

TOWN OF PLYMOUTH MEETING MINUTES
APRIL 11, 2022 – VIA COUNCIL CHAMBERS AND ZOOM
7:00 p.m.

I. CALL TO ORDER – Mayor Vershumn Hawkins – 7:00 p.m.

The Mayor opened the meeting and welcomed all attendees that were in person and via ZOOM. Mayor Hawkins called the meeting to order and then asked the Town Clerk to proceed with a Roll Call:

PRESENT	ABSENT	COUNCILMEMBER
X		Councilwoman Brooks
X		Councilman Arnold
X		Councilwoman Byers
X		Councilwoman Teel
X		Councilwoman Williams
X		Councilman Wobbleton
X		Mayor Hawkins

The opening prayer was offered by Councilman Wobbleton, followed by the Pledge of Allegiance led by Mayor Hawkins.

II. APPROVAL OF AGENDA

Mayor Hawkins asked the Council if they had any changes to the agenda. There being no changes, Councilman Wobbleton made a motion to approve the agenda with a second by Mayor Pro-Tempore Brooks. A roll call vote was taken. Motion passed 6-0.

III. PUBLIC HEARINGS

- A.** Public Hearing/Discussion/Consideration of an Agreement between the Town of Plymouth and Water Street Development, LLC for the Private Sale of Property owned by the Town at 104 & 106 W. Water Street, 108 W. Water Street, and 112-114 W. Water Street

Mayor Hawkins opened the Public Hearing A. Mr. Wayne Price spoke of his concerns in objection to the sale. There being no one else that signed up to speak, Mayor Hawkins closed Public Hearing A.

- B.** Public Hearing/Discussion/Consideration of a Zoning Text Amendment adding Event Venues and Recreational Goods Rentals as Permitted Uses in the C1 Central Business District

Mayor Hawkins asked Mr. Carlton Gideon of the Mid-East Commission to expound upon the item first so that the public would understand the topic. The amendment will define an Event Venue as a facility specifically used for hosting private events including but not limited to wedding receptions, parties, and business retreats. Recreational Goods Rentals is defined as a brick-and-mortar business that rents recreational goods on site, including bicycles, boats, canoes, jet skis, kayaks, and similar recreational equipment. Such an establishment would require a physical presence in the C1 Central Business District. At the end of Mr. Gideon's explanation, Mayor Hawkins opened Public Hearing B. There being no public comment, Mayor Hawkins closed Public Hearing B.

C. Public Hearing/Discussion/Consideration of a Zoning Text Amendment adding Short-Term Vacation Rentals as Permitted Uses in all Residential Districts and adding a One Space Parking Requirement for each Bedroom to be Rented

Mr. Carlton Gideon explained that this town-initiated amendment would allow Short-Term Vacation Rentals as a permitted use within all residential districts, basically like an Air BNB. He further explained that Short-Term Vacation Rentals are furnished residential properties available for rent which do not fall under the Ordinance's other described types of lodging, including bed and breakfast inns, hotels, motels, tourist homes, boarding houses, and rooming houses, all of which are more commercial in nature. The proposed use would be permitted by right with supplemental regulations described in proposed Section 153.094 ("Short-Term Vacation Rentals"). This includes a maximum length of stay requirement of less than one month, a noise requirement that adjacent land uses shall not be disrupted, and a minimum age of renter requirement of twenty-one years. Furthermore, a parking space requirement defined in Section 153.131 ("Parking Space Requirements") is proposed. A Short-Term Vacation Rental shall provide one space for each bedroom to be rented. Extensive discussion by Council that included code enforcement, parking, insurance, and safety took place. Mayor Hawkins then opened the Public Hearing, and with no input from the Public, closed it. After additional questions and discussion by the Council, a motion was made to table the item for further investigation for 90 days by Councilwoman Williams with a second by Councilwoman Teel. A roll call vote was taken. The motion passed 6-0.

