

# TOWN OF HUDSON REGULAR MEETING

April 21, 2020

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In Attendance:

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**Members Present:** Mayor Janet Winkler, **Commissioners:** Larry Chapman, Jonathan Greer, Jeff Link, Barry Mitchell, Rick Shew and Ann Smith

**Others Present:** Town Manager, Rebecca Bentley, Town Clerk, Tammy Swanson, and Town Attorney, Carroll Tuttle – **Technical Assistance:** Police Chief, Richard Blevins, Assistant Finance Officer, Michelle Coffey and Officer Brandon Nelson

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Call to Order:

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Mayor Janet Winkler called the April meeting to order, and Mayor Pro Tem, Larry Chapman, led the group in the Pledge of Allegiance and opening prayer.

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Discuss/Adjust Agenda:

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Janet presented the April agenda, and there were no additions or corrections.

**Motion: (Jonathan Greer/Jeff Link) to approve the agenda as presented. Unanimously approved**

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Approval of Minutes:

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Janet stated that the minutes for the March/April meetings will be presented and approved at the May 19, 2020 meeting.

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Public Hearing: Text Amendment - Code of Ordinances – Art. 2 Section 11.9:

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**Open Public Hearing - Motion: (Jeff Link/Larry Chapman) to open the floor for public hearing. Unanimously approved.**

Rebecca stated that we have an ordinance in the Code of Ordinances that addresses unnecessary noises. Section 11.9 - *Unnecessary Noises Prohibited* currently reads as follows:

It shall be unlawful for any person, firm or corporation to create or assist in creating, permit, continue, or permit the continuance of any unreasonably loud, disturbing and unnecessary noise in the Town. Noise of such character, intensity and duration as to be detrimental to the life or health of any individual is prohibited.

Further on in this ordinance, respite and repose are discussed; however, respite and repose are not defined. This amendment defines respite and repose, and she presented the following addition to the current ordinance.

Furthermore, the Town of Hudson recognizes that its citizens need a time of respite and repose. The Town of Hudson shall recognize this period of respite and repose as being from the hours of 10 pm to 6 am daily. Such noise that unreasonably disrupts this period of respite and repose shall be considered unlawful. Any person creating, permitting to create or allowing to continue unlawful noise as described in this section shall be guilty of a misdemeanor, punishable upon conviction by a fine or imprisonment as provided by G.S. 14-4.

*April 21, 2020 Regular Meeting*

Rebecca commented that the amendment does not create much of a change in the ordinance itself. However, the amendment is necessary due to law enforcement needing to have a definition of respite and repose when problems with noise occur.

The question was asked if the Police Department receives many complaints about noise after 10:00 p.m.

Rebecca stated that there are some complaints being received lately that are after 10:00 p.m.

Janet commented that in some parts of the Code of Ordinances, decibels are used to describe the degree of noise allowed.

Rebecca stated that the section being amended is just a small section of the Code.

Carroll stated that as a general rule, noise ordinances are difficult to enforce. This is due to the different tolerance levels people have for noise.

The Board called on Chief Blevins to discuss the issues being experienced concerning noise.

Chief Blevins stated that in requesting this amendment, we understand noise tolerance can vary depending on people's habits. He stated that he believes we need to have a time limit on the noise, and with the regulations being a part of the ordinance, we can charge a violation.

Janet commented - so this amendment would create an additional tool for dealing with noise complaints.

Chief Blevins answered yes, and he added that the amendment would also set a time limit that could be followed. He commented that 10:00 p.m. seems reasonable.

Jeff asked if there are complaints being called in about noise.

Chief Blevins stated that summertime brings more issues with noise. He commented that with the COVID-19 shut down, there have been more parties and more calls.

Janet stated that we need to remember that our Code of Ordinances gives us guidelines and tools to work with, and we just want to try and enforce what we can enforce.

**Close Public Hearing:**

**Motion: (Rick Shew/Barry Mitchell) to close the public hearing. Unanimously approved.**

**Motion: (Rick Shew/Barry Mitchell) to adopt the amendment to the Code of Ordinances – Section 11.9 as presented. Unanimously approved.**

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**Budget Amendment:**

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Rebecca stated that once Governor Cooper issued the stay at home order, we realized we did not have any type of system that would allow the Board to communicate from home. She stated that she planned to include laptops for the Board in next year's budget; however, the need is here now. She stated that she had contacted the Board Members individually by email to get verbal approval, and now we need the formal approval.

Other items included in the Budget Amendment are batteries and car chargers for the Police Walkies, and 4 laptops for police cars. Rebecca explained that the officers needed their own individual equipment for their cars to help prevent the spread of illnesses.

