

The Smithfield Town Council reconvened its May 6, 2020 meeting on Thursday, May 14, 2020 at 6:30 p.m. in the Fire Station Training Room located at 111 South Fourth Street, Mayor M. Andy Moore presided.

Councilmen Present:

John Dunn, Mayor Pro-Tem
Marlon Lee, District 1
David Stevens, District 2
Travis Scott, District 3
Dr. David Barbour, District 4
Stephen Rabil, At-Large
Roger Wood, At-Large

Administrative Staff Present

Michael Scott, Town Manager
John Blanton, Fire Chief
Lenny Branch, Public Works Director
Ted Credle, Public Utilities Director
Gary Johnson, Parks & Rec Director
Tim Kerigan, Human Resources/PIO
Shannan Parrish, Town Clerk
R. Keith Powell, Chief of Police
Greg Siler, Finance Director
Stephen Wensman, Planning Director

(Note: All Town Department Heads were present, but due to Social Distancing and Mass gathering restrictions related to Covid19, they were not present in the meeting room unless an item from their Department was discussed)

I. Reconvene: May 6, 2020 Meeting

Mayor Moore reconvened the meeting at 6:36 pm

II. Roll call of Councilmembers in Attendance

Town Clerk Shannan Parrish conducted the roll call of the Council present. All Councilmembers were present.

III. Comments by Jeff Jennings, Chairman of the Library Board of Trustees

Chairman Jeff Jennings provided the Council additional information from the Public Library of Johnston County and Smithfield. He explained his intent was to answer any questions proposed at the April 28th meeting. Mr. Jennings offered to provide the Council quarterly updates from the Library.

IV. Approval of the Agenda

Councilman Scott asked that the following item be added to the agenda

1. Discussion concerning business owner complaints of the Police Department

Councilman Wood made a motion, seconded by Councilman Rabil, to add the discussion concerning the Police Department's treatment of business owners to the agenda. Unanimously approved.

V. Discussion concerning complaints by business owners

Councilman Scott explained that several business owners contacted him regarding interaction with Police Officers when the Governor's Phase One restrictions were put into place. Some business owners complained officers were unprofessional when explaining the new restrictions.

Town Manager Michael Scott explained when the Governor rescinded the last order and Executive Order 138 went into place on Five o'clock on Friday, it changed the definition of essential business. Several businesses in Town that were on stay orders, so they were operating by an order of the Department of Revenue. Those stay orders were eliminated with the new order. The Police Department notified those business owners that they were no longer able to operate due to the new executive order.

Councilman Scott stated he was informed that a uniformed officer threatened the business owners and patrons. Councilman Scott further stated having uniformed Police Officers badger business owners was not a good practice. He suggested having the Code Enforcement Officer visit with these businesses. The Town Manager responded that code enforcement was a civil process while violating the Governor's Order was a criminal process. The Code Enforcement Officer has no authority to enforce the Governor's Executive Order. Any violation of the

Governor's Executive Order would always go to the district attorney's office first. The district office would inform the officer what they believe should be done and that would be followed.

Councilman Barbour questioned how many charges have been filed by those who violated the Governor's Order. The Town Manager responded no charges have been filed. Councilman Lee stated it was important to remember how to deliver a message appropriately.

Mayor Moore stated the world was in unprecedented times, he stated the law was the law. The Town's officers would enforce the law. The Town has not written any citations, nor do we plan on doing so.

VI. Continued Discussions of the FY 2020-2021 Budget

1. Non-Departmental Non- Departmental

a. Grant Amounts

The Town Manager explained there were some additional requests for funding, but he agreed with the Mayor stating he had significant concerns about adding anything new into the budget at this time. Due to the COVID-19 pandemic, revenues for the fiscal year are uncertain, especially sales tax revenue. He asked the Council to take a conservative approach. He agreed the Career and Technical Leadership Academy should be funded at a similar level as the other schools in the area. The Triangle East Chamber of Commerce did rescind their funding request of \$4,000. Those funds could be used to assist with the other nonprofit requests.

