

**TOWN OF PLYMOUTH MEETING MINUTES
OCTOBER 9, 2023 – VIA COUNCIL CHAMBERS AND ZOOM
7:00 p.m.**

I. CALL TO ORDER – Mayor Brian Roth

Mayor Roth called the meeting to order and welcomed all attendees. Mayor Roth then announced that Councilman Wobbleton will not be in attendance. Councilman Boston led with prayer. Mayor Roth led the Pledge of Allegiance.

PRESENT	ABSENT	COUNCILMEMBER
X		Mayor Roth
X		Mayor Pro-Tempore Spencer
X		Councilman Boston
X		Councilwoman Byers
X		Councilman Tharps
X		Councilwoman Williams
	X	Councilman Wobbleton

II. APPROVAL OF THE AGENDA

Mayor Roth stated that there were one or two items to add to the agenda and gave the floor to Town Manager Floyd. Town Manager Floyd stated that the Town Attorney wanted to add a Closed Session to the Agenda. Attorney Isenberg, who attended via ZOOM, asked that the Council add Closed Session to the Agenda under §143-318.11(a)(3) to consult with an attorney employed by a public body. A motion to approve the agenda with the addition was made by Councilwoman Byers with a second by Mayor Pro-Tempore Spencer. The motion passed unanimously.

III. PRESENTATIONS TO COUNCIL - None

IV. PUBLIC COMMENT - None

V. DEPARTMENT REPORTS

1. Financial Report

Town Manager Floyd gave a summary of the Finance Report for the period ending September 30, 2023. Town Manager Floyd also informed the Council that she had the response to the audit findings that were presented in August of 2023. She explained that the response is in the form of a letter that will be sent to the LGC and will require the signatures of a majority of the Council.

Town Manager Floyd passed the letter out and explained that the response must be submitted to the LGC within 60 days of the presentation of the audit to the Council. She explained that in the past, there was no deadline, and no Council signatures were required. Town Manager Floyd then read the letter of response and gave explanations for each response to the Council as well. A motion was made to approve signature of the letter by all members of the Council and authorize the staff to submit it to the LGC by Councilman Boston with a second by Councilwoman Byers. Mayor Pro-Tempore Spencer asked if the Council was voting to approve the letter or approve signing the letter. It was clarified to approve the letter. The motion passed unanimously.

Mayor Pro-Tempore Spencer stated that she attended the NC School of Government UAL workshop the previous week and reported that there are updated General Statutes that have been put in place that the Town is not currently following. Mayor Pro-Tempore Spencer strongly recommended that every Councilmember, due to their responsibility for financial reporting, and at least the Finance Officer attend the next available workshop. She further stated that there is information that will assist the Town with the audit processes and procedures, and reiterated that the Financial Report is, by law, the responsibility of the Council. Town Manager Floyd stated that she and Finance Officer Wallace have registered to go.

2. Police Department

Chief Williams reported on the Faith and Blue event and thanked all that were involved for their support. He explained the purpose of Faith and Blue and reported that more events are planned.

Chief Williams received kudos from the Town Manager and Council for his and the Police Department Staff for their community oriented efforts.

3. Public Works/Town Projects

Streets:

- Mowing right of ways
- Replaced stormwater drainage tile @ intersection of Oakford Avenue and Cranberry Street

Buildings & Grounds:

- Pressure washed building at Melvin Cordon Park
- Taking signs down at Flowers Park, Melvin Cordon Park and Plumlee Park for clean-up and re-painting

Water:

- Repaired leaks at:
 - 101 Campbell Street

- 302 Oakford Avenue
- 307 Thomas Street
- 916 East Main Street
- 530 Monroe Street

Sewer:

- Cleared out blockages at:
 - 113 Wilts Avenue
 - 101 Bateman Street
 - 101 Woodlawn Terrace
 - 114 Country Club
 - 1106 Wilson Street
 - 101 Quail Drive
 - 111 East Water Street
 - 333 West Avenue

WWTP

- N/A

Pump Stations

- Pulled pump on:
 - Old Roper Road

Sanitation

- N/A

Public Works Director Wright then reported on Town Projects.