**Motion: (Larry Chapman/Rick Shew) to approve the Budget Amendment as presented. Unanimously approved.**

**The Budget Amendment was approved as follows.**

Town of Hudson Budget Amendment				
<b>Date:</b>	April 8, 2020			
<b>Department:</b>	Administration & Law Enforcement			
<b>Dept Head Signature</b>	Rebecca M. Bentley, Chief Richard Blevings			
<b>Purpose:</b>	Budget Amendment for (4) Laptop for PD Vehicles \$4,000; (14) Batteries for Walkies \$2,100; (14) car chargers for Batteries for Walkies \$1,800; (8) laptops for Governing Board to conduct electronic meetings and receive paperless agendas \$8,000			
<b>Revenue:</b>				
<b>Account Number</b>	<b>Account Title</b>	<b>Current Budget</b>	<b>Change to Budget</b>	<b>Amended Budget</b>
				\$ -
				\$ -
	<b>Total</b>		<b>\$ -</b>	
<b>Expense:</b>				
<b>Account Number</b>	<b>Account Title</b>	<b>Current Budget</b>	<b>Change to Budget</b>	<b>Amended Budget</b>
10-510-2319	Supplies COVID-19 - Law Enf	\$ -	\$ 7,900	\$ 7,900
10-410-2319	Supplies COVID-19 - Govrn Bd		\$ 5,900	\$ 5,900
10-420-2319	Supplies COVID-19 - City Mgmt	\$ -	\$ 850	\$ 850
10-660-5900	Contingency	\$ 66,631	\$ (14,650)	\$ 51,981
				\$ -
	<b>Total</b>		<b>\$ -</b>	

Approve Façade Grant – Throneburg:

Rebecca stated that the Board approved a façade grant in May 2018 in the amount of \$4,375 for Larry Throneburg to fund 50% of the cost to rebuild the awning at the Throneburg Store building. The grant, however, was not completed within the fiscal year in which it was awarded, so the Board will need to reconsider the request.

The maximum amount awarded cannot exceed \$2,500; however, at the discretion of the Board and based on applications received, larger grants may be considered on a case by case basis when the investment is larger than \$5,000. Rebecca stated that the work at the Throneburg Store is now complete, and Mr. Throneburg has submitted a request for one half of \$11,358 or \$5,679.

**Motion: (Rick Shew/Ann Smith) to approve the Façade Grant submitted by Larry Throneburg in the amount of \$5,000. Unanimously approved.**

Discuss Personnel Policy Change:

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Rebecca stated that the Town's Personnel Policy makes no mention of how to handle a pandemic. She stated as Town Manager, she believes we need to have something in writing that employees can stay home without using any of their accrued time. Virtually all of our Town Employees cannot perform their jobs from home, so it was decided that staff would rotate as they could during the month of April.

Rebecca presented an "Employee Compensation Policy Related to Pandemic." This policy says that we will allow up to 80 hours of pandemic time when there is an order to stay home. At the end of the 80 hours, employees can either be furloughed, or they can go into the negative with sick leave if necessary. Rebecca commented that at this point we are not sure when the stay home order will be lifted.

Janet commented that under this policy, the pandemic time will expire for employees on April 30<sup>th</sup> for the COVID-19 pandemic.

**Motion: (Rick Shew/Larry Chapman) to approve the personnel policy change as presented. Unanimously approved.**

**The Policy as approved:**

**EMPLOYEE COMPENSATION POLICY RELATED TO PANDEMIC**

WHEREAS, the Town of Hudson Board of Commissioners acknowledges the vital importance of the Town's employees to the functioning of Town government and the provision of services to the residents of Hudson; and

WHEREAS, the Hudson Board of Commissioners realizes that in the event of a pandemic, or in the event of the outbreak in the United States of a serious communicable disease, some Town employees may be quarantined and unable to work for some period of time.

WHEREAS, the Hudson Board of Commissioners acknowledges the severe financial impact on its employees of being quarantined and unable to work, as well as the impact on the economy as a whole if substantial numbers of people are unable to work and earn income due to being quarantined.

NOW, THEREFORE, it is the policy of the Town of Hudson Board of Commissioners that in the event a pandemic is declared by the World Health Organization and/or the President of the United States declares a national state of emergency due to the outbreak of a serious communicable disease, and/or the North Carolina Governor enacts an Executive Order to stay-at-home, any full-time employee who is out of work because they have been confirmed by a medical health professional to have the disease, or who is required to be quarantined by a public health official with lawful authority to require the employee to be quarantined, or in order to minimize exposure to a communicable disease, the Town Manager has deemed their position to be non-mandatory and there is no work available due to closing of facilities or reduction in work required, shall be entitled to receive up to ten (10) days of paid sick leave, not to exceed the actual number of work days that the employee is out of work due to sickness, quarantine, or lack of work. The days of paid sick leave granted under this Policy are in addition to any other available sick leave or vacation leave or compensation leave the employee has earned, and the employee is not required to use accrued sick leave or vacation leave prior to utilizing these paid sick days.