Councilman Lee suggested the Council provided extra funding for West Smithfield Elementary School this year. He stated the school does not have a PTA; therefore, the school cannot generate funds like the other schools.

Councilman Rabil suggested the Council consider increasing the funding for all schools. Due to COVID-19 all schools have been negatively impacted.

Mayor Moore stated the Public Works Department recommended purchasing new Christmas decorations at a cost of \$10,000. It was determined that replacing the decorations did not have to be purchased next year. The Mayor suggested some of the Christmas decoration funds could be used for some of the nonprofit requests.

Councilman Scott questioned if all the other nonprofit organizations would remain status quo. The Mayor stated that was correct. The Bright Spot Ministries and the Reach Mentoring Ministry would not be funded this year.

Councilman Wood made a motion, seconded by Councilman Barbour, to provide \$3,5000 in funding to the Smithfield Rescue Mission, \$1,000 in funding to the Career and Technical Leadership Academy and \$2,000 in funding to the West Smithfield Elementary School. Councilman Wood, Councilman Barbour, Mayor Pro-Tem Dunn, Councilman Lee, Councilman Stevens, Councilman Scott voted in favor of the motion. Councilman Rabil voted against the motion. Motion passed 6 to 1.

2. Public Works

Town Manager Michael Scott informed the Council it was not his recommendation to fund the following three items for the Public Works Department.

a. Additional Mechanic position in the Garage

Town Manager Michael Scott informed the Council after performing an analysis of expenditures for service work in the police department, Fire Department and the Planning department, it would not be cost effective to move forward with that hiring a mechanic at \$48,000. Also, the Town uses local businesses for maintenance and repair of vehicles. Hiring someone full-time would negatively impact those business. The Town Manager felt this may not be the best time to stop patronizing some of our local businesses. He recommended allowing staff to continue to service the vehicles the way they're currently being serviced.

Councilman Wood questioned if there was a back-up plan in place should the garage mechanic not be able to work. Public Works Director Lenny Branch responded there were several other employees that could fill in for the mechanic, but on emergency repairs only since that was not their primary job

b. Pressure Washer for the Garage

Town Manager Michael Scott informed the Council the proposed pressure washer for the garage was a \$10,000 expenditure that he felt was not needed at this time.

c. Additional funds for street resurfacing

Town Manager Michael Scott stated any additional funds for street resurfacing would come out of fund balance. He recommended revisiting this in the spring of 2021 when the normal street resurfacing project begins.

3. General Government

a. Text My Gov Software

Town Manager Michael Scott informed the Council that while I thought software would benefit the citizens, this year may not be the time to purchase and implement it. He felt it was something the Council could consider in the future.

4. Police

a. Salary Schedule

Police Chief R. Keith Powell addressed the Council on a proposed amendment to the salary schedule for the Police Department. He explained in today's environment it was difficult to recruit new officers. It also makes it more difficult to retain officers with experience due to them being able to go to other surrounding agencies for more money and better benefits with less duties and responsibilities. While Chief Powell felt all town employees deserved higher salaries, not all job performances were as dangerous or demanding as the role of a police officer. The police department carries the highest liability than any of the other departments in the town. Police Officers have the power to take a person's freedom and in extreme cases take someone's life. In the past few years, the department has lost numerous officers with at least 8 yrs. or more experience. Ten officers left to work for Knightdale Police Department which took approximately 76 years of experience to another agency. Two of them were supervisors that took patrol officers positions with less work and responsibilities for more money and better benefits. Chief Powell stated he reviewed the records and the last time the department was fully staffed was in December of 2017. The department on average has carried two to three vacancies a month since December of 2017. In January of 2018, the department had eight vacancies and in May of 2020 seven vacancies. During this time, we have been able to hire officers but continue to lose officers to other agencies that have gained valuable experience the town has paid for. The department currently has 41 sworn positions, of which 36 are sworn positions that are fully funded by the town. Johnston Community College covers 100% of the two SRO's at the college. The Smithfield Middle and Neuse Charter School provide 66 % of the funding for these two officers. This saves the town a considerable amount of money during the year. The proposed salary schedule would increase the starting salary (\$45,540.00) to be competitive with the Town of Knightdale It would also adjust the other employee salaries accordingly. This draft would affect 22 employees as well as the seven vacancies. This proposal would only affect line level officers and three supervisors that are below the minimum starting salary for their positions. This plan would cost the town approximately \$174,000 to implement. The department's salary line item always has money left due to the shortages. It does not address the additional twelve officers that have been with the agency for a considerable amount of time. These twelve officers have a total of 230 years of experience. This has been an ongoing discussion for years in every budget session. The council decided to conduct a salary study to address this issue during this year's budget. The agency was able to persuade officers to stay and see the outcome of the pay study. Numerous officers left after the pay study because they did not feel it was accurate or fair to officers with seniority. The town lost valuable years of experience after the pay study was completed. These senior officers left to go to other agencies for more money, better benefits, and less work.

