

**Town of Angier  
Board of Commissioners  
Tuesday, December 5, 2017, 7:00 P.M.  
Angier Municipal Building  
28 North Raleigh Street  
Minutes**

The Town of Angier convened during a regularly scheduled Board of Commissioners meeting Tuesday, December 5, 2017, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

**Members Present:** Mayor Lewis W. Weatherspoon  
Mayor Pro-tem/Commissioner Bob Smith  
Commissioner Jerry Hockaday  
Commissioner Craig Honeycutt  
Commissioner Alvis McKoy  
Commissioner Elect Mike Hill  
Commissioner Elect Loru Boyer Hawley

**Staff Present:** Town Manager Coley Price  
Planning and Permitting Technician Sean Johnson  
Library Director Amanda Davis  
Public Works Director Jimmy Cook  
Town Engineer Bill Dreitzler  
Town Attorney Al Bain  
Town Clerk Veronica Hardaway

**Others Present:** Rick Curl represented *The Daily Record*

1. **Call to Order:** Mayor Weatherspoon presided, calling the Board of Commissioners meeting to order at 7:00 p.m.
2. **Pledge of Allegiance:** Mayor Weatherspoon led the pledge of allegiance.
3. **Invocation:** Commissioner McKoy offered the invocation.
4. **Approval of the December 5, 2017, meeting agenda:** The Town Board approved the agenda as presented.

**Board Action:** The Town Board unanimously approved the December 5, 2017 meeting agenda as presented.

**Motion:** Mayor Pro-tem/Commissioner Smith

**Second:** Commissioner Honeycutt

**Vote:** Unanimous, 4-0

5. **Public Forum:** Mayor Weatherspoon provided an opportunity for audience members who wished to address the Board of Commissioners on issues not listed on the Agenda.

Mayor Weatherspoon addressed the audience and asked that each speaker limit comments to three minutes (3) in addressing the Town Board. He also reminded attendees that citizens who appear before the Town Board should note that the Board may not take any action regarding subject matter. Topics requiring further investigation will be referred to the appropriate town officials or staff and may be scheduled for a future agenda. Any handouts distributed must be furnished to the Town Clerk.

Tiffany Henry, 125 English Springer Drive, thanked the Board for their participation in the Little Free Library. Since its inception, there have been approximately over 200 books circulated around the community. Ms. Henry thanked the Rotary Club for stocking the Little Free Library and those who are in the Parks and Recreation Department for assisting with the installation.

6. **Consent Agenda:** The Board unanimously voted to approve the Consent Agenda as listed below:

- A. Minutes – November 13, 2017 – Town Board Regular Meeting Minutes; November 28, 2017 – Town Board Workshop Session.
- B. Proclamation recognizing outgoing Commissioner Jerry Hockaday.
- C. Proclamation recognizing outgoing Commissioner Alvis McKoy.
- D. Proclamation recognizing Buck Brooks' retirement.

**Motion:** Commissioner Hockaday

**Second:** Commissioner Honeycutt

**Vote:** Unanimous, 4-0

## 7. Old Business

- A. **Presentation of Proclamation for retiring Town employee Buck Brooks for his 29 years of service.**

Mayor Weatherspoon, Town Manager Coley Price, and Public Works Director Jimmy Cook presented a proclamation to Buck Brooks, recognizing his 29 years of service. All wished him well on his future endeavors and offered kind words for his many years of service to the Town.

- B. **Crepe Myrtle Pavilion Committee**

On behalf of the Crepe Myrtle Pavilion Committee, Town Manager Coley Price presented a check to the Town of Angier in the amount of \$39,262.74 for funds raised. Mr. Price thanked the Mayor and the Town Board for allowing the Town to move forward with the stage project.

Shelby Blackmon, Chamber of Commerce Director, thanked Coley Price for his vision on the stage project and for seeing it through from beginning to end.

On behalf of the Board of Commissioners, Mayor Weatherspoon thanked the committee for all of their hard work as this is a huge asset to the Town.

