

The Smithfield Town Council held a Special Meeting on Monday, August 10, 2015, at 6:00 pm. in the Council Chambers of the Smithfield Town Hall. Mayor John H. Lampe II presided.

Councilmen Present:

Marlon Lee, District 1 (Left at 6:30 pm)  
Perry Harris, District 2  
Travis Scott, District 3  
Roger A. Wood, District 4  
Emery D. Ashley, At-Large  
Charles A. Williams, At-Large

Councilmen Absent

M. Andy Moore, Mayor Pro-Tem

Administrative Staff Present

Greg Siler, Interim Town Manager  
John Blanton, Interim Fire Chief  
Lenny Branch, Public Works Director  
Pete Connet, Interim Public Utilities Director  
Paul Emblar, Planning Director  
Gary Johnson, Interim Parks & Rec Director  
Tim Kerigan, Human Resources/PIO  
Michael L. Scott, Police Chief  
Shannan Williams, Town Clerk

## Approval of Agenda

Councilman Ashley made a motion, seconded by Councilman Wood, to approve the agenda with the following amendments:

*Remove Item #3 – Discussion and approval of a Council Subcommittee to interview consultants for the purposes of hiring a Town Manager*

Add a Citizen's Comment period.

Unanimously approved

## Items:

### 1. Appoint Finance Director Greg Siler to serve as the Interim Town Manager

Mayor Lampe introduced Finance Director Greg Siler and stated that he would serve as Interim Town Manager until Mr. Freeman could begin on August 18<sup>th</sup>.

Councilman Williams made a motion, seconded by Councilman Lee to appoint Finance Director Greg Siler to serve as the Interim Town Manager until August 18<sup>th</sup>. Councilman Williams, Councilman Lee, Councilman Ashley, Councilman Harris and Councilman Scott voted in favor of the motion. Councilman Wood voted against the motion. Motion passed 5 to 1.

### 2. Consideration to appoint Jim Freeman to serve as Interim Town Manager beginning Tuesday, August 18<sup>th</sup>.

Mayor Lampe introduced Jim Freeman. Mr. Freeman gave a brief description of his resume.

Mayor Lampe explained that he had spoken with several members of Council. It was his thought that Mr. Freeman would come into the Town and just keep the Town afloat until a Manager was hired.

It was the consensus of the Council to discuss and consider this further in Closed Session.

Councilman Scott made a motion, seconded by Councilman Ashley, to go into Closed Session pursuant to NCGS 143-318.11 (a) (6) after the public comment period.

Town Attorney Bob Spence advised the Council that in order to hire Mr. Freeman a formal contract would need to be drafted.

## Public Comment

Town Attorney Bob Spence informed the public that the Council could not make any comment concerning Mr. Sabiston's contract. Mr. Spence further informed the public that Mr. Sabiston was terminated without cause and thus neither party can discuss the causes of termination. The contract in place allows the parties to sever ties without any adverse effect or negative discussion.

Mike Reese of 710 Sunset Drive addressed the Council in support of former Town Manager Paul Sabiston. Mr. Reese stated that Paul Sabiston was the best Town Manager since Pete Connet. He stated that Mr. Sabiston and his family became part of the fabric of the community. Mr. Reese outlined Mr. Sabiston's accomplishments which included: end of the pay raise scandal, refinanced loans, fund balance from almost nothing to 40%. Mr. Reese asked three questions 1) Explain the new direction of the Town and why it is necessary to spend over \$100,000 to get the citizens there, 2) Reconsider your decision at the September Town Council meeting and 3) In the future, put the interests of the Town ahead of your personal agendas and feelings so that we can move this town forward.

Mayor Lampe responded that the Town will not reconsider the decision that has been made. He explained that the Council has been discussing the Manager's performance over a period of time and the decision was not made without careful thought and consideration.

Dennis Williams of 908 2<sup>nd</sup> Ave stated that he was not speaking against Mr. Sabiston. It was his opinion that in a time like this that everyone should come together for the Town and not be divided.

Jimmy Baggett of 713 Chestnut Drive addressed the Council in support of former Town Manager Paul Sabiston. Mr. Baggett read a passage from the Bible. Mr. Baggett stated that if someone makes a decision that effects a man's livelihood then they should be willing to tell why the decision was made.

Tim Johnson of 1206 S. Walnut Drive addressed the Council in support of the former Town Manager Paul Sabiston. Mr. Johnson read the following letter:

Mayor and Council,

I'd like to share with you some of the contents of a letter I wrote and sent to the editor of the Smithfield Herald on Sunday, July 26<sup>th</sup>. It obviously hasn't been published to date and I have not received a response from them; so since it may not be printed, I'd like to share excerpts of it with you and the citizens here tonight.

