

**TOWN OF ANGIER  
BOARD OF COMMISSIONERS  
Tuesday, July 11, 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, July 11, 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

**Staff Present:** Town Manager Coley Price  
Public Works Director Jimmy Cook  
Chief Bobby Hallman  
Librarian Amanda Davis  
Planning and Permitting Technician Sean Johnson  
Town Attorney Al Bain  
Town Clerk Veronica Hardaway

**Others Present:** Rick Curl represented *The Daily Record*  
Tom Taylor – Planning Board Member  
Junior Price – Planning Board Member

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:** Mayor Pro-Tem/Commissioner Bob Smith offered the invocation.
4. **Approval of the July 11, 2017, meeting agenda:** The Town Board approved the agenda with the following additions to Consent Agenda:

Budget Amendments; #BOA2018.01 – To budget for demolition of Eason property;  
and #BOA2018.02 – To re-appropriate funds for painting Town Hall and Library.

**Board Action:** The Town Board unanimously approved the July 11, 2017 meeting agenda with the above stated additions.

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

**Second:** Commissioner Hockaday

**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.

Seeing no one come forward, Mayor Weatherspoon closed the public forum.

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

- Minutes – June 6, 2017 – Town Board Regular Meeting Minutes; June 13, 2017 – Special Called Joint Board of Commissioners and Planning Board Minutes; June 27, 2017 – Special Called Minutes.
- Budget Amendment BOA2018.01 – To budget for demolition of Eason property.
- Budget Amendment BOA2018.02 – To re-appropriate funds for painting Town Hall and Library.

**Motion:** Commissioner Hockaday

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

**Vote:** Unanimous, 4-0

## 7. Public Hearings

- A. **Text Amendment** – Staff recommends revising the Nonresidential Sidewalk requirements found in Chapter 9, Section 9.1 of the Unified Development Ordinance (UDO).

Planning and Permitting Technician Sean Johnson presented the staff report for the proposed text amendment revising Nonresidential Sidewalk Requirements.

Mr. Johnson explained to the Board the above text amendment was tabled at the Planning Board's May 9, 2017 meeting; the Planning Board voted 7-0 to recommend

approval of the Amendment June 13, 2017; and the Town Board reviewed recommendations made by the Planning Board June 27, 2017.

*Section 9.1. – Street Standards.*

*9.1.4.2 Sidewalks*

*C. Sidewalks shall be required along the rights-of-way of a nonresidential development when the street is identified for future need by the Angier Pedestrian Plan. The sidewalk shall extend the entire length of the street frontage and stub out to each adjacent property.*

*F. The Town Board may waive the sidewalk requirement, along one side of a street when a development is located within the watershed. In order for a waiver to be considered the applicant or developer must propose an alternative including pedestrian trails that meet all local and state requirements.*

*G. Installation of all sidewalks in residential subdivisions shall be completed at such time that a building permit has been issued on 50 percent of all recorded lots or within 2 years of the date of final plat approval, whichever occurs first.*

Mayor Weatherspoon opened the Public Hearing.

Jimmy Johnson, 350 Woodcroft Drive, asked if the text amendment only applies to future subdivisions.

Mr. Johnson stated that was correct.

Jimmy Johnson reminded the Town to make sure bonds are being renewed on a regular basis.

Mayor Weatherspoon closed the Public Hearing.

**Board Action:** The Board voted to approve the revision proposed by staff to the Nonresidential Sidewalk requirements found in Chapter 9, Section 9.2 of the UDO.

**Motion:** Commissioner Honeycutt

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

**Vote:** 4-0, Unanimous

**B. Text Amendment** – Staff recommends revising the Water and Sewer Connection requirements found in Chapter 9, Section 9.2 of the UDO.

Sean Johnson presented the staff report for the proposed text amendment revising the Water and Sewer Connection requirements.

Mr. Johnson explained to the Board that at the June 13, 2017 meeting, the Planning Board voted to deny the text amendment as presented. However, they offered a revision that was approved by a 6-1 vote.

