

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF TARBORO, HELD AT 7:00 P.M. ON MONDAY, AUGUST 10, 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. Pledge of Allegiance**

**2. APPROVAL OF AGENDA BY COUNCIL**

Councilman Jenkins made a motion, which was seconded by Councilman Shephard and passed unanimously, that the agenda be approved as presented.

**3. REQUESTS AND PETITIONS OF CITIZENS**

Boys & Girls Club

**A. Viola Harris – 609 Saint David Street, Tarboro**

Ms. Harris spoke in favor of the Boys & Girls Club

**B. Sabrina Bynum – 1201 Martin Luther King Jr. Drive**

Ms. Bynum stated that the Boys & Girls Club is a good program but it clashes with the citizens of the community.

**C. Greg Higgs – 1105 Bradley Avenue, Tarboro**

Mr. Higgs stated that he did not disagree with the Boys & Girls Club, he just wanted the citizens to be able to use the facilities. Mr. Higgs asked for Council to consider a 70%/30% split. He suggested that Council consider lowering taxes for citizens if the contract was not amended.

**D. Elijah Sellers – 154 Walters Street Apt 18, Princeville  
Candice Wilkins – 202 Rollinwood Drive, Tarboro**

Elijah Sellers and Candice Wilkins explained to Council how important the Boys and Girls Club was to them and how much they have learned from programs such as Passport to Manhood and Money Matters.

**E. Ron Green – Boys & Girls Club**

Mr. Green stated that he met with the Parks & Recreation Department and the Boys & Girls Club is willing to make any adjustments necessary to make the program work.

**F. Shelia Cook – 154 Walters Street Apt 18, Princeville**

Ms. Cook spoke in favor of the Boys & Girls Club and the use of the M. A. Ray Center. She stated that the Ray Center provided plenty of room to accommodate the Club and all of the activities it has to offer.

Councilman Burnette asked if Council would be able to review the contract before it was adopted. He was informed that Council would be able to review the completed proposed contract before it was presented for adoption.

**G. Roy Gray – 611 E Johnston Street, Tarboro**

Mr. Gray expressed concerns about the recent changes in the flood maps resulting in his property now being considered in a flood zone. Mr. Gray asked why the change happened so quickly and without notice.

**4. MATTERS SCHEDULED FOR PUBLIC HEARING**

**A. Zoning Map Amendment – RA-6 to B-3**

**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, August 10, 2015, in the Council Room of the Town Hall of the Town of Tarboro for the purpose of considering and taking action on the following item.

- To consider a petition submitted by Sharon Horton and Marvin Horton to rezone 7150 square feet of property (interior parking lot rear of 2100 Main Street – no street frontage) and 102 West Hope

Lodge Street – one lot off Main Street which adjoins a Church daycare and food distribution center, from RA-6 (Residential District-single family, two-family & multi-family) to B-3 (Commercial District).

*Beginning at the northern corner of lot owned by Estate of John R. Jenkins, formerly Henry E and Frank C. Allred located at 106 N. Fairview Circle, theme S 67-13 W 143.22 feet, cornering in the line of Gibraltar Church on the Rock; thence N 22-47 W 50 feet, cornering; thence N 67-13 E 143.22 feet cornering; thence S 22-47 E 50 feet to the point of beginning as shown on plat made by J. Charles Cauley, RLS dated November 11, 1996, to which reference is hereby made.*

*Beginning at an EIP at the northern corner of the Gibraltar Church on the Rock in the southern line of W. Hope Lodge Street; thence N 67-00 E 105 feet along Hope Lodge Street, cornering; thence S 23-00 E 100 feet, cornering; thence S 67-00 W 105 feet to an EIP, cornering; thence N 23-00 W 100 feet to the point of beginning as shown on plat made by Kenneth D. Talbot, RLS dated 24<sup>th</sup> May 1994 recorded in Book 1125 p. 55 E.P.R.*

The full text of this application 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 23<sup>rd</sup> day of July, 2015.

The Mayor declared the public hearing open.

Catherine Grimm, 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 Hull made a motion, which was seconded by Councilman Jenkins and passed unanimously, that Council approve the resolution, attached at page 72-104a, approving an amendment to the Official Zoning Map of the Town of Tarboro and the adoption of an ordinance entitled:

**ORDINANCE NO. 15-09**

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 7150 SQUARE FEET OF PROPERTY LOCATED AT 2100 MAIN STREET AND 102 WEST HOPE LODGE STREET FROM RA-6 (GENERAL RESIDENTIAL DISTRICT - SINGLE FAMILY, TWO-FAMILY & MULTI-FAMILY) TO B-3 (GENERAL COMMERCIAL DISTRICT)

The Ordinance is recorded in Ordinance Book Number 11.

**5. REPORTS OF BOARDS AND COMMISSIONS**

Catherine Grimm, Planning Director, presented the Planning Board and Zoning Commission report for July 20, 2015 to Council. The report is attached at page 72-104b. Action taken on the report follows: Councilman Woodard made a motion, which was seconded by Councilman Hull and passed unanimously, that Council call for a public hearing to be held on Monday, September 14, 2015 at 7:00 p.m. regarding Zoning Map Amendment 15-03. Staff is continuing to research further into parking codes as requested by Council and will report to Council as soon as the information is available.

**6. TOWN MANAGER'S RECOMMENDATIONS**

**A. Consent Items**

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

**(1) Memo 15-55 – 2013 Tax Levy Adjustment**

Action taken: Council

- decreased the 2013 Tax Levy in the amount of \$19.45 for auto taxes released by Edgecombe County, and

- approved the *Schedule of 2013 Tax Levy Adjusted as of August 10, 2015*, attached at page 72-104c, in the amount of \$3,510,655.36.

**(2) Memo 15-56 – 2015 Tax Levy Adjustment**

Action taken: Council

- charged the Tax Collector with the 2015 tax receipts 1 through 5531 in the amount of \$3,260,538.42,

- (2) authorized the Mayor to execute the Order, attached at page 72-105a, directing the Tax Collector to collect the 2015 taxes as set forth in the tax receipts,
- (3) approved the *Schedule of 2015 Tax Levy*, attached at page 72-105b, in the amount of \$3,260,538.42.

**(3) Minutes**

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

**B. Action Items**

**(1) Memo 15-57 – 2015-2016 FY Budget Amendment – Re-appropriations from 2014-2015 FY**

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

BUDGET RESOLUTION  
TOWN COUNCIL OF THE TOWN OF TARBORO  
August 10, 2015

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TARBORO, NORTH CAROLINA, that the 2015-2016 Fiscal Year Budget be amended by amending Revenue and Expenditure line items as follows:

Account No.	Account Name	Current Budget	Amt of Change	Revised Budget
<b>REVENUES – GENERAL FUND</b>				
103990.0100	Fd Bal Appropriated	190,357	+105,494	295,851
<b>EXPENDITURES – GENERAL FUND</b>				
104130.7400	Capital Outlay-Equip	12,500	+30,373	42,873
104515.7300	Capital Outlay-Improv	0	+21,000	21,000
104900.7300	Capital Outlay-Improv	32,000	+25,000	57,000
106120.7400	Capital Outlay-Equip	0	+29,121	29,121
<b>REVENUES – WATER &amp; SEWER FUND</b>				
313990.0100	Fd Bal Appropriated	20,337	+261,619	281,956
<b>EXPENDITURES – WATER &amp; SEWER FUND</b>				
317110.7300	Capital Outlay-Improv	65,000	+10,219	75,219
317110.7400	Capital Outlay-Equip	0	+251,400	251,400
<b>REVENUES – SOLID WASTE FUND</b>				
323990.0100	Fd Bal Appropriated	16,825	+27,500	44,325
<b>EXPENDITURES – SOLID WASTE FUND</b>				
327500.2100	Yard Waste Remov	25,000	+27,500	52,000

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

**(2) Memo 15-58 – Minimum Housing Code Enforcement – 2215 Panola Street File No. 15-01**

Councilman Jenkins introduced and moved the adoption of an ordinance entitled

ORDINANCE NO. 15-10  
AN ORDINANCE ORDERING THE BUILDING INSPECTOR OF THE TOWN OF TARBORO TO EFFECTUATE THE PURPOSES OF ARTICLE II OF CHAPTER 9 (“MINIMUM HOUSING STANDARDS”) OF THE TOWN CODE AS TO THE BUILDING AT 2215 PANOLA STREET IN THE TOWN OF TARBORO, NORTH CAROLINA OWNED BY DONALD FREEMAN.

which motion was seconded by Councilmember Ruffin and passed unanimously. The Ordinance is recorded in Ordinance Book Number 11.

**(3) Memo 15-59 – Resolution – Disposal of Fixed Assets**

Councilmember Jordan made a motion, which was seconded by Councilman Jenkins and passed unanimously, that Council approve the Resolution, attached at page 72-105c, for disposal of the asset attached at page 72-105d.

