

**MINUTES OF THE REGULAR MEETING  
OF THE REIDSVILLE CITY COUNCIL  
HELD TUESDAY, JUNE 14, 2016 AT 6:00 P.M.  
FIRST-FLOOR CONFERENCE ROOM, CITY HALL**

**CITY COUNCIL MEMBERS PRESENT:** Mayor John M. “Jay” Donecker  
Mayor Pro Tem Harry L. Brown  
Councilman Tom Balsley  
Councilman James K. Festerman  
Councilman Donald L. Gorham  
Councilman William Hairston  
Councilwoman Sherri G. Walker

**COUNCIL MEMBERS ABSENT:** NONE

**CITY STAFF PRESENT:** Preston W. Mitchell, City Manager  
Angela G. Stadler, CMC, City Clerk  
Chris Phillips, Assistant City Manager  
– Administration  
Kevin Eason, Public Works Director  
Robert Hassell, Police Chief  
David Bracken, Fire Chief  
Jeff Garstka, Economic Development  
Director

Mayor Donecker called the meeting to order.

**INVOCATION.**

The Mayor called upon Major Leona O’Bryant of the Salvation Army of Rockingham and Caswell Counties, to provide the invocation.

**PLEDGE OF ALLEGIANCE.**

The Council led the audience in the Pledge of Allegiance.

**PROCLAMATION RECOGNIZING MAJOR LEONA O’BRYANT.**

Noting he was straying from the agenda, Mayor Donecker called forward again Major O’Bryant, who is leaving to take a post with the Salvation Army in Greenville, S.C. The Mayor said it is Greenville’s gain and Reidsville’s loss. He then read aloud a proclamation in her honor. (A COPY OF THE PROCLAMATION IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) The Major received a standing ovation and shook hands with the Council members.

Councilman Festerman, who came down from the dais to give Major O’Bryant a hug, said he has had the good fortune of being associated with the Salvation Army for some 25 years. He noted that he has seen many executives come and go and that O’Bryant has been “the best they’ve ever had”. Due to her leadership, the Salvation Army here has seen tremendous growth and several wives in the audience have seen their husbands less because she has worked them so hard, he asserted. He read a list of names of men who will have more free time on their hands now after O’Bryant has made them paint, mow yards, fix equipment, etc. The Councilman said they’ve done it because they love this lady, and she has been an outstanding leader. He presented her with a snapshot taken several months ago of the group that meets for breakfast at the Sanitary Café, including O’Bryant. He said the picture would remind her when she gets to her new job in Greenville, that this group in Reidsville really needs her.

**APPROVAL OF CONSENT AGENDA.**

**Councilman Gorham made the motion, seconded by Councilman Hairston and unanimously approved in a 7-0 vote, to approve the Consent Agenda.**

**CONSENT AGENDA ITEM NO. 1 – APPROVAL OF THE MAY 10, 2016 REGULAR MEETING MINUTES AND THE MAY 18, 2016 SPECIAL MEETING (BUDGET WORK SESSION) MINUTES.**

With the approval of the Consent Agenda in a 7-0 vote, the Council approved the May 10, 2016 Regular Meeting Minutes and the May 18, 2016 Special Meeting (Budget Work Session) Minutes.

**APPROVAL OF A PRELIMINARY ASSESSMENT RESOLUTION TO EXTEND CURB AND GUTTER AT THE SOUTHERN END OF COUNTRY CLUB DRIVE, WHICH SETS THE PUBLIC HEARING TO BE HELD AT 6 P.M. ON TUESDAY, JULY 12, 2016. THIS STREET IMPROVEMENT INVOLVES ONLY ONE PROPERTY, AND THE PETITION IS VALID WITH 100% OF THE PROPERTY OWNERS AND 100% OF THE PROPERTY FRONTAGE SIGNED.**

With the approval of the Consent Agenda in a 7-0 vote, the Council approved the following Preliminary Assessment Resolution:

**PRELIMINARY ASSESSMENT RESOLUTION**

**C&G2016-01**

**WHEREAS**, on the 18<sup>th</sup> day of May, 2016, a petition was filed with the City Clerk on behalf of the property owner on the southern end of Country Club Drive terminating at Parkway Boulevard for improving said street in the following manner: Extension of curb and gutter along the south side of Country Club Drive terminating at Parkway Boulevard; and

**WHEREAS**, the City Clerk has certified to this City Council that said petition is sufficient in all respects, the same having been duly signed by a majority in number of the owners, whose property represents a majority of all the lineal feet of frontage of the lands abutting upon the street or portion of street hereinabove described;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Reidsville, North Carolina:

1. That the above mentioned petition is found to be sufficient in all respects;
2. That it is intended that the south side of Country Club Drive where the road terminates at Parkway Boulevard be improved in the following manner: Construction of curb and gutter under and by virtue of Chapter 160A, Article 10, of the General Statutes of North Carolina and the procedure therein established;
3. That two-thirds of the total cost of said improvement, exclusive of so much of the total cost as is incurred in improving street intersections, be hereafter assessed upon the property receiving the improvements (according to the frontage abutting on the project, at an equal rate per foot of frontage).
4. That the assessments herein provided for shall be payable in cash or if any property owners shall so elect, such owner shall have the option of paying the assessment in five (5) equal annual installments, said installments to bear interest at the rate of 8 percent per annum;
5. That a public hearing on all matters covered by this resolution will be held on Tuesday, July 12, 2016, beginning at 6:00 P.M., in the City Hall Council Chambers, 230 West Morehead Street, Reidsville.

Adopted this 14<sup>th</sup> day of June, 2016.

