motion, which was seconded by Councilman Jenkins and passed unanimously, that Council call for and hold a public hearing on the 2015-2016 FY Budget to be held at the regular Council meeting on Monday, June 8, 2015.

**(8) Memo 15-37 – Call Public Hearing – Proposed Sale of NCEMPA Assets**

Councilman Woodard made a motion, which was seconded by Councilman Knight and passed unanimously, that Council call for and hold a public hearing at the June 8, 2015 Council meeting on Ordinance to allow for Town of Tarboro's consideration of the proposed sale of NCEMPA jointly owned generation assets to Duke Energy Progress.

**(9) Memo 15-38 – Appointments for June 2015 – Edgecombe County Cultural Arts Council**

Councilman Jenkins made a motion, which was seconded by Councilman Shephard and passed unanimously, that Council accept nominations at the current Council meeting and at the June Council meeting before appointing 3 individuals to fill open terms on the Edgecombe County Cultural Arts Council. Councilmember Ruffin nominated Ashley Meyers, Councilman Shephard nominated Dana Alexander, Councilmember Jordan nominated Ides Pettaway and Councilman Burnette nominated Lucinda Plasencio. Councilman Jenkins made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that Council accept these nominations.

**7. OTHER REPORTS**

**A. Town Manager**

The Town Manager reminded Council of the Happening on the Commons, Saturday, May 16, 2015.

**B. Town Attorney**

The Town Attorney stated that he was continuing to review the asset sale information.

**C. Mayor**

The Mayor requested that Council schedule a Budget Study Session if needed. Council scheduled the Budget Study Session on Thursday May 14, 2015 at 6:30 pm at Town Hall.

**D. Council Members**

**Ward 1 – Councilman Woodard - None**

**Ward 2 - Councilman Hull – None**

**Ward 3 – Councilman Burnette – None**

**Ward 4 – Councilmember Ruffin** – None

**Ward 5 – Councilman Jenkins** - None

**Ward 6 – Councilmember Jordan** – None

**Ward 7 – Councilman Knight** – None

**Ward 8 - Councilman Shepheard** – None

The Mayor called a 5 minute break at 8:23 pm.

**8. CLOSED SESSION – GS 143-318.11(a)(5)**

Councilman Shepheard made a motion, which was seconded by Councilman Burnette and passed unanimously, that Council enter into Closed Session.

Councilman Knight made a motion, which was seconded by Councilman Shepheard and passed unanimously, that Council resume regular session.

**9. ADJOURNMENT**

Councilman Knight made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that the meeting be recessed until Thursday May 14, 2015 at 6:30 pm.

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Rick Page, Mayor

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Leslie M. Lunsford, Town Clerk