### *Proud to Call Smithfield Home - Letter to the Editor of the Smithfield Herald*

*One year ago I retired from the Town of Smithfield after 30 years of service and began a career with the NC Division of Parks and Recreation. I now travel across the state assisting communities in their efforts to obtain grants and improve their parks and recreation services, which in turns improves the quality of life for their citizens and helps makes their communities more inviting to businesses, new residents and visitors.*

*Unfortunately, because of my new responsibilities, I am unable to be as connected to Smithfield and the many great things going on here as I once was. However, on Friday, July 24<sup>th</sup>, I was fortunate enough to represent my division at the ribbon cutting ceremony celebrating the art work of two very talented local Girl Scouts. Sarah Gaskins and Clar McGeough painted a beautiful mural on the underside of the Neuse River Bridge along the Buffalo Creek Greenway, depicting many notable landmarks along the Mountain to Sea Trail. Deservedly so, the mural has received state-wide attention and accolades.*

*I left the ceremony and went out to the Community Park, where for the ninth time in a dozen years, Smithfield was chosen to host a Tar Heel League State Tournament, which brings thousands of folks to our community making a significant impact on our local economy. And on*

*Saturday, newly renovated Smith-Collins Park was a happening place as many families and children took part in another successful "community fun day".*

*In addition to these events which help define a community and are the norm rather than the exception in Smithfield, the Town has made great strides in its everyday operations and financial well-being. Under the direction of Town Manager Paul Sabiston, Smithfield has gotten through some difficult litigation situations; has increased the fund balance from less than 5% to over 40%; completed the Smithfield Crossings Project; completed the electric asset sale with Duke Power which will lower electric rates in our community; obtained a PARTF grant for the Miracle League and Inclusion Playground Project which will help meet the recreational needs of special needs children in our community; and a mentoring program involving Town department heads at SSS High School has been developed.*

*Undoubtedly, Mr. Sabiston has surrounded himself with a great team of department heads and staff members who have one goal in mind: to make Smithfield the very best it can be and it is amazing what has been accomplished in three short years and it is exciting to think about what the future holds.*

*Likewise, the Town Council has been instrumental in helping navigate beyond some troubled waters and they along with Mr. Sabiston can now focus on more of the positives surrounding Smithfield, rather than the negatives.*

*I received the ultimate compliment regarding Smithfield several weeks ago as I was visiting a small town in southeastern North Carolina. As I was getting to know this particular Town Manager, I told him where I was from and he immediately began to sing the praises of Mr. Sabiston's leadership and Smithfield in general saying "what tremendous possibilities and resources Smithfield has in its palm, I wish we had half of what you have."*

*As I was leaving the ribbon cutting ceremony, I heard a prominent and well respected business woman say, "Smithfield is such a great place...we need to get the word out." So there you have it. This sequence of events spurred me to share with anyone that will listen why I am proud to call Smithfield HOME and I hope you are too!*

Ironically, I would not have written this letter 3 years ago in the midst of all the negativity surrounding Smithfield. Instead of being proud to be from Smithfield, I and I'm sure many others were no doubt ashamed of the goings on in our town. Likewise, I would not write the same letter today, as once again Smithfield is in the news for all the wrong reasons. Instead of being on the front page of one of last week's editions of the N & O with the headline highlighting small towns and communities like Kinston or Laurinburg rebranding themselves and reinvesting in their communities, you could find Smithfield making the news for terminating its Manager for no other reason but to "go in a different direction" or that "we think we can do better".

Well I for one and I think a majority of folks here tonight respectfully and strongly disagree with you on that. We had a good manager who graciously came in to a town in what my dad often called a "hog mess" and he and you straightened it out. Specifically speaking of the fund balance, which was below 1% and is now above 40%. If the Council fixed it all by themselves and did not need a manager to get it done as has been eluded to in the media, then how and why did it get into the shape it was in before Mr. Sabiston got here?

In closing, on a personal level, I was born and raised here in Smithfield and was fortunate enough to spend 30 years of my life serving the citizens through our Parks and Recreation Department. No matter what may come, I will always cherish the memories made. While in my position, I considered myself blessed to have been a part of the lives of many children and families we served, some of yours included. During this time, I worked for 7 different managers and a handful of interims and I can tell you without a doubt that Paul Sabiston and Pete Connet were the two finest, most honest, capable and well respected managers I worked for during my tenure.

With that, I pose these questions to each of you as individual Council Members:

- 1) Are you sure you did the right thing for Smithfield and you acted justly and fairly in the termination of Mr. Sabiston?
- 2) Are you 100% certain that seeking to “go in a different direction” is worth the citizens of Smithfield footing the bill for well over \$100,000 to pay Mr. Sabiston his well-deserved severance; pay for an interim manager; and pay for a consulting service to assist in the search for his replacement if one is used?
- 3) If you cannot answer yes to these questions with 100% certainty, we ask you individually to reconsider your decision in the next month leading up to the September 1<sup>st</sup> Council Meeting and letting us know your decision by that time as we do plan to return.

Mayor Lampe responded that he thought the estimated expense of \$100,000 was incorrect and that typically the tenure of a Town Manager is 3 to 5 years. Mayor Lampe also explained that this would not be brought back before the Council at the September meeting because the Council has rendered its decision concerning Mr. Sabiston.

### **Closed Session**

Councilman Harris made a motion, seconded by Councilman Williams, to enter into Closed Session NCGS 143-318.11 (a) (6). Unanimously approved.

### **Reconvene in Open Session**

Councilman Ashley made a motion, seconded by Councilman Scott, to reconvene in open session. Unanimously approved.

### **Approval of appointing Jim Freeman to serve as Interim Manager**

Councilman Ashley made a motion, seconded by Councilman Harris, to proceed with retaining Mr. Jim Freeman to serve as Interim Town Manager pending details and terms of the contract are negotiated by Mayor Lampe and Town Attorney Bob Spence. Unanimously approved.

### **Adjourn**

There being no further business, Councilman Harris made a motion, seconded by Councilman Scott, to adjourn. Unanimously approved.

The meeting adjourned at approximately 8:08 pm.

ATTEST:

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John H. Lampe II, Mayor

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Shannan L. Williams, Town Clerk