/s/ \_\_\_\_\_  
John M. "Jay" Donecker  
Mayor

ATTEST:

/s/ \_\_\_\_\_  
Angela G. Stadler, CMC/NCCMC, City Clerk

The following Council members voted for the passage of the above Resolution:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following Council members voted against the passage of the above Resolution:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**- End of Consent Agenda -**

**PUBLIC HEARINGS:**  
**CONSIDERATION OF A PROPOSED OPERATING BUDGET FOR FISCAL YEAR 2016-2017 FOR THE ABC BOARD.**

Mayor Donecker noted that the first public hearing was for the ABC Board. He introduced ABC Board member Denise Brady, who thanked the Council for allowing the board to hold its budget hearing in this public forum. She said the ABC Board's proposed budget has been available for public viewing since May 31<sup>st</sup> at the Reidsville Public Library. This budget does not have to be approved by Council but just made available for questions during this public forum. She asked if there were any questions from Council, but there were none. Brady noted that all of the ABC Stores in North Carolina are self-supporting and since 1965 when the local ABC Store started operations, the local board has made distributions based on a percentage of sales that have gone back into the community. She cited the following that have distributed to the local economy: to the appointing authority, the City of Reidsville, \$4,021,014; Rockingham County, \$1,325,770; Annie Penn Hospital, \$313,493; Rockingham County Library, \$313,493; and local law enforcement, approximately \$525,000. Statewide, 166 ABC boards have distributed \$269 million back to the State's General Fund, she noted, adding that they just wanted everyone to know that they are giving back to our community.

Councilwoman Walker, the Council liaison to the board, thanked the ABC Board members who serve, along with the ABC Store Manager and staff for all they do, adding that the stats speak for themselves.

The public hearing was opened at 6:10 p.m. by Mayor Donecker, who again noted that the City just provides the venue for the public hearing. With no one speaking in favor or against the ABC budget, the hearing was closed at 6:11 p.m.

**CONSIDERATION OF A PROPOSED OPERATING BUDGET FOR FISCAL YEAR 2016-2017 FOR THE CITY OF REIDSVILLE.**

In making the staff report, City Manager Preston Mitchell noted that the proposed budget for Fiscal Year 2016-2017 had been presented to City Council at its May monthly meeting. As Council was aware, a lot of work had gone on well before that date, both by staff and Council, he said. He noted the budget was taken to the budget work session, and this budget remains the same except for the one addition from City Council – a 1% COLA for City employees. As had been mentioned, it was felt that for all funds except the General Fund, we could be more aggressive to cover those costs for the COLA, the Manager continued. He said that in the General Fund, the cost was covered by eliminating one police car with the rest, \$35,000, coming out of the Fund Balance. He added that, based on past projections, it is hoped the Fund Balance appropriation may not be needed.

Mayor Donecker opened the public hearing at 6:12 p.m.

Ms. Judy Wall of 2165 US 29 Business, just outside the City limits, came forward. She noted that she had received a letter from the City saying that the sewer bill was going to go up quite a bit. She said she had been paying \$68.69, minus \$1 for the Senior Citizen discount, but in the new budget year, her sewer bill will be going up to \$151.00 a month. She said she has one bathroom and lives on a fixed income. When asked if there was anything she could do, the response was she could request to be annexed into the City, which would more than double her taxes so she didn't feel that was an option. She asked if there was anything the City could do.

Mayor Donecker asked if she received water service. She replied no, because she has well water. She said she has City sewer service because when the State widened the road, it cut her sewer line. Ms. Wall provided some history about the house, which she inherited from her mother, and how the sewer service from the City came about. She said they are outside the City limits on a flat rate sewer bill.

Noting he had talked with Ms. Watkins about it, the Mayor said that there is the assumption that they use five units a month, which is high for those only with sewer service. He said the City Manager will discuss it with the Finance Director to see what we can do. He stressed that he couldn't say what could be done, but that it was under advisement. Ms. Wall expressed her appreciation for anything that can be done. The Mayor said not just him, but all of Council, felt there was an inequity here. Ms. Wall said she appreciated Council listening to them.

The public hearing was closed at 6:16 p.m.

**- End of Public Hearings -**

**CONSIDERATION OF THE ADOPTION OF THE BUDGET ORDINANCE FOR FISCAL YEAR 2016-2017, THE RESOLUTION OF UNDERSTANDINGS ACCOMPANYING THE BUDGET ADOPTION AND CHANGES TO THE FEE SCHEDULE.**

**Councilman Hairston made the motion, seconded by Councilwoman Walker and unanimously approved by Council in a 7-0 vote, to approve the budget.**

Mayor Donecker said this was the most clear budget process he had ever been a part of since he has been Mayor. He said it was very well managed.

**CONSIDERATION OF PROPOSED CHANGES TO THE CITY'S STREET EVENTS ORDINANCE.**

TRC Chairman/Fire Chief David Bracken and Police Chief Robert Hassell are on hand to discuss the proposed changes if necessary, City Manager Mitchell said. Nothing that Council could wait and decide on these proposed changes in July, the City Manager said the ordinance has been reviewed by the Technical Review Committee (TRC), and he has met with Chief Bracken and Chief Hassell about the suggested changes as well. The new changes are in bold with strikethroughs showing what will be deleted, he explained. (A COPY OF THE ORDINANCE WITH PROPOSED CHANGES IS HEREIN

INCORPORATED AND MADE A PART OF THESE MINUTES.) First, Manager Mitchell also stressed the use of “and” and “or” in particular circumstances. “And” meaning one or more items that must be met jointly or entirely while “or” is defined as either or relating to alternative items. He said this is only pertaining to street closing events. Secondly, he pointed out that due to the differing opinions expressed by Council members at the last meeting, staff put in the language that the applicant “may incur” fees, which can be determined on a case-by-case basis. He said he and the two chiefs were available to answer any questions.

The Mayor asked if Council would like more time to review the proposed changes and bring the item back in July? Mayor Pro Tem Brown said he was fine with it as is and is okay with the use of “may” for the fees. Mayor Donecker also agreed.

**Councilman Balsley then made the motion, seconded by Mayor Pro Tem Brown, to accept the proposed ordinance as is.**

Mayor Donecker thanked the City Manager for setting up the committee to review these with the Fire Chief and Police Chief. He said it has been long overdue. Councilman Gorham reiterated that there would be flexibility regarding the fees mentioned on page 5? Mayor Donecker said yes, was the Councilman comfortable with that? Councilman Gorham answered in the affirmative.