D. Public Hearing/Discussion/Consideration of Zoning Ordinance and Subdivision Ordinance Amendments for Compliance with North Carolina State Law 2019-111 (160D)

Mr. Carlton Gideon explained that North Carolina State Law 2019-111, Part II created Chapter 160D and repealed previous development regulations for local governments. The new chapter combines city and county-enabling

statutes in an effort to make them easier to follow and understand. Primarily consisting of sections from Chapter 160A (cities) and 153A (counties), it also consolidates development-related statutes from other chapters and reorganizes them into a more logical order consisting of fourteen articles. Along with updated language, cities and counties are given similar procedures and definitions for development regulations. There are also some minor substantive changes, but there are no major policy changes. He explained that updates for 160D compliance are required for any local government with development regulations affected by the new statutes. Interim Town Manager Layton explained that this amendment is a long overdue housekeeping matter. Mayor Hawkins asked if the Council had any questions. There being no questions, Mayor Hawkins opened Public Hearing D. There being no comments, Mayor Hawkins closed Public Hearing D. A motion was made by Councilwoman Williams to approve Zoning Text Amendment Ordinance 2022-03 with a second by Councilman Wobbleton. A roll call vote was taken. The motion passed 6-0.

Mayor Hawkins then asked Council about moving forward with the Agreement between the Town and Water Street Development, LLC. A suggestion was made by Councilwoman Byers to table the item for 30 days, Attorney Isenberg suggested that the Council speak about the matter in closed session. A motion was made to amend the agenda to add Closed Session by Councilwoman Williams, with a second by Councilwoman Byers. A roll call vote was taken. The motion passed 6-0

IV. PRESENTATIONS TO COUNCIL

A. MR. WILLIE DRYE, WASHINGTON COUNTY WATERWAYS ASSOCIATION, REGARDING AN APPLICATION TO THE NATIONAL PARK SERVICE TO HAVE THE LIGHTHOUSE PARK AREA LISTED IN THE NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM PROGRAM (NTF)

Mr. Drye was welcomed to the podium by Mayor Hawkins. Mr. Drye provided an overview regarding an application to the national Park Service to have the Lighthouse Park Area listed in the National Underground Railroad Network to Freedom Program (NTF). Mr. Drye explained why and how he believes that Plymouth, because of the Town's history, can be recognized for this designation. After Mr. Drye's presentation, a motion was made to authorize the listing of the Lighthouse Park Area in an application to the National Underground Railroad Network to freedom Program by Councilwoman Williams with a second by Councilman Wobbleton. A roll call vote was taken. The motion passed 6-0.

B. Mr. Tom Harrison, Overview of the Washington County Historical Society, and the Port of Plymouth Museum

Mayor Hawkins welcomed Mr. Tom Harrison to the podium. Mr. Harrison then expressed his excitement regarding various projects that are taking place in the Town. Mr. Harrison gave an overview of the Port of Plymouth Museum's history. He spoke about the Civil War, African American, and Naval history as it relates to the Museum. Mr. Harrison reported that the Museum has a new curator, Mr. Scott Liverman, as well as plans for an intern that will be specifically tasked to researching African American history.

V. PUBLIC COMMENTS

Mayor Hawkins asked the Clerk if she had been contacted by any citizens to request to speak to Council. The Clerk responded that Mr. Ken Mallard requested to speak. Mr. Mallard was invited to the podium and provided two sets of petitions. One petition was in reference to the removal of two sets of speed humps on Golf Road. The other petition was in reference to change the 15 m.p.h. speed limit. After the Council listened to Mr. Mallard, Mayor Hawkins closed out the Public Comments section of the meeting.

VI. DEPARTMENT REPORTS

1. Financial – The Finance Officer presented the report for the period ending March 31, 2022:

	Budgeted	Expenses	Variance
General Fund (10)	\$3,124,734.00	\$2,085,201.85	\$1,039,531.84
Water Fund (61)	\$1,417,219.00	\$993,260.51	\$423,958.49
Sewer Fund (62)	\$1,009,103.00	\$668,414.95	\$340,688.45
Solid Waste Fund (66)	\$582,500.00	\$413,426.23	\$169,073.77
Stormwater Fund (67)	\$110,000.00	\$74,374.69	\$35,625.31

2. Tax/Utility Collections. Ms. Nadine Moore reported: 1408 utility bills were mailed on March 29, 2022 with a due date of April 18, 2022. The amount billed was \$223,890.48. 1223 payments were received for a total of \$170,859.27. 71% of customers paid on time and 29% did not. 66 payments were received for property and vehicle taxes in the amount of \$51,818.48.