Mayor Pro-tem/Commissioner Smith thanked all of the Town's sponsors for this project.

**C. Annexation Petition** – The Town Clerk, on behalf of the Governing Board, has investigated and confirmed the Sufficiency of the Petition submitted by Marie S. Coble. The proposed site requested for annexation is a 61.71 acre tract of land located on Rawls Church Road (PIN#: 0665-90-0278). Since its Certification of Sufficiency, the Town Board, per the General Statute, may now consider adopting a Resolution to Fix the Date for a required Public Hearing during its January 8, 2017 Board of Commissioners Meeting.

**Board Action:** The Board voted to adopt a Resolution to Fix the Date for a required Public Hearing during its January 8, 2017, Board of Commissioners' meeting.

**Motion:** Commissioner McKoy

**Second:** Mayor Pro-tem/Commissioner Smith

**Vote:** 4-0, Unanimous

## Public Hearings

**D. Annexation Petition** – A petition for Annexation for the property located at the end of Wilma Street (PIN#: 0683-06-0225.000). A sufficiency of the Petition and a Certification of Results were issued in November; a Date to Set the Public Hearing for tonight was approved in November and advertised appropriately for tonight's meeting. Following the required Public Hearing, the Town Board will be qualified to consider the Adoption of an Ordinance to Annex the property.

Mayor Weatherspoon opened the Public Hearing.

Wayne Mauldin, Mauldin Watkins Surveying, stated he is the surveyor of this project and will answer any questions the Board may have.

Seeing no one else come forward, Mayor Weatherspoon closed the Public Hearing.

**Board Action:** The Board voted to adopt an Ordinance to extend the corporate limits of the Town of Angier.

**Motion:** Commissioner Hockaday

**Second:** Mayor Pro-tem/Commissioner Smith

**Vote:** 4-0, Unanimous

**E. Rezoning Request** – Application submitted by Mitchell Morgan to rezone a 45.95 acre parcel at 523 South Wilma Street from R-10 to R-6 (PIN#: 0683-06-0225.000).

Sean Johnson presented the staff report for the rezoning request to rezone a 45.95 acre parcel from R-10 to R-6 that was made by applicant Mitchell Morgan, Trustee of the Kathryn Campbell Morgan Revocable Trust, owner of 523 South Wilma Street. The property currently contains one single family home and is largely vacant farmland. The property is partially wooded, contains a small pond and a creek at the Southwestern corner. The applicant has requested the R-6 zoning district to be able to have a minimum lot size of 6,000 sq. ft. Currently, the property is zoned R-10 which allows a minimum lot size of 10,000 sq. ft.

Mr. Johnson stated the surrounding land uses include agricultural, low and medium density residential, and the Town's Public Works facility. The site is serviced by Town water and sewer. The proposed rezoning is in compliance with the Land Use Plan adopted in September 2017. The impact to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community. The additional impact caused by potentially adding a few more dwelling units to the surrounding properties will be minimal. The requested zoning district is compatible with the existing Land Use Classification. The Land Use Plan adopted in September designates the property as Medium Density Residential which calls for 3-6 units per acre. The requested zoning would allow for lots as small as 6,000 sq. ft., which fits the density suggested by the plan. The proposal does enhance or maintain the public health, safety and general welfare. The increase in density from R-10 to R-6 is minimal. The request is for a small scale rezoning and should be evaluated for reasonableness. The rezoning will not change the allowed use of the property, just the density allowed.

Mayor Weatherspoon opened the Public Hearing.