**The motion then passed in a 6-1 vote with Councilman Festerman voting in opposition.**

The Street Events Ordinance as approved with proposed changes is as follows:

**AN ORDINANCE AMENDING THE  
CITY OF REIDSVILLE CODE OF ORDINANCES  
CHAPTER 11, OFFENSES AND MISCELLANEOUS PROVISIONS  
ARTICLE III, PARADES AND STREET EVENTS  
SECTIONS 11-40 THROUGH 11-47**

**WHEREAS**, the City of Reidsville continues to undertake measures designed to provide economic revitalization, beautification, safety and welfare for individual citizens and businesses, and a sense of community peace and tranquility; and

**WHEREAS**, the City has studied its current policies and Ordinance regarding parades and “street” events toward providing for the aforementioned continued economic revitalization, beautification, safety and welfare of individual citizens and businesses, and a sense of community peace and tranquility; and

**WHEREAS**, the City is always mindful of rights of citizens to assemble and participate in free speech, and intends to ensure that any regulation or the use of public property is narrowly tailored to serve a legitimate public interest to balance the same with the peace, tranquility, health, safety, and welfare of its citizens, and the conservation of

City resources; and

**WHEREAS**, the City enjoys ownership of numerous parcels of property upon which special events are most appropriate; and

**WHEREAS**, the City wishes for its citizens to enjoy the use of its facilities including its parks, recreational areas, and other properties owned by the City; and

**WHEREAS**, the City believes in conservation of City resources both manpower and facility use-wise; and

**WHEREAS**, it is believed that closing of City streets should be reserved only for permitted parades and extraordinarily large community-wide events accommodating the expectation of more attendees and needed parking than can be accommodated by the utilization of other City-owned properties; and

**WHEREAS**, it is anticipated that some special events may grow, or diminish, in number of attendees from year to year and may need to be located at various venues to accommodate the special event while also protecting the peace, tranquility, health, safety and welfare of citizens and code-compliant businesses, and conservation of City resources;

**NOW, THEREFORE**, be it hereby Ordained by the City Council of the City of Reidsville that Article III of its Code of Ordinances, Sections 11-40 through 11-47 be and are hereby amended to read:

**“ARTICLE III. PARADES AND SPECIAL EVENTS”**

**Sec. 11-40. Definitions.**

As used in this article, the following terms shall have the respective meanings ascribed to them:

CITY MANAGER: Shall include the City Manager and his or her designee.

PARADE: Any assemblage of ten (10) or more persons participating in any organized march, ceremony, or procession of any kind, in or upon any street, sidewalk, or other public place owned or under the control of the City.

PERMIT: A written authorization as required by this Article.

SPECIAL EVENT: Any planned or organized event intended to attract and/or assemble ten (10) or more persons on City-owned property, or within State or City Rights of Way, for festivals, celebrations, concerts, shows, exhibitions, or similar occurrences.

TECHNICAL REVIEW COMMITTEE (TRC): A group which provides recommendations

to the City Manager regarding parades and special events.

VENUES: Those streets and properties either owned by the City or for which the City has joint use or potential joint use suitable for the assembly of citizens for parades and/or special events. A current listing, updated at least annually, of all City Venues shall be maintained in the office of the City Clerk for inspection by any citizen.

(Ord. of 8-2-00)

**Sec. 11-41. Permit required.**

(a) No person shall engage in, participate in, aid, form, or start, any parade or special event unless a permit shall have been obtained from the City Manager, and provided, further, that no person may conduct or otherwise participate in any parade or special event between 10:30 p.m. and 6:00 a.m.

(b) This section shall not apply to:

- (1) Funeral processions supervised by a licensed mortuary.
- (2) Any governmental agency acting within the scope of its function.
- (3) Picketing on the sidewalks.
- (4) Temporary closing of streets by a department of the City for activities related to maintenance, repair, construction, alteration or other official duties of such department.

(Ord. of 8-2-00)

**Sec. 11-42. Same--Application.**

An individual seeking issuance of a Permit shall file an Application with the City Manager on forms provided by the City.

(1) *Filing period*: An Application for a Permit shall be filed with the City Manager at least thirty (30) days and no more than one hundred eighty (180) days prior to the time at which it is proposed to conduct the parade or special event. The application will be forwarded to the City's Technical Review Committee (TRC). Within five (5) business days, the TRC will forward its recommendation to the City Manager, who will review the recommendation and notify the application of his or her decision within four (4) business days. The City Manager shall not approve any Application for a Permit when the City Manager finds that there is a conflict in both schedule and location (venue) with some other event for which a Permit has been previously granted or when two events overlap in time and feasible City manpower/large equipment is not available.

(2) *Contents*: The Application for a Permit shall set forth the following information:

- a. The name, address, telephone number and email address of the individual seeking to conduct such parade or special event.

b. If the parade or special event is proposed to be conducted for, on behalf of, or by, an Organization: the name, address, telephone number and email address of the headquarters of the organization, and of the authorized and responsible heads of such organization.

c. The name, address, telephone and email address of the person to be in charge of the parade or special event and who will accompany it and carry the Permit at all times.

d. The date on which the parade or special event is to be conducted and the hours that such parade or special event will start and terminate.

e. If the proposed activity is a parade, then the proposed route to be traveled for the parade, the starting point, and the termination point. If the proposed activity is to be a special event, then the proposed, or requested, location and time of such special event. For either activity, the Applicant shall include a statement as to whether the parade or special event is proposed to occupy all or any portion of the width of any street within the City.

f. The approximate number of persons who, and animals and vehicles which, will constitute such parade or special event; the general type of animals and general description of the vehicles.

g. If the parade or special event is designed to be held by, or on behalf of, or for, any individual or entity other than the Applicant, the Applicant for such Permit shall file with the City Manager a written document from the person or entity proposing to hold the parade or special event, authorizing the Applicant to apply for the Permit in the person's or entity's behalf.

h. The location by address or commonly known name of any assembly area that the Applicant proposes as the venue together with a description of the activities planned during the event, including, but not limited to, a description of any sound amplification equipment that will be used during the assembly.