*The following was the proposal made by staff:*

*Section 9.2. – Water, sewer, and fire hydrants.*

*B. Any property seeking connection to the Town of Angier public sewer system must first receive voluntary annexation approval. If the property is annexed, the property owner shall be responsible for installing any infrastructure necessary for connection to the sewer system, and all infrastructures shall be turned over to the Town upon final acceptance from the Town.*

*C. Connection to Town of Angier public water and/or sewer systems is required when a proposed nonresidential structure or development is located within 1,000 feet of an existing town owned and operated system. The property owner shall be responsible for extending water or sewer to the proposed structure or development, and all extensions shall be turned over to the Town upon final acceptance by the Town.*

*The following was the revision made by the Planning Board:*

*C. Connection to Town of Angier public water and/or sewer systems is required when a proposed nonresidential structure or development is located within that number of feet of an existing town owned and operated system which equals the product of the number of structures or lots within the subdivision (including lots to be developed in the future) multiplied by 200. The property owner shall be responsible for extending water or sewer to the proposed structure or development, and all extensions shall be turned over to the Town upon final acceptance by the Town.*

Mr. Johnson explained the only other change to the text amendment was to Item D which was simply rewording the residential tap to match the new commercial tap policy word for word.

Mayor Pro-Tem/Commissioner Smith asked why the suggestion of the Planning Board would not be beneficial.

Mr. Johnson explained the reason staff chose 1,000ft was because he researched the public utility layer on the Harnett County's GIS website which is the sewer outfall line.

That is the investment the Town made in the west corridor for future growth. This is about a \$3 million dollar investment in the ground ready to be tapped that is drastically being under-utilized as it sits now. In order to protect that corridor around the sewer outfall line, 1,000ft from that line in any direction would protect the Town's entire ETJ as it stands right now with the exception of two parcels. The Planning Board's recommendation is 1 lot per 200ft which would open up a lot of properties for potential nonresidential development in our ETJ that possibly would be on septic tanks instead of connecting to that sewer line and would essentially not be part of the Town's tax base.

Mr. Johnson also explained that there are a lot of rules for watershed and eventually the Town will hit a septic tank limit in that watershed. The watershed extends all the way into southern Wake County and there's hundreds of septic tanks already in the watershed. The State will eventually step in and put a stop to that use.

Mayor Weatherspoon opened the Public Hearing.

Donald Gregory, 62 E McIver Street, stated the biggest issue with this text amendment is money. The Town needs to be enticing not placing restrictions that will push development away. He also stated he recommends 100ft per lot and thinks a lot of other counties do the same. He suggested the Town look at the Stormwater issues before making these changes.

Jimmy Johnson, 350 Woodcroft Drive, stated that Harnett County is 100ft per lot for both residential and commercial. He believes that what's being proposed will prohibit growth of the Town and agrees with the Planning Board's proposal.

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

**Board Action:** The Board voted to approve the revision proposed by staff to the Water and Sewer Connection requirements found in Chapter 9, Section 9.2 of the UDO.

**Motion:** Commissioner McKoy

**Second:** Commissioner Honeycutt

**Vote:** 4-0, Unanimous

**Board Amended Action:** The Town Board voted to revise the wording of Item C. C. Connection to Town of Angier public water and/or sewer systems is required when the closest portion of a proposed nonresidential structure or development is located within 1,000 feet of an existing town owned and operated system. The property owner shall be responsible for extending water or sewer to the proposed structure or development, and all extensions shall be turned over to the Town upon final acceptance by the Town.

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

**Second:** Commissioner Honeycutt

**Vote:** 4-0, Unanimous

- C. Text Amendment** – Staff recommends revising the Commercial Façade requirements found in Chapter 5, Section 5.4 of the UDO, Removing Alternative Design Variance – Section 5.5.

Sean Johnson presented the staff report for the proposed text amendment revising the Commercial Façade requirements.

*The following was the proposal made by staff:*

*Section 5.4. – Nonresidential buildings.*

*5.4.1 Building design along state highways and in town center. The following requirements shall apply to nonresidential development and/or property located along or within 200 feet of Highway 55, Highway 210, or the town center land use classification:*

*5.4.1.1 Materials and Color.*

*A. Front facades shall be entirely covered by brick, decorative concrete block, stucco, stone, fiber cement siding, or other materials similar in appearance and durability (as approved by the administrator). All other exterior walls shall be at least 50 percent covered by an approved material. For every ten percent increase in approved material on exterior walls, a ten percent break in setback requirements shall be given, not to exceed 50 percent of the total setback.*

*5.4.2 Building design in all other locations. The following requirements shall apply to nonresidential development not located along or within 200 feet of Highway 55, Highway 210, or the town center land use classification:*

*A. For nonresidential structures proposed outside of an existing nonresidential development, all exterior facades shall be at least 50 percent brick, decorative concrete block, stucco, stone, fiber cement siding, or other materials similar in appearance and durability (as approved by the administrator). For every ten percent increase in approved material on exterior walls, a ten percent break in setback requirements shall be given, not to exceed 50 percent of the total setback.*