Delinquent tax payments covering the period of 2015 – 2021 were in the amount of \$471,333.20.

3. The Director of Public Works reported:

- On-going projects: WWTP Grit Removal Lift Station: Installation is complete and the project close out is in process. CDBG: The SCADA server installation is expected to be completed in late April. The Town is waiting on Dominion Power to install the water tower sensors. The heat strips have been installed in the wells. AIA Water Line: The engineer is still reviewing the report and updating the fire hydrant book. Domtar Restrooms: The Town is still waiting for approval from Domtar Trustees. HMGP (FEMA) – Generators: Close out is still in process. Convenience site: Staff continues to research cost, possible locations, and grants.
- Streets:
 - Installed speed limit signs on Gurkin Lane and Carolina Avenue
 - Mowing of right of ways
- Building & Grounds:
 - Started mowing town properties
- Water: No leak repairs
- Sewer: Cleared out blockages:
 - 529 Monroe Street (x2)
 - Food Lion manhole
 - 200A Sterling Drive
 - 104 Luvera Street
 - 207 Roanoke Avenue
 - 205 Winsett Circle
 - 203 Brinkley Place
 - 207 Winsett Circle
 - 518 Monroe Avenue
 - Replaced broken line at 115 Jackson Heights Drive
 - Flushed the main line in front of Plumblee Court
- Pump Stations:
 - Both pumps are out for repair on Jefferson Street – running on by-pass pump
- Sanitation
 - Picking up trash piles around Town

Public Works Director Wright explained to Council that limbs and leaves will not be picked because the landfill is in the process of grinding the limbs and leaves that are already there in order to make room for more.

4. Code Enforcement Officer Dennis Brown reported:

- Move Outs – One move out. The landlord cleaned it up.
- Dilapidated Houses – Three dilapidated properties are in the process of being demolished
- Abandoned Vehicles – Four notices were sent out and three vehicles have been removed.
- Grass and Weed Nuisance – Three complaints were received with two positive responses. The other complaint is still under investigation.
- House Nuisance – Five complaints were received. After investigation, the property managers and homeowners abated the nuisances.
- Ordinance Complaints – Four complaints were received, and one is still under investigation. Staff continues to concentrate on dilapidated and nuisance properties. Staff is also preparing for a Spring Clean-Up to take place on April 23rd.

The Mayor and members of Council commended Code Enforcement Brown regarding the demolition of the trailer located on Wilson Street.

5. Police Department – Chief Williams reported that an officer had been recently hired and sworn in. He then reported that the necessary paperwork for installation of the cameras has been completed and installation will soon begin. Mayor Pro-Tempore Brooks questioned Chief Williams about the statement Mr. Mallard made about non-functional radar equipment during his Public Comment. Chief Williams stated that the information given by Mr. Mallard was incorrect. He further stated that the State of North Carolina mandates that all radars must be calibrated and certified. Mayor Hawkins asked Chief Williams' recommendation about the speed bumps on Golf Road. Chief Williams handed out pictures of the specific areas in question for the Council to review and explained why he strongly recommended that the speed bumps and speed limit be kept in place. Captain Phelps was also in attendance and reported that there are presently two officer that are radar certified. He further explained that any officer that has not been certified to use a radar could lose their police certification and would no longer be able to practice in law enforcement. It was made clear to the Council that both the officer and the equipment must be certified and that the Town of Plymouth's Police Department is in compliance.
6. Fire Department - Chief Timothy Miller reported that fortunately last month was a slow month. He stated that the Department continues to work on the paperwork in preparation for the June ISO inspection as well as a celebration for the Department's 100th year anniversary.
7. Museums

Interim Town Manager Layton introduced Mr. Tad Howington who gave a report on the current and upcoming initiatives for the Maritime Museum.

Interim Town Manager Layton reported that Mr. Liverman, Curator of the Port o' Plymouth was not in attendance; however, a report was submitted to the Council in its agenda package.