(Ord. of 8-2-00)

**Sec. 11-43. Same--Requirements for issuance.**

Within ten (10) business days after the filing thereof, the City Manager shall issue a Permit as provided in this Section if:

(1) The Applicant for the Permit has agreed to abide by the standards set forth in this Article which are necessary measures to promote the health, safety, and welfare of the community;

(2) The location proposed for the event appears to be a proper venue taking into consideration the number of expected participants, the type of event, any resources requested of the City, the volume of sound, the length of the proposed event, the anticipated parking needed; and, the venue can be used for such an event so that the reasonable expectations of residents and businesses can be balanced against the reasonable needs of the Applicant. All efforts will be made to direct applicants to City-owned venues, including parks, parking lots, etc., when possible with a listing of such venues made available with the application.

(3) No other parade or special event has previously been issued a Permit for the same date and location as requested in the Application. If two or more Applications request the same date for a parade or special event, the City Manager shall consider the Applications in the order they were filed. No applications will be approved that overlap previously approved applications in time, location and manpower required;

(4) The proposed parade or special event does not conflict with the temporary closing of streets by a department of the City for activities related to maintenance, repair, construction, alteration or other official duties of such department; and

(5) The time, route, or size of the proposed parade or special event will not disrupt the use of a public vehicular street ordinarily subject to significant congestion or traffic, unless reasonable provision can be made by the City for the safe and orderly movement of vehicular and pedestrian traffic along alternate routes during the proposed parade or special event.

(6) The conduct of the parade or special event will not require the diversion of so great a number of City Police Officers to properly police the parade or special event and the areas contiguous thereto, as to prevent normal police protection in the City. If the event is longer in duration than one hour or requires more than two officers in attendance, the applicant **may** incur fees associated with his or her event based on overtime costs by City employees. Applicants should also be aware that a delay in start time that causes said street events to go past the time allotted may lead to additional personnel-related costs incurred by the City.

(Ord. of 8-2-00)

**Sec. 11-44. Same--Denial of permit request; alternative permit; appeal.**

(a) If the City Manager disapproves the Application, he or she shall notify the Applicant of the decision, stating the reasons for the denial of the Permit. Upon the denial of an Application for a Permit made pursuant to this Article, the Applicant may appeal to the City Council within two (2) business days from the date notice of the denial is mailed to the Applicant by first-class mail to the address of the Applicant on the Application. In the case of a denial, a courtesy call or email can be sent to the applicant if a telephone number/email address is provided at time of application. Appeal may be made by filing

an Appeal Letter with the City Manager who shall set the appeal for hearing by the City Council within seven (7) business days from the filing of the appeal.

(b) The City Manager, in approving an Application for a Permit, may authorize the parade or special event at a date, time, route or location different from that proposed by the Applicant. The City Manager shall state the reasons for the issuance of the alternative Permit location based on the criteria listed in Section 11-43(2). An Applicant desiring to accept a Permit for a place and/or time differing from that proposed shall, within five days of the issuance of the Permit, file a written notice of acceptance of the same with the City Manager. Appeal of location may be made by filing an Appeal Letter with the City Manager who shall set the appeal for hearing by the City Council within seven (7) business days from the filing of the appeal.

(Ord. of 8-2-00)

**Sec. 11-45. Standards applicable to parades and special events.**

(a) No firearms or dangerous weapons of any kind, as defined in this subsection, may be possessed, either exposed or concealed, by any participant in the parade or special event, any person affiliated with and present at the parade or special event, or any person upon any street, sidewalk, or other public place within five hundred (500) feet of the parade or special event, except as permitted in this subsection. For the purpose of the section, the term "dangerous weapon" shall be defined as any device designed or capable of being used to inflict serious injury upon person or property including, but not limited to, firearms, knives of any kind or any type having a blade in excess of three (3) inches in length, razors and razor blades, metallic knuckles, clubs, blackjacks and night sticks, thrown rocks, bottles or bricks, and dynamite cartridges, bombs, grenades, mines, or other powerful explosives. This restriction shall not apply to the following persons while acting lawfully and within the scope of their duties and authority:

- (1) Law enforcement officers.
- (2) Officers and soldiers of the armed forces, militia, National Guard, and color guards of officially recognized veteran's organizations.
- (3) Students of military science in an accredited high school or college program.

(b) No hand-carried signs or posters transported in any parade or special event shall be of greater density than eight-ply three hundredths (0.030) thickness cardboard. No support for such sign or poster shall be of a metallic substance or thicker than one (1) inch.

(c) The person designated by the Applicant as the person responsible for the physical conduct of the parade or special event shall be physically present and accept responsibility for compliance with any and all terms of the Permit as set forth in Section 11-46.

(d) The Applicant shall file with the City Manager a waiver signed by the Applicant releasing and saving the City and its employees harmless for any claims, actions, and lawsuits, arising out of the conduct of the parade or special event, excepting injuries or damages proximately caused by the City.

(e) Every parade shall follow the route designated and approved by the City Manager, and every special event shall remain in the parameters designated and approved by the City Manager.

(f) No person shall unreasonably hamper, obstruct, impede, or interfere with any parade or special event, or with any person, vehicle, or animal participating or used in a parade or special event.

(g) No child under the age of four (4) shall be permitted to participate in a parade or special event without being accompanied by an adult who will be responsible for such child.

(h) Those high school and college marching bands and drill teams accredited by the state department of education are permitted to carry such flags, instruments, batons, etc. that are customary in carrying out their respective functions.

(i) No vicious animal, whether leashed or unleashed, shall be allowed to participate in or proceed along the route of a parade or in a special event.

(j) The person designated in the Application as responsible for the physical conduct of the parade or special event shall be responsible for ensuring that any booths, stands, or other equipment used in the parade or special event participants are removed from the area within a reasonable amount of time.