Councilman Scott questioned if the 12 senior officers would receive any increase. Chief Powell responded these employees were already above the minimum salary therefore they would not receive any increase.

Councilman Scott further questioned how the town could fund the salary schedule increases. Town Manager Michael Scott recommend not funding the proposed increases until January since revenue streams were so uncertain currently.

Councilman Wood questioned the reason why officers decided to find employment at other agencies. Chief Powell responded it was due to salaries. Councilman Wood stated that while he understood, he realized Smithfield cannot compete with larger municipalities.

Councilman Barbour questioned if the Council could at least do fund some of the increases. Town Manager Michael Scott responded this issue was not about money, it was about recruitment and retention. He explained if the town wanted to hire more police officers and retain them, they needed to be paid. Paying them halfway is a waste of money because it is not going to achieve the ultimate goal. He believed by raising the pay scale, we can retain people, and then we can recruit people And we've had these conversations about recruiting people who look like our community and we can't do that with what we have. It was the Town Manager's opinion that we cannot make recruitment happen without paying the officers. He further suggested waiting until January to fund half of the increases and freeze two positions.

Councilman Lee stated he felt the officers needed to see a good faith effort on the part of the Town Council. That would be achieved by approving the salary schedule.

Mayor Pro-Tem Dunn questioned if the Police Department staffing level was the same as it was five years ago. Town Manager Michael Scott responded the Police Department lost several positions in 2010 that have not been added back to the department.

Councilman Scott questioned if there was an additional \$194,000 in this year Police Department salary line because they have not been fully staffed. The Town Manager responded it was approximately that amount.

Mayor Pro-Tem Dunn stated while this fiscal year's funds could be used to fund the increases for next fiscal year, he was concerned because salaries were reoccurring costs. He further stated he was concerned about the ability to fund the increases in the future.

Mayor Moore stated he too was concerned because of the economic uncertainty of the time. He was unsure if the town was comparing itself to other places that were larger and had more revenue. He stated the Council has allowed officers to have tattoos, facial hair, relaxed uniforms, and take-home cars all to recruit and retain officers and none of those things have helped with officer retention. He cautioned the Council to know the total cost of this proposed salary schedule amendment before they decided.

Councilman Scott made a motion, seconded by Councilman Rabil, to implement the proposed salary schedule for the Police Department effective July 1st and to direct the Town Manager to use funds from the current fiscal year to fund the salary increases for the Police Department in FY 2020-2021. Councilman Scott, Councilman Rabil, Councilman Lee, Councilman Stevens, Councilman Barbour, and Councilman Wood voted in favor of the motion. Councilman Dunn voted against the motion. Motion passed 6 to 1.

Adjourn

Councilman Stevens made a motion, seconded by Councilman Wood, to adjourn the meeting. The meeting adjourned at approximately 8:56 pm.

M. Andy Moore, Mayor

ATTEST:

Shannan L. Parrish, Town Clerk