Jimmy Johnson, 350 Woodcroft, stated he owns property on both sides adjacent to the rezoning request. He voiced that he does not have a problem with the density, but does have a problem with the rezoning. He indicated that a few years ago the Town adopted conditional zoning options and urged the Board to use the conditional zoning so that it would apply straight to a subdivision. He understands Special Uses and Zoning very well but stated there are many differences in the permitted uses. Mr. Johnson received a letter regarding the rezoning on 11/15 and at that time printed out the Land Use Plan located on the Town's website. At that time, the map indicated it was a low density area, but on 11/21, Mr. Johnson was told by the Planning Department that the use was considered a medium density area. Mr. Johnson argued that the requested rezoning is inconsistent with the 200 Land Use Plan and requested the Board to update the website.

There was much discussion regarding potential conditional rezoning.

Staff gave a brief overview of standard and conditional rezoning. Applicant chose standard rezoning instead of conditional rezoning.

Wayne Mauldin, Mauldin Watkins Surveying, stated he understood where Jimmy Johnson was coming from. Mr. Mauldin indicated he looked at the map and also met with Town Staff to review the map prior to the rezoning and annexation requests. He also stated he has done everything that was asked of him to do.

Sean Johnson stated if the Board were to approve the rezoning of the property, staff would still have to work extensively with the developer and surveyor through the TRC Review process. There is extensive technical work that has to be done after rezoning approval.

Seeing no one else come forward, Mayor Weatherspoon closed the Public Hearing.

**Board Action:** The Board voted to approve the rezoning request submitted by Mitchell Morgan to rezone a 45.95 acre parcel at 523 South Wilma Street from R-10 to R-6 (PIN#: 0683-06-0225.000).

**Motion:** Commissioner Honeycutt

**Second:** Commissioner Hockaday

**Vote:** 4-0, Unanimous

## **Presentations**

### **F. Presentation of Proclamation to outgoing Ward 1 Commissioner, Jerry Hockaday, and relinquishment of Commissioner Seat.**

Incumbent Board members including Mayor Weatherspoon, Mayor Protem/Commissioner Smith, Commissioner McKoy, and Commissioner Honeycutt wished former Commissioner Hockaday well and offered him kind words for his service to the Town and presented him with a Proclamation and a key to the city.

### **G. Presentation of Proclamation to outgoing Ward 3 Commissioner, Alvis McKoy, and relinquishment of Commissioner Seat.**

Incumbent Board members including Mayor Weatherspoon, Mayor Protem/Commissioner Smith, Commissioner Hockaday, and Commissioner Honeycutt wished former Commissioner McKoy well and offered him kind words for his service to the Town and presented him with a Proclamation and a key to the city.

- 8. Organizational Meeting:** Pursuant to NCGS 160A-68, the Town Governing Body is scheduled to conduct an organizational meeting. Therefore, the following information is provided:

## **Oaths of Office**

**A. Administering Oath of Office to newly elected Ward 1 Commissioner Loru Boyer Hawley by The Honorable District Court Judge for the 11<sup>th</sup> Judicial District, Caron H. Stewart.**

The Honorable District Court Judge for the 11<sup>th</sup> Judicial District, Caron H. Stewart, administered the Oath of Office to newly elected Ward 1 Commissioner Loru Boyer Hawley. Ms. Hawley and her family participated in the swearing-in ceremony and signed her written oath as affirmation.

**B. Administering Oath of Office to newly elected Ward 3 Commissioner Mike Hill by The Honorable District Court Judge for the 11<sup>th</sup> Judicial District, Caron H. Stewart.**

The Honorable District Court Judge for the 11<sup>th</sup> Judicial District, Caron H. Stewart, administered the Oath of Office to newly elected Ward 3 Commissioner Mike Hill. Mr. Hill and his family participated in the swearing-in ceremony and signed his written oath as affirmation.

After the Organizational Meeting was recessed temporarily for a five-minute break, newly elected Commissioners Loru Boyer Hawley and Mike Hill assumed their post following the break.

**Election of the Mayor Pro-Tempore**

**C. Elect Mayor Pro Tempore**

Pursuant to NCGS 160A-70, the new Board is to elect a Mayor Pro-Tempore amongst its members. Mayor Weatherspoon entertained a motion to appoint a Mayor Pro-Tempore.