(Ord. of 8-2-00)

**Sec. 11-46. Responsibility of participants and person in charge.**

(a) Participants in a parade or special event are required to abide by this Article and the terms of the Permit issued pursuant to this Article. Willful violation thereof will constitute a violation of this Article and is punishable as provided by law.

(b) The person designated in the Application as responsible for the physical conduct of the parade or special event shall be responsible for monitoring the conduct of the participants in the parade or special event.

(Ord. of 8-2-00)

**Sec. 11-47. Revocation of permit.**

The City Manager or his/her designated agent may revoke any Permit granted for a parade or special event if:

- (1) Any participant in a parade or special event violates the standards for the conduct of parades or special events set out herein; or
- (2) Any participant in a parade or special event fails to comply with the formation, terms, or conditions set out in the Application and Permit, or fails to comply with the terms of this Section.”

(Ord. of 8-2-00)

This the 14<sup>th</sup> day of June, 2016.

**CITY OF REIDSVILLE:**

/s/ \_\_\_\_\_  
John M. “Jay” Donecker, Mayor

ATTEST:

/s/ \_\_\_\_\_  
Angela G. Stadler, CMC/NCCMC, City Clerk

APPROVED AS TO FORM:

/s/ \_\_\_\_\_  
William F. McLeod, Jr., City Attorney

**CONSIDERATION OF BUDGET ORDINANCE AMENDMENT NO. 13  
REFLECTING THE TRANSFER OF THE 911 FUND’S FUND BALANCE TO  
ROCKINGHAM COUNTY AS PART OF CONSOLIDATING 911 SERVICES.**

In making the staff report, Assistant City Manager/Finance Director Phillips noted that this is the final piece of the consolidation of the 911 systems in Rockingham County. Prior to the consolidation, Reidsville had its own 911 call center and received State funding for that. He explained that the 911 funding Reidsville received was highly restricted for very specific items, and Reidsville was very conservative with the items and had a fund balance. The 911 fund balance reported at the end of the last fiscal year totaled \$527,950.71 and since we do not maintain any 911 equipment, we must transfer those monies to the County. The accompanying Budget Ordinance Amendment will allow us to transfer those funds to Rockingham County, he said.

**Councilman Gorham made the motion, seconded by Mayor Pro Tem Brown and unanimously approved in a 7-0 vote, to approve BOA #13.**

The approved Budget Ordinance Amendment follows:

**BUDGET ORDINANCE AMENDMENT NO. 13**

**WHEREAS**, the Mayor and City Council of the City of Reidsville adopted a budget ordinance on June 9, 2015 which established revenues and authorized expenditures for fiscal year 2015-2016; and

**WHEREAS**, since the time of the adoption of said ordinance, it has become necessary to make certain changes in the City's budget to reflect the transfer of 911 funds fund balance to Rockingham County as part of consolidating 911 services;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and City Council of the City of Reidsville that the budget ordinance as adopted on June 9, 2015 is hereby amended as follows;

**Section 1.** That revenue account number 29-3991-0000, 911 Appropriated Fund Balance, be increased by \$520,841.00; that revenue account number 10-3991-0000, General Fund Appropriated Fund Balance, be increased by \$7,110.00.

**Section 2.** That expense account number 29-4300-9900, Balance Transfer to Rockingham County, be increased by \$520,841.00; that expense account number 10-4310-4990, RPD Admin Miscellaneous, be increased by \$7,110.00.

This the 14th day of June, 2016.

/s/ \_\_\_\_\_  
John M. "Jay" Donecker  
Mayor

ATTEST:

/s/ \_\_\_\_\_  
Angela G. Stadler, CMC/NCCMC  
City Clerk

**CONSIDERATION OF STAFF'S RECOMMENDATION TO AWARD SHILOH UTILITIES, INC. THE CONTRACT FOR THE CAMBRIDGE (BALLYMENA) PUMP STATION REPLACEMENT PROJECT FOR \$190,000 AND APPROVAL OF THE ACCOMPANYING BUDGET ORDINANCE AMENDMENT.**

Manager Mitchell noted that this item had been discussed at the budget work session before asking Public Works Director Kevin Eason to come forward.

In making the staff report, Public Works Director Eason stated that based on direction received at the Council Retreat, an invitation to bid was issued on May 4 for the Cambridge Sewer Pump Station replacement. (A COPY OF EASON'S MEMO DATED MAY 31, 2016 IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) A pre-bid conference was held on May 18. Sealed bids were received on May 26 with two bids received. Under informal bid procedures which don't require a minimum number of bids, the low bidder was Shiloh Utilities, Inc. with a bid of \$190,000. (A COPY OF THE BID SHEET IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) The other bidder was Sam W. Smith Inc. with a bid of

\$197,714. Mr. Neal Tucker with Stimmel & Associates, the Engineer of Record, accepted the bid of Shiloh, Eason said.

Eason said it is requested that the Council authorize the City Manager to enter into a contract with Shiloh Utilities for \$199,500, which includes the bid amount and a 5% contingency amount.

Manager Mitchell added that this funding would come out of the Combined Enterprise Fund Reserves. He noted that this pump station is the third of three identified as being in critical condition.

**Councilman Gorham made the motion, seconded by Councilwoman Walker and unanimously approved in a 7-0 vote, to approve.**

The corresponding Budget Ordinance Amendment as approved follows:

**BUDGET ORDINANCE AMENDMENT NO. 14**

**WHEREAS**, the Mayor and City Council of the City of Reidsville adopted a budget ordinance on June 9, 2015 which established revenues and authorized expenditures for fiscal year 2015-2016; and

**WHEREAS**, since the time of the adoption of said ordinance, it has become necessary to make certain changes in the City's budget to appropriate funds for the replacement of the Cambridge Pump Station;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and City Council of the City of Reidsville that the budget ordinance as adopted on June 9, 2015 is hereby amended as follows;

**Section 1.** That revenue account number 62-3991-0000, Appropriated Sewer Fund Balance, be increased by \$199,500.00.

**Section 2.** That expense account number 62-7133-5800, Plant Capital Improvements, be increased by \$199,500.00.

This the 14th day of June, 2016.