*Staff also recommends removing Section 5.5 – Building design alternatives.*

*The following was the revision made by the Planning Board:*

*5.4.1.1 Materials and Color.*

- A. Nonresidential structures proposed in an existing nonresidential development shall match or exceed the façade quality of the existing structure with the highest level of façade quality in the development, as determined by the administrator.*

*Add Item E*

- E. Nonresidential structures shall have landscaping installed along the side and rear exterior walls at the base of the structure prior to receiving the Certificate of Occupancy. This landscaping should be installed so that the plantings will substantially cover the bottom four feet of the structure within 2 years of planting, as determined by administrator.*

*5.4.2*

- A. Nonresidential structures proposed in an existing nonresidential development shall match or exceed the façade quality of the existing structure with the highest level of façade quality in the development, as determined by the administrator.*

*Add Item E*

- E. Nonresidential structures shall have landscaping installed along the side and rear exterior walls at the base of the structure prior to receiving the Certificate of Occupancy. This landscaping should be installed so that the plantings will substantially cover the bottom four feet of the structure within 2 years of planting, as determined by the administrator.*

Mayor Weatherspoon opened the Public Hearing.

Junior Price, 129 N Board Street W, explained he is on the Planning Board and voted against the above text amendment. He wants to make sure that applicants are able to be heard if the text amendment is approved.

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

**Board Action:** The Board voted to table the Commercial Façade requirements found in Chapter 5, Section 5.4 of the UDO, Removing Alternative Design Variance – Section 5.5. until September and will include a work session in August.

**Motion:** Commissioner Honeycutt

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

**Vote:** 4-0, Unanimous

## 8. Old Business

### A. Demolition Bid Recommendation for 115 Eason Lane

Planning and Permitting Technician Sean Johnson stated last month the Board approved his request for an ordinance to demolish the property located at 115 Eason Lane. Mr. Johnson followed the bid process and received two bids. The winning bid was Randy Gregory Grading in the amount of \$4,300.

- B. The Town Clerk, on behalf of the Governing Board, has investigated and confirmed the Sufficiency of the Petition submitted by property owners, Richard D. Bullock; John L. Bullock; and Jerry C. Bullock. The proposed site requested for annexation are 2 tracts of land located at 8632 NC Hwy 55 S near the Wake/Harnett County Line (Tax ID#'s: 85-0078600, 85-0009932). Since its Certification 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 August 1, 2017, Board of Commissioners' Meeting.

**Board Action:** The Board voted to approve the Resolution after revision of the degrees.

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

**Second:** Commissioner Hockaday

**Vote:** Unanimous, 4-0

## 9. New Business

### A. Consideration of Resolution #009-2017 of Intent to Consider Street Abandonment of Jackson Stone Drive Pursuant to NCGS § 160A-299

Planning and Permitting Technician Sean Johnson informed the Board that K&H Developers of Whetstone Subdivision are in the process of having a new Army Corp of Engineers do an investigation of wetlands. At this time, they've found that they will not be able to use recorded Jackson Stone Drive. The Town has a sewer line within that right-of-way that will be deeded back to the original owner and in return the Town will obtain a 20ft wide easement. The new map will be recorded to replace the existing.

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 no Planning Board meeting in July.
- There will be no Board of Adjustment meeting in July.



- The Comprehensive Land-Use Steering Committee will meet Wednesday July 19, 2017 at 7pm. The Land Use Plan will be presented to the Planning Board at their August meeting.
- NCDOT will be having a meeting to discuss the NC Hwy 55 project, July 27, 2017 from 4pm – 7pm held at the Angier Municipal Building. This is a public input meeting and all are encouraged to attend.
- The Public Works Policy Manual final report will be presented to the Board at the August meeting for discussion and consideration.

Town Manager Coley Price thanked the Angier Chamber of Commerce for all of their hard work with the fundraising of the stage.

Mr. Price thanked Public Works for installing all of the flags around Town.

Town Manager Coley Price along with Mayor Weatherspoon presented and congratulated Town Clerk Veronica Hardaway on attaining her Certified Municipal Clerk designation.

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

**Board Action:** The Board voted to place Angier Town limit signs at the furthest locations of Town on all sides.

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

**Second:** Commissioner Honeycutt

**Vote:** Unanimous, 4-0

**Board Action:** The Board voted to ratify all current appointments on Town Boards.

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

**Second:** Commissioner McKoy

**Vote:** