

**HAMLET CITY COUNCIL REGULAR MONTHLY MEETING
COUNCIL CHAMBERS ROOM
201 MAIN STREET, HAMLET, NC 28345
TUESDAY, MAY 10, 2022
7:00 PM
MINUTES**

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 Attorney	TC Morphis
City Manager	Matthew Christian
City Clerk	Gail Strickland
Police Chief	Dennis Brown

Others Present: Danielle Diggs, Angela C. Bruton, Scottie Bethea, Capricia Griffin, Tavares Bostic, Rosa Johnson, Willa Bonds, Quindell Griffin, Tyronda Leak, Mary McLaurin, Everette Stroman, Jr., Willie Baldwin, Howard Wallace, Gerard A. Morrison, Howard Taylor, Diana Reid, and Mercedes Taylor

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 #14A, Proclamation – Older Americans Month. Council Member Sellers provided the second. The vote was 5-0.

4. Approval of Minutes

Minutes from the April 25, 2022 Meeting were approved by motions of Council Members Martin and Stuart. The vote was 5-0.

5. Comments from Attendees

Mr. Willie Baldwin spoke to Council with concerns of illegal activity at Washington Court. Mayor Bayless asked Police Chief Dennis Brown to discuss some of the new initiatives in the neighborhood. The Chief thanked all that were in attendance. He provided detailed information on changes that have been made and will be made in the Hamlet Police Department to address the problems of violence in the community. Hamlet City Council has increased police salaries, allowing the City to retain officers and hire additional officers. The Department now has reports of locations and times of criminal activity and officers will be placed accordingly. Chief Brown discussed the purchase of cameras, using video for facial recognition and software used to obtain information on cell phones that links individuals to crimes. The

Chief stated the Hamlet PD is partnering with local police departments and the state, using the SBI more and Federal Marshalls. He discussed code violations and going after the property owners with fines. Council Member Sellers inquired on nuisance and noise violations. The Chief replied arrests could be made as long as it falls in the Statutes. He provided information on the police personnel's duties and having to prioritize them. Council Member Stuart thanked the attendees and stated he shares the same sentiments. He asked the residents to take the Chief's business card and call him to report activity. He said Council will not give up, they will lock people up, abiding by the rules; he asked them not to give up. Chief Brown provided information on forming a Community Watch in the neighborhoods and encouraged those in attendance to begin one and, if they have the ability, to install a Ring Doorbell or something similar that will record the activity in front of the houses. Chief Brown provided business cards with his contact information. Mayor Bayless encouraged the citizens to call 911 when needed.

Ms. Tyronda Leak asked the Chief how often the police come into the community to interact with the citizens. The Chief provided information on an upcoming event with Food Truck Friday, an Open House that is planned and the Police Advisory Committee. He encouraged the attendees to visit the Police Department's Facebook page, Instagram, and Twitter for information.

Council Member Stuart said the City will make improvements to getting information out for the public. He informed the attendees Ms. Leak lost her son, this year, to gun violence. Mayor Bayless encouraged everyone to start their community watch programs and sit down with their neighbors to talk about the issues. The Police Chief agreed they need to do a better job of informing the public. Council Member McQueen suggested adding the information to the water bills. Mr. McQueen stated the Police Chief has the experience, knowledge and people needed to make the changes. Council has given the Chief the approval to do what is needed, locking people up to get them off the street. He feels that things will change, but the residents are living it now. He commended the people for coming to the meetings and speaking out, saying they want help. Council Member McQueen asked the Attorney if a tenant notifies the police that the persons on their property creating noise are their guests, can they be charged with aiding and abetting to help solve some of the problems now. Mr. Morphis replied there are things that can be done to get assistance from the renters. Mr. McQueen said the Chief is talking about directive patrol, putting officers in the area and police zones to help with the problem. He said not all areas of Hamlet are dealing with the same situation as the attendees and added, the people that are causing the problems do not live in the area. Council Member Sellers stated if they are given the problem, it is Council's duty to solve the problem.

Mr. Howard Wallace, resident of Pine St., encouraged the Chief to have a police presence in the area and stated the practice of placing an empty police car in the area has been beneficial. Chief Brown advised the Officers are mandated to do their reports in high crime areas.

Mr. Gerard A. Morrison provided information on 2 Voters' Education and Candidate's Forums at the Hamlet Senior Center. He discussed possible grants and programs from the Department of Justice for the Police Department. Mr. Morrison felt many crimes are crimes of poverty and did not think you should just lock them up. He gave a recommendation for the rezonings of Everette Stroman and Danielle Diggs that would be considered later in the meeting. Mr. Morrison stated if cameras were used by the police department it could create privacy invasion issues. He stated if cameras were placed on one side of town, he wanted them on every side of town. He told Council to stop acting like race and ethnicity does not exist. Also, reported by Mr. Morrison was the Animal Control Vehicle speeding on Charlotte St. He requested to have the speedbumps back on his street and for the tint on police cars to be removed so the officers could be identified. He discussed a comment he said was made by Council to the

attendees. Mr. Morrison said it sounded hierarchical when they said, "you all need to go to your communities and fix this". Council Member McQueen responded that no one made that statement; they said buy in and help. Mr. McQueen told Mr. Morrison, when he said something, it needed to be accurate. Mr. Morrison responded it was. Council Member McQueen answered no one said for anybody to go fix the problem. Mr. Morrison asked the audience if they felt Council said for them to go fix the problem. Mr. McQueen asked the audience to answer, and stated Mr. Morrison's misrepresentation was a shame. Ms. Leak responded she did not see it as bias, Council said everyone needs to work for their community. Council Member McQueen clarified, when he said to lock them up, he was referring to the criminals, where they are shooting people. He added there are a lot of crimes in poor areas, but at some point, you have to arrest people to stop the problem at the moment. Mr. Morrison said he wanted to make sure when they are arresting, it is going fairly across the board. Council Member Sellers asked Mr. Morrison if he wanted it fairly for all communities or just one. Mr. Sellers said as far as he knew, all are being treated fairly and if you commit a crime, you get arrested. Mayor Bayless advised Mr. Morrison that normal time for comments was 5 minutes; his time had been extended. The Mayor asked him to make his point. Mr. Morrison discussed the need to have historical sites in the City's upcoming Comprehensive Plan; he wants to be included in the planning. Mr. Morrison stated he wanted to channel the energy into a positive track. He stated his comments were not personal; he wants people to know they can come to the Board. Council Member Covington responded to comments made by Mr. Morrison. She said the Police Chief pointed out that limited resources have only allowed the City to invest in 4 cameras. He has done his best to analyze areas, and the citizens in the neighborhood have requested help with the crimes. She added, when allocating the limited resources to help the people that are saying they need the help, it is not to target anyone; it is to help people that are saying they want the help. Concentrating the cameras in those areas is not doing anything wrong racially. She said when Mr. Morrison takes the comments of Council and turns it into an issue of Council targeting a community, based on what he perceives as prejudice on their part, he needs to talk to the people that have come to Council every month for help. They will tell you they appreciate the effort they have received. Mr. Morrison agreed and stated he was speaking for the people that would not speak for themselves. He said his comments on targeting were proactive, he has seen where it can go. Mrs. Covington replied this conversation was from a community member coming to Council, asking for assistance with their neighborhood. She explained Council and the Police Chief have acknowledged a problem and are trying to address it. Mr. Morrison discussed the need for Council to have districts, so each Board Member is accountable for that district. Council Member Sellers inquired what Mr. Morrison's comments about districts has to do with the problem of protecting the citizens; he asked if he had tried to start a community watch. Mr. Morrison's response was to ask Mr. Sellers if he had started a community watch. Mr. Sellers replied if the problem was in his neighborhood, he would be proactive and do whatever he could to help. Mayor Bayless, using his gavel, advised Mr. Morrison his comments had been heard and he had been given an extended time to make his remarks.

Mary McLaurin, a resident of Bridges St. requested the police patrol more at night in her neighborhood.

Chief Brown spoke again, reiterating his previous comments. He said his Department has identified violent, repeat offenders. He gave an example of a recent incident where 54 rounds were fired, mostly AR15s. The Chief added it will take cameras and people to help solve the problems. He reported the Manager has given approval for an annex office in the South Hamlet area. Mayor Bayless advised Council is aware of the issues. He asked the citizens to call and report the activities and encouraged them to start a community watch.

Mayor Bayless summarized the Public Comments by saying the people have come and presented their issues. They have found out that Council is aware of the problems, and they are working on it along with the Police Chief. He advised they were informed to contact Chief Brown to report activity and given the recommendation to form a Community Watch in their neighborhood. They can meet with the Hamlet Police Department to get information on starting the Community Watch. Mr. Bayless invited the attendees to come back to the meetings.

Ms. Mercedes Taylor addressed Council to discuss the Treatment Center on Hamlet Avenue. Mayor Bayless informed her the Public Hearing would be later in the meeting, and she could make her comments at that time.

Ms. Diana Reid, a resident of Charlotte St., discussed speeding on her street in the mornings and evenings. Chief Brown responded he is sending an officer to work traffic at the location. Council Member Sellers stated anyone that is caught speeding should pay the fines. Council Member McQueen asked the Manager to check on "Children at Play" signs for the street.

New Business

6. Public Hearing #1 – Rezoning Bethea Property

Mayor Bayless announced Scottie and John Bethea have filed a Rezoning Petition for their property located at 509 W. Hamlet Avenue. Ms. Danielle Diggs would like to operate a Mental Health and Substance Abuse Private Counseling Practice at the location. The property is currently zoned Residential – 6 (R-6). The Zoning Ordinance permits the use of rehabilitation or counseling services in the Office and Institutional (O-I), Central Business (B-1) and General Business (B-2) zoning districts. The Mayor opened the floor to the Public Hearing. Ms. Danielle Diggs, owner of Overflow Counseling and Consulting, spoke to the Board, saying her idea is to have a home-like atmosphere for her clients. She will treat one patient at a time and group sessions will be less than 5. She referred to statistics given to Council in her packet of information. Mayor Bayless inquired why the rezoning request was for General Business and not Office and Institutional. He asked Gail Strickland if the use was permitted in O&I Zoning. She confirmed and stated the request was for B-2 due to other B-2 zoned parcels further up the street. Council Member McQueen asked the City's Attorney if rezoned, and the Counseling Service closes, could it become an in-patient treatment center. Mr. Morphis explained, if rezoned, any other business that is permitted in the zoning district would be allowed. Council discussed that O&I Zoning is more restrictive. The City Manager read comparable uses of B-2 and O&I zoning districts. He added B2 is a much broader use district. Council Member Stuart commended Ms. Diggs for her efforts but stated his first obligation is to his constituents. He has received several calls with concerns of traffic, drugs, and a decrease in the value of the surrounding homes. Council Member Covington suggested there may be a more appropriate zoning district, such as O&I; it would not be as laborious to the people in the neighborhood. Council Member Sellers inquired if the house was Ms. Diggs' personal residence. She advised she does not live there presently. Council Member Martin thought her plan was a good idea, but the rezoning would allow other uses that would be detrimental to the neighbors. He was opposed to the rezoning and felt it would be better served in a more appropriate location.

Ms. Tyronda Leak offered support of the rezoning, calling attention to the previous discussion of drug activity, crimes, and anxiety from COVID. Council Members Sellers and Covington responded it was a good plan but needed a better location. Ms. Covington suggested the O&I zoning district may be a more appropriate zoning; it was not nearly as broad with uses and would be a permitted use. The Mayor commented it would be spot zoning. Mrs. Covington added spot zoning is illegal.

Tavares Bostic, speaking in support of the rezoning, asked if Council was in support of small business, small black businesses, and mental health, how could they not support the rezoning. Council Member Covington suggested O&I may be a better zoning district for the use. He inquired if Council was saying she would have to come back with another Rezoning Request to O&I and if Council would approve it. Mayor Bayless stated they were not saying that. Mrs. Covington replied the change in the rezoning request would go back to the Planning Board. Mr. Bostic asked what zoning classification Ms. Diggs was applying for now. Council Member Covington answered B-2, which is spot zoning on this particular lot. He asked what zoning district she needed to apply for. Mrs. Covington responded Office and Institutional. The City Manager explained the question before the Board is not do we want to allow this specific business at this specific location; the question for the Board is if this property identified by the materials in the application is appropriate to be rezoned to another zoning district. It has little to do with the specific business, although important. Everyone agrees it is a needed service in our County. The question for the Board is if rezoning this one property among residential zones is appropriate and consistent with the development in our community. Mr. Bostic asked for the zoning of the properties mentioned during Public Comments. Mr. Christian responded the map in the packet has the zoning of the surrounding properties. Mayor Bayless mentioned the properties that were zoned business and reported all abutting properties to the parcel requesting rezoning were all residential. Mr. Bostic inquired if the daycare and dental office had discussions of their businesses moving. Mayor Bayless explained the daycare is zoned residential and is a permitted use in that zoning classification. Council Member Sellers stated the issue is not about Ms. Diggs or her qualifications, it is about the rezoning. Mr. Bostic asked for clarification if Ms. Diggs reapplied with the request to O&I and went back through the process if the Board would approve. Council Member McQueen asked the City Attorney, if the rezoning, as presented, would it be spot zoning. The Attorney provided information on spot zoning; it is a group of uniformly zoned properties that has a small tract of land rezoned into something different that provides either additional opportunities or reduces opportunities for the person on that property. He thinks this would be spot zoning. In NC, you can have legal spot zoning, but there needs to be an explanation of why it is there. Council would need to provide a reason that it was rezoned. He felt rezoning to B-2 or O&I without providing a justification of why it should be there would be opening Council up to a challenge of illegal spot zoning. Mr. Bostic commented that the Attorney was saying the rezoning could happen. Mr. Morphis stated there would have to be a reason that it was there; the discussion would need to be on the record. Mr. Bostic inquired if the discussion at the meeting could be the reason for the use to be there. The Attorney stated that would be up to Council. He said, referring to the City Manager's comments, this is a general district rezoning, so Council needs to determine if it is appropriate there. The guiding principle is that rezoning is for all the uses permitted in the Table. Mr. Bostic stated the emphasis seems to be if Ms. Bostic will leave the property if rezoned. Council Member McQueen explained he did not mean if she leaves the area, but if she outgrows it and needs a larger space. If the parcel is rezoned to B-2, it could become an issue. Mayor Bayless stated the concern is spot zoning. Council Member Covington added it is the process that is creating the problem.

Ms. Angela Bruton asked for clarification that if Ms. Diggs applies for the O&I rezoning, she would be allowed to have her business. Mayor Bayless stated the O&I rezoning was a suggestion, they had not determined it would be approved. Ms. Bruton gave her support of the rezoning, saying that she works with children that need the treatment. She thanked the Police Chief for his comments and information.

Council Member McQueen stated he is not for the B-2 rezoning, but he would look at the O&I and make a decision based on the advice of the Attorney; it may meet the requirement of a legal spot zoning.

Mr. Gerard Morrison inquired on the prior zoning of the former Central Offices for the School System, now LaCabana and Kona Ice. The City Manager responded the Central Offices were rezoned to B-2. Gail Strickland responded she did not have the information with her. Council Member McQueen and Mayor Bayless both explained the difference is those properties are abutting other businesses. Mr. Morrison did not think Kona Ice was abutting businesses. He expressed concern of Ms. Diggs having to come back and pay another \$300 for the O&I rezoning application.

Ms. Scottie, Bethea, mother of Danielle Diggs, reported 3 half-way houses are in the area. The Attorney advised, under NC law, group homes are allowed in residential districts.

Ms. Mercedes Taylor came to the podium and complimented Ms. Diggs on her vision. She felt that a house atmosphere was a matter of aesthetics, it could be created in a place with proper zoning. She had concern of the level of clientele and the impact the service would have on the community.

Ms. Diana Reid inquired if the patients would stay overnight. Mayor Bayless confirmed they would not. Ms. Reid had concerns of her safety. Her house is behind 509 W. Hamlet Ave.

With no further comments or questions, the Mayor closed the Public Hearing.

7. Consistency Statement and Decision – Bethea Rezoning

Council Member McQueen motioned the rezoning to B-2 was not consistent with the Zoning Ordinance. Council Member Sellers provided the second. The vote was 5-0. Council Member McQueen provided the motion to deny the rezoning as presented for B-2 zoning. Council Member Sellers offered the second. The vote was 5-0.

8. Public Hearing #2 – Rezoning Stroman Property

The Mayor announced the second rezoning is for 104 Bridges Street. Mr. Everette Stroman, Jr. wishes to operate an automobile towing and storage business at the location. The Mayor opened the floor to the Public Hearing. Mr. Stroman explained he wants to rezone the property for a vehicle storage yard for his towing business. He plans to get on the City's wrecker rotation.

Ms. Mary McLaurin asked for the type of business he would operate. Mr. Stroman said he would tow burned, wrecked, and abandoned cars to the location. After 10 days, the State will notify the owner. If not picked up in the allowed time frame, the State will give him the rights to sell the car. Ms. McLaurin had a concern of her property decreasing in value. The Mayor answered it would not and everything is currently zoned I-1 on 1 side of the street.

Council Member Covington inquired if this would be considered spot zoning. The City Manager advised that the area has several zoning classifications: business, industrial and residential. Mr. Morphis added the area is not uniformly zoned.

Ms. McLaurin inquired on security at the business. Mr. Stroman answered he would have a camera or alarm.

With no further comments or questions, the Mayor closed the Public Hearing.

9. Consistency Statement and Decision – Stroman Rezoning

Council Member McQueen motioned the rezoning to B-2 was consistent with the Zoning Ordinance. Council Member Sellers provided the second. The vote was 5-0. Council Member Martin provided the motion to approve the rezoning. Council Member Covington offered the second. The vote was 5-0.

10. Audit Contract

Council Member Covington motioned to approve the Audit Contract in the amount of \$18,750.00. Council Member Stuart provided the second. The vote was 5-0.

11. Consideration of Ordinance 2022-01 and Resolution 2022-05 – Grant Project Fund – WWTP Expansion

The City Manager explained the Ordinance is for a Special Fund for the WWTP Expansion Project that will run multiple fiscal years. It puts the \$17,569,000.00 in a separate fund for accountability and also the money will not turn over with the normal fiscal year. Council Member Stuart motioned to approve the Ordinance. The second was offered by Council Member McQueen. The vote was 5-0.

Mr. Christian advised the Resolution is a Declaration of Official Intent to Reimburse. It is saying the City will spend its own money until the point the grant money is received, and the City will reimburse itself. Council Member Covington motioned to approve the Resolution. Council Member McQueen provided the second. The vote was 5-0.

12. Approval of Tax Releases

Mayor Bayless gave the amount as \$842.33. Council Member Stuart motioned to approve the Tax Releases. The second was provided by Council Member Covington. The vote was 5-0.

13. Budget Amendments May 2022

The Manager explained, after the last Work Session, he went back to Staff to get a list of items that could be reasonably purchased and received in this current, fiscal year. The items that Staff provided are presented in the Budget Amendments. It shows Fund Balance Appropriations covering the expenditures from our existing Fund Balance; however, whether or not the Fund Balance will be utilized will be determined at the end of the year, depending on our financial position. Council Member Sellers motioned to approve the Budget Amendments. The second was provided by Council Member Covington. The vote was 5-0.

14. Consideration of Council Meeting Time Change

Council Member Covington motioned to approve the Meeting Calendar, changing the regular Council Meetings to 6 pm. The second was provided by Council Member Sellers. The vote was 5-0.

14A. Proclamation – Older Americans Month

The Mayor read the Proclamation.

Other Business

15. City Manager's Reports

City Manager Matthew Christian welcomed Axe to Grind, Bisque Quick and Nerdy Collective to the downtown area. He announced dates for Food Truck Friday and events with the Hamlet Depot and Museums. Also announced was the closing of City offices May 30th for Memorial Day with no change in the garbage schedule.

16. Comments of Council

Council Member Martin suggested the City advertise the July 4th festivities each week, until the event, with a special promotion offered by the Richmond County Daily Journal.

Council Member Sellers thanked all the citizens that attended the meeting and offered their views. He encouraged others to come.

Council Member Covington stated she enjoyed the meeting, enjoyed hearing the citizens' opinions. She announced the Primary Election is May 17th and Early Voting ends May 14th. She advised the City of Hamlet has been severely affected in 2 issues in the last 2 years coming from the County Commissioners. Because of decisions made by the Commissioners, the City is constantly struggling, financially, and the County also rezoned a property, outside the City, and allowed it to be a trash dump. Mrs. Covington stated if the citizens of Hamlet want to protect their community, the sustainability and viability of their community, it is their obligation to vote. She said this applies to every community in Richmond County.

Council Member McQueen reiterated Mrs. Covington's comments, saying it is time to put the people in the County Commissioner's seats that will help Hamlet and other municipalities. He thanked the people that came to the meeting to voice their concerns. To the ones that have attended multiple times, he said it was his commitment, Council's commitment, and the Police Chief's commitment to make sure we have safe communities. He said it will be done by enforcing the laws we have. Mr. McQueen clarified that the entire time the City had the 4 Tsunami cameras, 2 were placed on each side of Highway 74. He added that the Police Chief's comments tonight were a good example of directive patrol; you identify a problem through feedback from the community and you issue a solution in that direction.

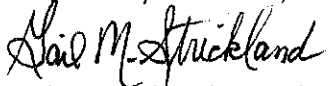
17. Mayor's Comments

Mayor Bayless expressed appreciation for the people that came to the meeting and provided information about what the City is doing. He was also appreciative the City is in the process of getting things done. The Mayor thanked Mr. Morrison for what he does in the community. He wished everyone a wonderful Memorial Day and encouraged all to vote.

18. Motion to Adjourn

At 9:30 pm, Council Members Covington and McQueen provided the motion and second to adjourn the meeting. The vote was 5-0.

Respectfully submitted,



Gail M. Strickland, City Clerk