- Wastewater Treatment Plant Rehabilitation
 - Project close out is in process
- Streetscape
 - Advertised RFQ for Engineering Design that is due November 3rd. It will be reviewed and presented at the November 13th Council meeting.
- Pump Out Station
 - \$8,000.00 was approved by the Harbortown Group
 - Contract was signed for \$20,000.00 from DEQ
- AIA Sewer Grant
 - Smoke Testing has been completed
 - Some of the manholes were re-inspected
 - Compilation of Data for the final report is taking place and it is anticipated that the findings will be presented sometime in January

- Wilson Street Park
 - Putting together quotes for individual phases
- CDBG Grant
 - A door to door survey was needed and could not take place in enough time to meet the grant deadline
- Viable Utility Grant (Water and Sewer)
 - The Wooten Company quoted a price for the Country Club area. To replace the water lines would cost \$1,250,000.00. Sewer lines would cost \$1,965,000.00. The grant was in the amount of \$1,000,000 and a supplemental loan will be \$2,215,000.00 included as there are several issues with leaks in that area as well. The grant will not cover paving. Councilwoman Williams asked if the Country Club area was the most important area. Public Works Director Wright stated that in his and Jeff Arnold's opinion the area was the most important.

Mayor Pro-Tempore Spencer asked when Public Works Director Wright knew about the CDBG Grant including the deadlines. He stated that it was about one week before he told the Council. Mayor Pro-Tempore Spencer voiced her concern over the short notice. Town Manager Floyd stated that normally the Wooten Company advises staff when grants are available. She further stated that the staff need to begin to look for the grants as well. Mayor Roth disagreed with Mayor Pro-Tempore Spencer's statement that the Town always seems to be behind the eight ball. Discussion continued to take place regarding the timing of the grants and what some of the grants require. Mayor Pro-Tempore Spencer asked Town Manager Floyd if there is anyone on staff that seeks grants. She also asked if there is anyone on the staff that knows what strategy the Council wants to follow so Town Manager Floyd knows what to look for. Town Manager Floyd stated that there is not a staff member responsible for seeking grants. She also responded to the second question in that she has not necessarily been directed by the Council; however, she is aware of what is needed in the town as it relates to water and sewer lines. Councilwoman Williams asked if it would be helpful to have someone focus on finding grants. Town Manager Floyd stated that there are times when Customer Service Reps are not as busy, and they can focus on finding grants as well as debt collection. Councilman Boston stated that whatever staff person that looks for and works with grants needs to be thoroughly trained. Mayor Pro-Tempore Spencer reiterated that the Town needs a strategic plan and stated examples of other small towns that have a strategic plan and the positive outcomes due to having a strategic plan. Councilman Boston agreed that the plan needs to be updated and put in place. Continued

discussion took place regarding a strategic plan and the role of the CAMA Land Use Plan.

Councilwoman Williams reported to Public Works Director Wright that citizens are asking her why the ditches are not being dug as in the past and that as a result a lot of flooding is caused. Public Works Director Wright stated that ditches are being dug, but Public Works staff is comprised of 12 people. Councilwoman Williams voiced her understanding and pointed out that when taxpayers bring their concerns to her, it is incumbent upon her to relay their messages.

4. Code Enforcement

Code Enforcement Officer Brown is attending a class this week; however, his report is included in the agenda package.

5. Fire Department

The report from the Fire Department is included in the agenda package.

VI. CONSENT AGENDA

The consent agenda included:

A. APPROVAL OF AUGUST 28, 2023 JOINT COUNTY COMMISSION AND TOWN COUNCIL MEETING MINUTES

A motion to approve the August 28, 2023 Joint County Commission and Town Council Meeting Minutes was made by Councilwoman Byers with a second by Mayor Pro-Tempore Spencer. The motion passed unanimously.

B. APPROVAL OF SEPTEMBER 11, 2023 TOWN COUNCIL MEETING MINUTES

A motion to approve the September 11, 2023 Town Council Meeting Minutes was made by Councilman Boston with a second by Councilwoman Byers. The motion passed unanimously.

C. APPROVAL OF BUDGET AMENDMENT NO. 2023-12 (CSLFRF)

Mayor Roth asked the staff for an explanation. Finance Officer Wallace stated that the budget amendment accompanies an Ordinance that will include \$15,400.00 in Professional Services for the updating of the Town's Ordinances. ARP funds will be used. A motion was made to approve Resolution No. 2023-15 by Councilwoman Byers with a second by Councilman Boston. The motion passed unanimously.

D. APPROVAL OF ORDINANCE AMENDMENT NO. 2023-09 (CSLFRF – PROFESSIONAL SERVICES)

A motion was made to approve Ordinance Amendment No. 2023-09 was made by Councilwoman Byers with a second by Councilman Boston. The motion passed unanimously.