**Board Action:** A motion was made by Commissioner Honeycutt to appoint Commissioner Bob Smith as Mayor Pro-Tempore.

Motion died for lack of a second.

**Board Action:** A motion was made by Commissioner Hill to appoint Commissioner Honeycutt as Mayor Pro-Tempore.

**Motion:** Commissioner Hill

**Second:** Commissioner Hawley

**Vote:** 4-0, Unanimous

Mayor Weatherspoon administered the Mayor Pro-Tem's Oath of Office.

**D. Resolution to Adopt Meeting Schedule**

Pursuant to NCGS 160A-71 and the Town of Angier Code of Ordinances Article II, Section 2-33, the governing body is to adopt a meeting schedule.

**Board Action:** The Board voted to approve a Resolution adopting the 2018 Regular Meeting Schedule for the Town Board of Commissioners.

**Motion:** Commissioner Smith  
**Second:** Commissioner Hawley  
**Vote:** 4-0, Unanimous

#### **E. Resolution to Adopt Town of Angier's Holiday Schedule**

**Board Action:** The Board voted to approve a Resolution adopting the 2018 Holiday Schedule for the Town of Angier.

**Motion:** Commissioner Hill  
**Second:** Commissioner Hawley  
**Vote:** 4-0, Unanimous

### **9. New Business**

#### **A. Planning Board Appointments**

Five candidates had submitted applications to serve on the Angier Planning Board including: Everett Blake, III; Junior Price; Jonathan Bridges; Tom Taylor; and Andrew Rubley.

**Board Action:** The Board unanimously approved Everett Blake, III to serve on the Angier's Planning Board as an ETJ member. The second available ETJ position will be advertised and will remain open until filled.

**Motion:** Commissioner Smith  
**Second:** Commissioner Hawley  
**Vote:** 4-0, Unanimous

**Board Action:** The Board unanimously approved Junior Price, Andrew Rubley, and Jonathan Bridges to serve on the Angier's Planning Board as In-Town members.

**Motion:** Commissioner Smith  
**Second:** Commissioner Hawley  
**Vote:** 4-0, Unanimous

#### **B. ABC Board Appointments**

**Board Action:** The Board unanimously approved the applications of all candidates seeking a post on the Angier ABC Board. Two candidates had submitted applications to serve on the Angier ABC Board including incumbents Tom Taylor and Phillip Allen.

**Motion:** Commissioner Smith

**Second:** Commissioner Hawley

**Vote:** 4-0, Unanimous

**10. Manager's Report:** Town Manager Price informed Town Board officials of numerous events that had taken place and forthcoming events including the following:

- There will be a Planning Board meeting December 12, 2017.
- There will not be a Board of Adjustment meeting in December.
- Town Hall offices will be closed for the Christmas Holiday December 25, 26, & 27. Town Hall offices will also be closed January 1, 2018 for New Year's.
- Update on Christmas on the Square.
- Update on the Town/Chamber Christmas Parade.
- Board meeting is scheduled for Monday, January 8, 2018.
- Fire Department Christmas Party will be Saturday, December 9, 2017 at 6pm.

Town Manager Coley Price thanked Angier's Police and Public Works Departments for all of their hard work during the Holiday season.

**11. Mayor and Town Board Reports:**

Mayor Weatherspoon thanked the Police and Public Works Departments for all of their hard work for the previous week getting together for Town events.

**12. Staff Reports and Informational Items:** Staff Reports were enclosed in the Agenda Packet.

**13. Adjournment:** The Town Board voted unanimously to adjourn the meeting at 8:42 p.m.

**Motion:** Commissioner Hawley

**Second:** Commissioner Smith

**Vote:** Unanimous, 4-0



*Lewis W. Weatherspoon*  
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Lewis W. Weatherspoon, Mayor

Attest:

*Veronica Hardaway*  
\_\_\_\_\_  
Veronica Hardaway, Town Clerk