Mayor Hawkins requested a five minute recess at 9:16 p.m. The meeting returned to order at 9:23 p.m.

VII. CONSENT AGENDA

The Consent Agenda contained:

- A. Approval of Minutes from the March 14, 2022, Town Council Meeting
- B. Resolution 2022-05, a Resolution of the Town Council of the Town of Plymouth, North Carolina, approving the 2021 Local Water Supply Plan.

A motion was made by Councilwoman Williams to approve the Consent Agenda with a second by Councilman Wobbleton. A roll call vote was taken. The motion passed 6-0.

VIII. OLD BUSINESS

A. DISCUSSION/CONSIDERATION OF RESOLUTION 2022-06, A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PLYMOUTH, NORTH CAROLINA, AUTHORIZING THE EXECUTION OF A LEASE WITH THE WASHINGTON COUNTY WATERWAYS ASSOCIATION

Mayor Hawkins asked Interim Town Manager Layton to address this issue. Interim Town Manager Layton recapped that at the Town Council's February Meeting, staff was authorized to advertise a notice of its intent to enter into a lease agreement with the Washington County Waterways Association (WCWWA) for the Maritime Museum buildings and property located at 206 W. Water Street and the Plymouth Lighthouse Museum located across from the Maritime Museum on town-owned property. He stated that the matter is essentially a housekeeping issue and renews the current lease agreement between the Town and the WCWWA until midnight of November 8, 2024 so that it will be in compliance with state law requiring leases to have terms no longer than ten years. Upon additional discussion, a motion was made by Mayor Pro-Tempore Brooks to approve Resolution 2022-06 with a second by Councilman Wobbleton. A roll call vote was taken. The motion passed 6-0.

B. UPDATE ON PROPOSED LISTING OF PROPERTY AT 515 WILSON STREET FOR BID

Mayor Hawkins asked Interim Town Manager Layton to address this issue. Interim Town Manager Layton reported on the research that Staff was directed to conduct regarding acquisition of the property located at 515 Wilson Street on behalf of Shadid Temple #233 and Shadid Court #212. Interim Town Manager Layton presented items for the Council to consider prior to making a decision: 1) the property was conveyed to the Town, in fee simple, for \$10; 2) the Town spent \$3,800.00 to remove the dilapidated structure on the property; 3) the property is zoned R10, which currently does not allow community centers, civic clubs, or fraternal organizations as a permitted use. He stated that the Zoning Ordinance would need to be amended to allow these types of uses; and, 4) the property is narrow and would need to be creatively designed to meet setbacks and parking requirements, unless those conditions were also amended in the Zoning Ordinance. After further discussion, a motion was made to allow Shadid Temple #233 and Shadid Court #212 to bid on the property located at 515 Wilson Street; and, if an offer is made, the offer is to be brought back to Council for a resolution for an upset bid process by Councilwoman Williams with a second by Councilwoman Teel. A roll call vote was taken. The motion passed 6-0.

IX. NEW BUSINESS

A. PRESENTATION OF THE INTERIM TOWN MANAGER'S PROPOSED FY 2023 BUDGET

Interim Town Manager Layton gave a brief presentation of the Proposed FY 2022-2023 Budget. The presentation included an introduction of the proposed budget and an overview of strategy for FY 2023. Interim Town Manager Layton asked that a date and time be set for work sessions. The Council gave a consensus to set the date for Monday, May 2, 2022 at 6:00 p.m. Interim Town Manager Layton asked that a public hearing be held on the proposed budget at the May 9, 2022 Council meeting so that the final budget can be adopted before May 17, 2022.