E. BUDGET AMENDMENT NO. 2023-13 (HIRE OF TWO PUBLIC WORKS EMPLOYEES)

Town Manager Floyd stated that she would like to wait to bring this topic before the Council at a later date; however, she explained that she would like to hire two more employees that are multi-skilled. Councilwoman Williams led a short discussion as to what bringing two more public works employees should involve in terms of the upkeep of the Town. Councilwoman Byers reiterated that when it comes to trash citizens need to do their part as well.

Updating the ordinances in regard to trash and cutting of grass was discussed. Ensuring that the Council is included in the process of updating the ordinances was also discussed. Town Manager Floyd stated that each Department Head will read the ordinances and suggest updates to the Council.

F. RESOLUTION 2023-17 (SALE OF REAL PROPERTY 416 BRINKLEY AVENUE)

Mayor Roth asked Town Manager Floyd to address this issue. Town Manager Floyd explained that the properties are jointly owned by the Town and Washington County and the resolutions are to request a surplus of properties. After finding errors on the paperwork contained in the agenda in terms of addresses and matching pin numbers, after corrections were made, a motion was made by Councilwoman Byers to approve Resolution 2023-17 with a second by Councilman Boston. The motion passed unanimously.

G. RESOLUTION 2023-18 (SALE OF REAL PROPERTY WEST MAIN STREET)

A motion was made by Councilwoman Byers to approve Resolution 2023-18 with a second by Councilman Boston. The motion passed unanimously.

H. RESOLUTION 2023-19 (SALE OF REAL PROPERTY 305 EAST FOURTH STREET)

After correcting the number of the deed book, a motion was made by Councilwoman Byers to approve Resolution 2023-19 with a second by Councilman Boston. The motion passed unanimously.

I. RESOLUTION NO. 2023-20 (SALE OF REAL PROPERTY 519 JEFFERSON STREET)

After correcting the map number, a motion was made by Mayor Pro-Tempore Spencer to approve Resolution No. 2023-20 with a second by Councilwoman Byers. The motion passed unanimously.

J. APPROVAL OF PERSONAL PROPERTY INSOLVENT REQUEST FOR CROSS TRAIL OUTFITTER, INC.

Mayor Roth asked Town Manager Floyd to address this issue. Town Manager Floyd explained that the Town received information from the Washington County Tax Collector requesting release of taxes. She explained that Cross Trail Outfitter, Inc.'s account should have been set up as an exempt account. A motion was made by Mayor Pro-Tempore Spencer to release the personal property with a second by Councilwoman Williams. Mayor Roth asked why the word "Insolvent" was being used. Finance Officer Wallace stated that insolvent has been used on the form for both real estate and personal property. The motion passed unanimously.

K. APPROVAL OF REAL ESTATE INSOLVENT REQUEST FOR 312 BRINKLEY AVENUE OWNED BY JUNIUS BROWN HEIR C/O ARONIUS BROWN

Town Manager Floyd explained that taxes have been charged for over ten years. Finance Officer Wallace read the request and noted that Mr. Aronius Brown is disabled. A motion was made to approve the request was made by Mayor Pro-Tempore Spencer with a second by Councilwoman Byers. The motion passed unanimously.

L. APPROVAL OF REAL ESTATE INSOLVENT REQUEST FOR 313 WEST MAIN STREET OWNED BY MACK PETTIFORD HEIRS

Town Manager Floyd explained that the taxes are past ten years due and there is an unknown address or telephone number for contact. She further explained the importance of the debt collection process before foreclosure. A motion was made to approve the request by Councilman Boston with a second by Mayor Pro-Tempore Spencer. The motion passed unanimously.

M. APPROVAL OF REAL ESTATE INSOLVENT REQUEST FOR MACKEYS ROAD OWNED BY JOHNNY JOHNSON HEIR

Councilman Boston made a motion to approve the request with a second by Mayor Pro-Tempore Spencer. A motion to approve the request. The motion passed unanimously.

Councilwoman Byers asked if the number of years was indeed ten years. A motion was made to rescind the approval for insolvency by Councilwoman Byers with a second by Councilman Boston. The motion passed unanimously.

A motion was then made by Councilman Boston to table the request with a second by Councilwoman Byers. The motion passed unanimously.