/s/ \_\_\_\_\_  
John M. "Jay" Donecker  
Mayor

ATTEST:

/s/ \_\_\_\_\_  
Angela G. Stadler, CMC/NCCMC  
City Clerk

**CONSIDERATION OF THE LEASE PURCHASE AGREEMENT FOR PURCHASE OF STREET AND SANITATION VEHICLES AS APPROVED IN THE FISCAL YEAR 2015-16 BUDGET.**

In making the staff report, Assistant City Manager/Finance Director Phillips explained that the 2015-16 budget approved a year ago authorized the lease purchase of a number of Street and Sanitation Department vehicles totaling \$474,000. Earlier this year, the City also adopted a reimbursement resolution related to that. In this situation, the City wants to get the exact price for these vehicles before securing financing, he said. Last month a Request for Proposals was sent out to local banks for financing. The lowest rate came in from BB&T at a rate of 1.47% for five years.

Phillips said staff is asking City Council to authorize the Mayor or Manager and the Finance Director to be able to sign the final documents. Attached is a draft resolution, (Resolution Approving Financing Terms), which is good for 45 days and we will close before the end of the fiscal year on that debt, he added.

**Councilwoman Walker made the motion, seconded by Councilman Gorham and unanimously approved by Council in a 7-0 vote, to approve. (A COPY OF THE RESOLUTION IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)**

**CONSIDERATION OF RE-ALLOCATION OF THE FUEL CONTINGENCY FUND FOR SOFTWARE COMPUTER MODULES FOR THE POLICE DEPARTMENT.**

In making the staff report, Manager Mitchell noted that it is within his authority to approve intra-departmental transfers, but due to the unique nature of this situation, he wanted to make Council aware that he planned to use the fuel contingency to fund software computer modules for the Police Department. Fuel across the board was a very good budget item for us this year, he stressed. (MANAGER MITCHELL'S MEMO OUTLINING THIS ITEM IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.) He explained that as Council was made aware of during the budget work session, of the \$90,000 sought by the Police Chief Robert Hassell for these modules, only \$32,000 was recommended for funding. The City Manager again noted that due to the unique nature of using the fuel contingency fund, he wanted to bring this item for a vote by Council.

Chief Hassell, in seeking the \$30,000 towards purchase of the modules, explained how these modules would allow his department to track the data used to allocate resources within his department. He listed some of the various modules, including those for animal control, canine tracking, gang tracking, the Quartermaster module which is basically for uniforms, equipment, etc. He gave as an example how the Quartermaster module and canine module would work. He also discussed the module for Professional Standards or Internal Affairs and how it works.

Currently they track paper, he noted. These modules will help them be more data driven with the end result being that in the long run, his department will be able to operate more

efficiently and save money, Chief Hassell said. Councilwoman Walker said she liked hearing that.

**Councilman Hairston made the motion, seconded by Councilman Gorham and unanimously approved by Council in a 7-0 vote, to approve the re-allocation.**

The corresponding Budget Ordinance Amendment No. 15 as approved follows:

**BUDGET ORDINANCE AMENDMENT NO. 15**

**WHEREAS**, the Mayor and City Council of the City of Reidsville adopted a budget ordinance on June 9, 2015 which established revenues and authorized expenditures for fiscal year 2015-2016; and

**WHEREAS**, since the time of the adoption of said ordinance, it has become necessary to make certain changes in the City's budget to reallocate fuel contingency funds for purchase of Police software;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and City Council of the City of Reidsville that the budget ordinance as adopted on June 9, 2015 is hereby amended as follows;

**Section 1.** That expense account number 10-4120-9911, Fuel Contingency, be **decreased** by \$30,000.00.

**Section 2.** That expense account number 10-4310-2699, RPD Admin MIS Supplies, be increased by \$30,000.00.

This the 14th day of June, 2016.

/s/ \_\_\_\_\_  
John M. "Jay" Donecker  
Mayor

ATTEST:

/s/ \_\_\_\_\_  
Angela G. Stadler, CMC/NCCMC  
City Clerk

Councilman Festerman, noting that the Police Department had a successful day today, asked the Police Chief to elaborate on that.

Chief Hassell discussed the arrest made today in the Carter Bank & Trust robbery with the same suspect being a suspect in a previous robbery at Carter as well as in the Quick Cash pawn shop robbery. This drew a round of applause from the audience.

**REPORT BY ECONOMIC DEVELOPMENT DIRECTOR JEFF GARSTKA  
REGARDING:**

Economic Development Director Jeff Garstka reported to Council about several recent activities.

**Merchant 1 Manufacturing**

Garstka talked to Council about how Merchant 1 Manufacturing relocated from the Guilford County/Greensboro area to Reidsville into the old Elixir property. He briefly explained the history of the company and what the business does, including the primary product line of spray booths, many of which are custom designed. The company also has been contracted to build welding booths for community colleges in North Carolina. The business employs 22 people and will bring over \$100,000 in equipment here, which will help the local tax base, the Economic Development Director said. The company is also a distributor for other companies, both domestically and overseas. (A COPY OF THE PRESS RELEASE ON THE COMPANY COMING TO REIDSVILLE IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

**AT&T Fiber Ready Certifications**

Garstka then discussed how the City and the County jointly own the Reidsville Industrial Park. He noted the presence of County Manager Lance Metzler in the audience. He said ed that we have what he considers a “Class A” piece of land that we can offer companies, which is very attractive and offers an upscale feel.

The Economic Development Director said AT&T approached us recently about certifying that site, as well as the Watlington Industrial Park on Barnes Street, as Certified Fiber Ready. AT&T has a very robust fiber optic infrastructure nearby those two parks, which means any clients in those parks can access the highest fiber technology available, Garstka asserted. That is important to industries, such as data centers, etc. He said there will be some joint marketing by AT&T and the City about the parks and these certifications. He added that we are the first in the Triad area to be certified as AT&T Fiber Ready.

Garstka then introduced Kathleen Evans, Regional Director of External Affairs with AT&T, to make the presentation. As Garstka was talking, she said is occurred to her that AT&T’s “latest and greatest” data center is in North Carolina, and she offered the Mayor and Council the opportunity to visit it if they would be interested, especially if it would help them lure more businesses to the City and Rockingham County.

Ms. Evans told Council she was excited to be here tonight and that many people internally at AT&T are watching what is going on today as the company designates not one, but two of Reidsville’s industrial parks as AT&T Fiber Ready – the Reidsville Industrial Park and the Watlington Industrial Park. She noted that these parks are the first to be certified in the City, in Rockingham County and in the entire Triad area.

Ms. Evans discussed how it takes a team to move a community forward. She talked of AT&T’s strong relationships with the City, the County and the local Chamber of

Commerce. She noted how elected officials, from Senator Berger to the County Commissioners to the City Council all work hard to create jobs. She thanked them as well as her colleagues at AT&T for their efforts.

Ms. Evans continued to discuss technology, including the high speed Internet access our citizens want and need, as well as AT&T's long-time relationship with the City. She talked of highlighting these two industrial parks, where the fiber ready designation can help grow the local economy. AT&T has invested over \$1.3 billion in the State of North Carolina in the last three years, she added.

Mayor Donecker and Garstka came forward for the presentation of the certificates from Ms. Evans.

The Mayor made a few remarks, noting that growth in Reidsville has been static and it is things like this designation that the City is relevant to the 21<sup>st</sup> Century. He said he appreciated that Ms. Evans and AT&T were willing to tackle us on this and make us first in the Triad. He also encouraged the company to think of Reidsville for other projects as a beta test site, etc., which in turn can help make other rural communities more relevant. Ms. Evans said she understood, noting that the City and County are very important to AT&T.

#### **PUBLIC COMMENTS.**

Mayor Donecker then invited anyone to come before Council with any issue involving our City.

Mr. Ron Price of 218 Cedar Run, Reidsville, came forward, reading from a prepared statement. He said we know it is the interest of the City Council to do what is perceived to be the best for the people of Reidsville. However, he said not everyone is aware of the new radical interpretation of the 1972 amendment to the Civil Rights Act, which includes Title VII and IX regarding gender discrimination. In the past 44 years since it was passed, there has been no question what gender meant, he asserted. Mr. Price said that President Obama has bypassed Congress and the Supreme Court to implement his rules or lose federal funding. The President's edict demands that public facilities must be "gender neutral," he continued, turning upside down thousands of years of society's standards. He stated that the President is demanding that boys, girls, men and women share bathrooms, showers and locker rooms concurrently. Mr. Price said there is no doubt the White House is trying to force perversion on America. He talked of parents choosing to send their children to alternate forms of education, which will have a severe impact on our public educational system. While some businesses will not come here, he said others will because of our values. Businesses should not be trying to force their values on society, he said, and he reiterated that some businesses will come because we have a good business climate and good values.

Mr. Price highlighted data found in the "State of the County" and noted that the City and County have things that will draw businesses here. He said the consequence of Washington's radical mandate will be to force both genders to share bathrooms, locker

rooms, showers and dressing rooms. He said that if Reidsville does pass a resolution, he said he hoped it would be in support of the law duly passed by the NC General Assembly. *(Three-minute time limit enforced.)*

Pastor Edward Long Jr. of True Vine Church came forward. He said he never thought he would be talking about gender, stating that God made them male and female. He noted that gender was not something discussed when he was growing up. He said this is not just a personal thing but it is a God thing. He said last week at the County Commissioners' meeting he heard about commonsense and how companies wouldn't come here. He expressed concerns about the bathroom situation and gave some Biblical perspective, asking Council members if they have forgotten. He said a passed resolution would do more harm and discussed the wrath of God and harm to this community. He then quoted from the Bible from the Chapter of Leviticus. "Is this what we are about to do?" he asked. He said it is not about male or female and that he is taught to love everyone, but he said it is a sin issue. "God hates sin," he stressed. He concluded by talking of the need to turn to Jesus. *(Three-minute time limit enforced.)*

Mr. Carl Wayne Bray of 1010 Lawndale Drive, Reidsville came forward. He reminded those present that it was Flag Day and D-Day was the 6<sup>th</sup> of June, the turning point of WWII and many people died that day. He talked of those buried at Arlington Cemetery for our freedom, adding that we are losing our freedom a little bit at a time. He talked of the simplicity of knowing which bathroom to go to back then. Noting he has an eight-year-old great-granddaughter with autism, Mr. Bray said he didn't know where this thing was going, but he said if men and women in the Army start using the same bathrooms and locker rooms, the Army is going to be in chaos. He talked of the need to take a stand now and to let people know that God created a man and woman to love each other and go forth and replenish the world. He said we are failing to get across why God created men and women and how it was to replenish the world. He stressed the need to stand up for what is right. *(Three-minute time limit enforced.)*

Father Rick Miles of 634 Parkway Boulevard, Reidsville, came forward. He said he knows there is a proposal to support HB2, but he said he would speak against that. Wherever you might be on the issue, he said this particular bill is deeply flawed. While it has been called the "bathroom bill," he said that is cover for what should be called the "evil employer and landlord bill" because all of us have lost our rights for redress when it comes to discrimination in our State courts. He said we all pay taxes so we can access the State courts when we've been wronged. HB2 says if you get fired because you're boss says you're too old or you don't get a raise because your boss doesn't like women or you don't get hired because you're black or Hispanic, you cannot sue in a State court for redress, he said. Father Miles said HB2 is a smokescreen to take away the rights that we should all be able to duly enjoy but no longer can in North Carolina. He then discussed bathroom use, stating that right now the law says if you were born a woman but have transgendered into a man with the physical equipment that goes with that, you are now required to go to a woman's bathroom. It is against the law if you have transgendered and become a man to go to any bathroom but a women's bathroom, he continued. This bill is flawed, Father Miles said, in that it is actually forcing people who have become men to

be in a women's bathroom. He urged the Council not to support HB2. (*Three-minute time limit enforced.*)

### **CITY MANAGER'S REPORT.**

In making his Manager's Report, Manager Mitchell reviewed his decision to make a transfer across departments in order to move \$15,000 from Administration to Fire to replace the roof at Fire Station #3 as outlined in his written report. (A COPY OF THE WRITTEN REPORT IS HEREIN INCORPORATED AND MADE A PART OF THESE MINUTES.)

He also discussed the 2016 Independence Day Celebration as outlined in the memo from Assistant City Manager Tom Wiggins and the donation of old Body Armor from the Police Department to the Vest for Life/Armor of God program. He noted that these armor items have exceeded our safety policy and procedures and are of no value to the Police Department. He also referenced the upcoming events for the month of June.

Manager Mitchell concluded by referencing the budget process, reiterating it was a team effort between the City Council, Management Team and all employees. He said he thought it went well but was a lot of hard work.

### **COUNCIL MEMBERS' REPORTS.**

**Mayor Pro Tem Brown** – The Mayor Pro Tem noted that during the preceding month, he had met with Super Teen Basketball League coaches and players, discussing with them the history of the league and how the City gained possession of the gym. He also attended the Fire Chief's Pastoral Anniversary celebration May 28-29; with Councilman Gorham and others he attended a meeting with Dr. Kinlaw at Rockingham Community College on June 1 about ways they could help the college; and Town Hall Day in Raleigh June 8 with Councilwoman Walker, Councilman Festerman, Chamber President Diane Sawyer, City Manager Mitchell who came up with the idea, etc.

**Councilman Hairston**—The two items he listed as attending was Reidsville's Citywide Revival and the NAACP Mother Of the Year Banquet.

**Councilwoman Walker** – The Councilwoman read aloud a thank you note from the Adams family for last month's proclamation on May 10. She talked of the importance of the Relay for Life event. She said she also attended the following: two Community Watch meetings on the same night; the Reidsville Downtown Corporation meeting on May 24; the ABC Board meeting and Appearance Commission meeting on May 26; Reidsville Alliance's 75<sup>th</sup> Anniversary Worship Service June 5; Town Hall Day on June 8; and last Friday's downtown cruise-in and concert.

**Councilman Gorham** – The Councilman said he attended the following: May 14, Dance Elite Recital at Reidsville High School with his granddaughter performing; May 16, Penn Center Community Watch meeting; May 17, Community Watch meetings for Highland Heights and Ann Ruston; June 1, met with RCC President to discuss new programming planned and a tour of the building; June 1, Ministerial Alliance meeting; June 7, McLaurin Community Watch meeting; June 9, Moss Street School Awards Ceremony for

2<sup>nd</sup> and 3<sup>rd</sup> graders; June 11, Reidsville High School's Class of 2016 Graduation Ceremony; this past Sunday, Dr. Michael Galloway's second anniversary service.

**Councilman Balsley** – The Councilman invited Kayla Bullins to give the Chamber of Commerce report. She noted that a ribbon cutting was held at Mission First on June 13. Upcoming events are: 11:30 a.m. on June 23, ribbon cutting at Merchant 1 Manufacturing; 11:30 a.m. on July 11, tentative ribbon cutting at Marco's Pizza; 9 a.m. on July 19, ribbon cutting at Kingdom of God Fellowship Church/The Refuge; Countywide Ribbon Cutting at the Rockingham County Partnership for Economic Development, 9 a.m. July 22; the Chamber Coffee at 8 a.m. on August 4<sup>th</sup> at Golden Corral; 4-7:30 p.m. Ice Cream Social at Chamber office on July 14<sup>th</sup>; August 17<sup>th</sup>, "Golf for Reidsville" event at Plantation Golf Course.

**Councilman Festerman** – The Councilman asked if we are on schedule for mowing our rights of way? He said it appears several are not being mowed. Manager Mitchell said we had fallen behind in some places due to the fiber installation. Public Works Director Kevin Eason asked which particular areas? Councilman Festerman said in different areas. Eason said we are not doing any mowing on Freeway Drive due to the construction there.

The Councilman then asked whether the mowing on Freeway Drive would be done by the City. Eason explained that the State would mow it, but not as frequently as the City might mow it so there is a reimbursement method if the City mows it. He said he figured we would do some of the mowing there.

Discussion then ensued about the lighting along Freeway Drive. It will probably start on the Scales Street end, Eason said. He said a committee or someone will sit down and develop a plan. Duke Energy prefers we wait until after the project is completed, he added, but it shouldn't take too long to get street lights up. Manager Mitchell said staff assumed Council didn't want us to do anything to delay the project.

Councilman Hairston complimented the City's mobile app, Reidsville Connect, and the quick response by staff.

**Mayor Donecker** – The Mayor offered two housekeeping issues, noting that the Burger King on Scales Street needs a "crew cut." Manager Mitchell said Community Development has contacted the owners. Secondly, the Mayor said the City's Human Relations Commission has sent him a letter asking the Council to consider joining the call to repeal HB2. This discussion will be on the July Council agenda, he added.

**MOVE TO THE FIRST-FLOOR CONFERENCE ROOM FOR A CLOSED SESSION TO DISCUSS ECONOMIC DEVELOPMENT PURSUANT TO G.S. 143-318.11(A)(4).**

**Councilman Gorham made the motion, seconded by Councilman Hairston and unanimously approved by Council in a 7-0 vote, to go into closed session in 10 minutes.**

**RETURN TO OPEN SESSION.**

Upon return to open session, Council members asked staff to review the time limit for public comments. Councilman Gorham also asked the City Attorney to provide some insight on the HB2 legislation.

**Councilman Gorham then made the motion, seconded by Councilman Hairston and approved in a 6-0 vote, to adjourn at approximately 8:05 p.m. (*Councilman Festerman had left at the end of the closed session.*)**

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John M. "Jay" Donecker, Mayor

ATTEST:

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Angela G. Stadler, CMC/NCCMC, City Clerk