B. DISCUSSION/CONSIDERATION OF RESOLUTION 2022-07, AND RESOLUTION 2022-08, RESOLUTIONS OF THE TOWN COUNCIL OF THE TOWN OF PLYMOUTH, NORTH CAROLINA, AUTHORIZING THE INTERIM TOWN MANAGER TO EXECUTE AND FILE AN APPLICATION WITH THE STATE OF NORTH CAROLINA FOR A DRINKING WATER CONSTRUCTION PROJECT (2022 WATER SYSTEM IMPROVEMENTS)

Mayor Hawkins asked Interim Town Manager Layton to address this issue. Interim Town Manager Layton reported that as a part of the Coronavirus and American Restoration Plan (ARP) initiatives, funding has become available through the State of North Carolina for water and sewer related projects. The Town of Plymouth has been identified as a distressed utility under legislation previously passed by the North Carolina General Assembly and as a result is

eligible for up to \$15 million, with no match requirement, in water and sewer projects through these funds. Staff is working with the Wooten Company on two grant applications due in early May, one for water projects and one for sewer projects, that would potentially provide funding to address many critically needed infrastructure improvements in the Town. Two resolutions are needed for the water projects application and a preliminary project and cost list. Additional projects are currently being reviewed for inclusion. A motion was made to approve Resolutions 2022-07 and 2022-08 by Councilwoman Williams with a second by Councilman Wobbleton. A roll call vote was taken. The motion passed 6-0.

C. DISCUSSION/CONSIDERATION OF RESOLUTION 2022-09, AND RESOLUTION 2022-10, RESOLUTIONS OF THE TOWN COUNCIL OF THE TOWN PLYMOUTH, NORTH CAROLINA, AUTHORIZING THE INTERIM TOWN MANAGER TO EXECUTE AND FILE AN APPLICATION WITH THE STATE OF NORTH CAROLINA FOR A WASTEWATER COLLECTION SYSTEM PROJECT (2022 COLLECTION SYSTEM IMPRVEMENTS)

Mayor Hawkins asked Interim Town Manager Layton to address this issue. Interim Town Manager Layton reported that as a part of the Coronavirus and American Restoration Plan (ARP) initiatives, funding has become available through the State of North Carolina for water and sewer related projects. The Town of Plymouth has been identified as a distressed utility under legislation previously passed by the North Carolina General Assembly and as a result is eligible for up to \$15 million, with no match requirement, in water and sewer projects through these funds. Staff is working with the Wooten Company on two grant applications due in early May, one for water projects and one for sewer projects, that would potentially provide funding to address many critically needed infrastructure improvements in the Town. Two resolutions are needed for the sewer projects application and a preliminary project and cost list. Additional projects are currently being reviewed for inclusion. A motion was made to approve Resolutions 2022-09 and 2022-10 by Councilwoman Williams with a second by Mayor Pro-Tempore Brooks. A roll call vote was taken. The motion passed 6-0.

X. TOWN ATTORNEY'S REPORT

Mayor Hawkins turned the floor over to Attorney Natalia Isenberg. Attorney Isenberg asked that Council make a motion to discuss items in closed session under G.S.§143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; and, G.S.§143-318-11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body. The motion was made by Councilman Wobbleton with a second by Councilwoman Teel. A roll call vote was taken. The motion passed 6-0.

XI. RETURN TO OPEN SESSION

A motion was made by Councilwoman Williams to return to open session with a second by Mayor Pro-Tempore Brooks. A roll call vote was taken. The motion passed 6-0. Mayor Hawkins asked Councilmembers if they had anything further. A motion was made to define the Plymouth Downtown District from East Water Street to West Water Street and from Washington Street to Main Street to Water Street by Mayor Pro-Tempore Brooks with a second by Councilwoman Williams. A roll call vote was taken. The motion passed 6-0. A motion to authorize the Mayor and/or Interim Town Manager to take all actions to execute the agreement with Water Street Development, LLC by Councilwoman Williams with a second by Councilman Wobbleton. During discussion, Mayor Pro-Tempore Brooks asked for clarification of the project timeline if the agreement is accepted. After clarification was made by Attorney Isenberg, a roll call vote was taken. The motion passed 5-1 with Councilwoman Byers dissenting.


XII. INTERIM TOWN MANAGER'S REPORT - None

XIII. ANNOUNCEMENTS FROM MAYOR AND TOWN COUNCIL - None

XIV. ADJOURNMENT

There being no further business, a motion was made by Councilman Wobbleton to adjourn the meeting with a second from Councilwoman Teel. A roll call vote was taken. The Motion passed 6-0.

Respectfully submitted,


Dorenda Wallace
Clerk


Vershumn "Shawn" Hawkins
Mayor