N. APPROVAL OF REAL ESTATE INSOLVENT REQUEST FOR 116 CAROLINA AVENUE OWNED BY ADELAIDE HECKSTALL HEIR

There being a question of the number of years being less than ten, a motion was made by Councilwoman Byers to table the request with a second by Councilwoman Williams. The motion passed unanimously.

O. APPROVAL OF REAL ESTATE INSOLVENT REQUEST FOR 205 MONROE STREET OWNED BY HENRY BROWN HEIR

There being a question of the number of years being less than ten, a motion was made by Councilwoman Williams to table the request with a second by Councilwoman Byers. The motion passed unanimously.

VII. OLD BUSINESS

A. CPNI SPECIAL MEETING

Town Manager Floyd asked that the meeting be recessed and continued October 10, 2023 so that the Council can receive the CPNI report via ZOOM at 6:00 p.m. There will also be a presentation by Jamie Heath from the Mid-East Commission regarding the CAMA Land Use Plan.

B. WATER STREET DOG PARK

Town Manager Floyd reported that she spoke with the DDA about what the Council had discussed at its last meeting. She asked if there was any additional wording that the DDA wanted included in the agreement. Town Manager Floyd stated that they do not want any additional wording. The DDA just wants to make sure that the agreement is for five years. Town Manager Floyd reported that she explained to the DDA that the attorney will look over the contract to ensure the Town will not have liabilities in case of emergency. Councilwoman Williams made a motion to include the five years with a second by Councilwoman Byers. Mayor Pro-Tempore Spencer voiced concern about the Town being painted into a corner should something happen. Attorney Isenberg told the Council that upon direction, she would draft appropriate language that would protect the Town. Councilwoman Williams revised the motion to direct Attorney Isenberg to include language that will protect the Town with Councilwoman Byers as a second. The motion passed unanimously.

C. REKOR CONTRACT

Town Manager Floyd explained that the Town Attorney needs a signed contract. Attorney Isenberg clarified that after she spoke with Town Manager Floyd, she located the contract and will contact Rekor's lawyer.

D. IMPLENTATION OF IT PLAN

Town Manager Floyd reported that there are computers that need to be upgraded, as well as the server. She also reported that laptops for the Police Department have been ordered.

VIII. NEW BUSINESS

A. NCLM WELLNESS PROGRAM SAFETY GRANT

Town Manager Floyd explained that the Town has an opportunity to apply for a Wellness Grant through the Town's insurance company for \$2,500 that can be used for equipment. It can possibly be utilized towards the Park, and employees can use it as well. A motion was made by Councilwoman Williams to authorize submission of the grant with a second by Councilwoman Byers. The motion passed unanimously.

IX. TOWN MANAGER'S REPORT

Town Manager Floyd reported that she and Public Works Director Wright had an engineer come to Town Hall to provide a proposal on what it would take to reconfigure the front of the building for the DMV. Town Manager Floyd stated that they will meet again and bring the results back to Council. She also reported that the majority of the staff have received their notary, and she will look into training for the DMV, and push for a November opening. Councilwoman Williams asked about the first and secondary staff that will cover the DMV.

X. TOWN ATTORNEY

Attorney Isenberg reported that she will make her report under closed session. She asked when the motion is made to add that part of motion is going to be to discuss a lawsuit that we are required by statute to name the parties - Moore/Thomas vs. Sherriff Johnny Barnes, et.al.

XI. ANNOUNCEMENTS FROM MAYOR AND COUNCIL

None.

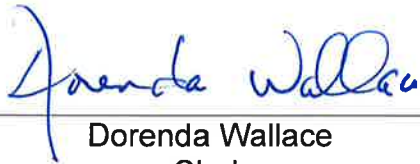
XII. CLOSED SESSION

A motion was made by Councilwoman Byers to go into closed session under §143-318.11(a)(3) to consult with an attorney employed by a public body in order to retain attorney client privilege which privilege is hereby acknowledged, in addition to advise the Town regarding a Moore/Thomas vs. Sherriff Johnny Barnes, et.al. with a second by Councilwoman Williams. The motion passed unanimously.

XIII. RECESS

A motion to recess the meeting until October 10, 2023 was made by Councilwoman Williams with a second by Councilwoman Byers. The motion passed unanimously. Mayor Roth stated for the record that Councilman Tharps exited the meeting unexcused.

Respectfully submitted,



Dorenda Wallace
Clerk



Brian Roth
Mayor