**(4) Memo 15-60 – Resolution – NC Governor’s Highway Safety Program**

Councilman Woodard made a motion, which was seconded by Councilman Knight and passed unanimously, that Council approve the Resolution, attached at page 72-105e, authorizing Town officials to execute all documents pertaining to this safety program.

**(5) Memo 15-61 – Grant Agreement and Budget Amendment – Urban and Community Forestry Grant**

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

BUDGET RESOLUTION  
TOWN COUNCIL OF THE TOWN OF TARBORO  
August 10, 2015

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TARBORO, NORTH CAROLINA, that the 2015-2016 Fiscal Year Budget be amended by amending Revenue and Expenditure line items as follows:

Account No.	Account Name	Current Budget	Amt of Change	Revised Budget
-------------	--------------	----------------	---------------	----------------

<b>REVENUES – GENERAL FUND</b>				
103480.3310	Urban & Comm Forest Gr	0	+5,000	5,000
103480.3311	Town Common-Rotary	0	+5,000	5,000
<b>EXPENDITURES – GENERAL FUND</b>				
104900.8310	Town Common Proj	0	+10,000	10,000

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

**7. OTHER REPORTS**

**A. Town Manager**

The Town Manager congratulated Anne Mann, Finance Director, on receiving the award in Financial Reporting in Excellence for 2014.

Councilman Shephard acknowledged that the revenues were more than expenditures for the first time and he expressed appreciation to Anne Mann.

**B. Town Attorney**

The Town Attorney stated that after researching Public Records laws, his professional opinion was that Town employee’s time sheets were public record.

**C. Mayor**

The Mayor thanked Council for allowing the meeting to run smoothly.

**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** – requested a solid waste container be delivered to 613 E Wilson Street. She explained that the residence was vacant for over a year before the tenant moved in and the trash can was not at the residence. Councilmember Jordan said the tenant was told she would have to purchase a new container. Troy Lewis informed Councilmember Jordan of the policy regarding solid waste containers and informed her that the resident would be responsible for purchasing a new container or requesting the landlord purchase the container.

**Ward 7 – Councilman Knight** – None

**Ward 8 - Councilman Shephard** – asked why the Police Department was planning to order SUV’s over sedans and when would this matter be presented to Council for approval. Councilman Shephard was informed that Council would not have to approve the purchase if the purchase policy was followed. Councilman Shephard also questioned why the figures presented did not match on the spreadsheet.

Councilman Woodard made a motion, which was seconded by Councilman Knight that Council accept the Police Chief’s recommendation for the purchase of new SUV police vehicles. Councilman Shephard stated that the item was not added to the agenda therefore action should not be taken.

Councilman Knight made a substitute motion, which was seconded by Councilman Woodard and passed by a 7 to 1 vote, that the Police Chief correct the figures and present at the September meeting. Councilmembers Jordan, Ruffin, Hull, Jenkins, Burnette, Woodard and Knight voted for the motion. Councilman Shephard voted against the motion.

The Mayor called for a 5 minute break at 8:02 pm.

**8. CLOSED SESSION – GS 143-318.11(a)(6)**

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

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

Councilman Knight made a motion, which was seconded by Councilmember Jordan and passed by a 5 to 3 vote, that Council amend the Town Manager’s contract to include a six (6) month severance pay should the Manager’s contract be terminated. Councilmembers Knight, Jordan, Woodard, Hull and Ruffin voted for the motion. Councilmembers Burnette, Shephard and Jenkins voted against the motion.

Councilmembers expressed concerns and questions. Councilman Jenkins called for question.

Councilman Woodard made a motion, which was seconded by Councilmember Jordan and passed by a 5 to 3 vote, that Council renew the Town Manager’s contract for one (1) year. Councilmembers Knight, Jordan, Woodard, Hull and Ruffin voted for the motion. Councilmembers Burnette, Shephard and Jenkins voted against the motion.

The Mayor informed Council that the NCEMPA asset sale was finalized and Council could now move forward on a rate decrease. Council was presented with a few proposals including a 10% and 12% rate decrease to consider. The Mayor and staff suggested a 10% decrease and create a rate stabilization fund for the difference. The decrease would be presented to the Consultant for further study and would be presented to Council at a

Special called meeting. Councilman Woodard made a motion, which was seconded by Councilman Knight and passed unanimously, that Council send the proposed 10% decrease with rate stabilization fund to a Power Services Consultant.

#### **9. ADJOURNMENT**

Councilmember Knight made a motion, which was seconded by Councilmember Ruffin and passed unanimously, that the meeting be adjourned.

---

Rick Page, Mayor

---

Leslie M. Lunsford, Town Clerk