The Town Manager, in consultation with the Board of Commissioners, may declare an emergency furlough if the Town facilities remain totally closed or partially closed for an extended period of time and/or, if as a result of the pandemic, there is insufficient work for non-mandatory positions. A furlough is a temporary layoff from which employees are expected to be recalled. Permanent employees who are on an emergency furlough will be allowed to use comp time, sick or vacation leave. Should an employee not have sufficient comp, sick or vacation leave available, the Town may work with the employee to advance a reasonable amount of leave or make arrangements for the employee to make up the time within 24 months. An employee may be eligible for unemployment benefits through the North Carolina Employment Security Commission while on emergency furlough. Employees should contact the North Carolina Employment Security Commission for further details. Employees may not utilize accrued leave if the employee chooses to apply for unemployment benefits.

PROVIDED, HOWEVER, that in the event the federal and/or North Carolina state governments enact one or more programs to provide payments or other benefits that help to offset quarantined Town employees' loss of income, this policy may be modified to take into consideration and to avoid duplication of any such relief being provided by federal and/or state programs.

This policy is adopted this the 21<sup>st</sup> day of April, 2020 and is retroactively effective to April 1, 2020.



Janet H. Winkler, Mayor

ATTEST:



Tamra T. Swanson, Town Clerk

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Public Comment & Informal Discussion:

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**-Discuss Special Hazard Pay for Police Dept.** – Rebecca stated that some towns are discussing hazard pay for their police departments. Rebecca commented that our Police Department does a great job, and because of the nature of their jobs, they do not get the 80-hours pandemic compensations like the other employees.

The City of Charlotte, for instance, has given temporary pay increases to their police officers during the pandemic. Some towns are giving flat bonuses, and some are doing nothing.

The Board discussed different options and the costs of the options.

Rebecca stated that Chief Blevins requested that if hazard pay is given to the Department, the amount be the same for all of the officers.

It was suggested that all of the employees of the Police Department be given a flat \$200.00 as hazard pay.

Rebecca stated that this option would cost a little more than \$3,000, and would not require a budget amendment because of the variation in staff in the Police Department during this budget year.

The Board extended their appreciation to the Police Department for all they do to keep our Town safe.

**Motion: (Rick Shew/Larry Chapman) to approve \$200.00 as hazard pay for each employee of the Police Department. Unanimously approved.**

**-Schedule Budget Work Session** – A Budget Work Session was scheduled for Monday, May 4, 2020 at 6:00 p.m. at the Town Hall.

**-Paperless agenda** – Janet stated that the Board will begin using a paperless agenda. The new laptops belong to the Town, and as board members rotate off, the laptops will stay. Janet also commented that the laptops are for town related business only.

*April 21, 2020 Regular Meeting*

**-Discuss Status of Billboard** - Rebecca stated that the first thing we had scheduled for the billboard was our dinner theater. Although dinner theater was cancelled, we still have a contractual obligation for the billboard. So the billboard company has offered an ad to thank our emergency services during this pandemic. Rebecca asked if the Board was in agreement with concept.

**It was the consensus of the Board to approve the billboard concept as suggested. The billboard will include symbols from the following: Hudson Police Department, Hudson Fire Department, Medical Symbol (Doctors and Nurses), and Emergency Services. It will also include a "Thank You" from the Town to our hometown heroes.**

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Closed Session: N.C.G.S. 143-318.11(a)(3) – Consult with Town Attorney

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Janet stated that the Board was going into closed session in accordance with N.C.G.S. 143-318.11(a)(3) – to consult with the Town Attorney.

**Motion: (Larry Chapman/Rick Shew) to go into closed session. Unanimously approved.**

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Return to Regular Session:

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**Motion: (Larry Chapman/Jeff Link) to return to regular session. Unanimously approved.**

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Investigation – Road Repairs Completion:

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**Motion: (Larry Chapman/Jonathan Greer) to further investigate the status of the repairs and costs involved with settling and completing the road repair projects for Holly Hill and Hickman Avenue. Unanimously approved.**

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Adjournment:

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**Motion: (Larry Chapman/Ann Smith) to adjourn the meeting. Unanimously approved.**

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Tamra T. Swanson, Town Clerk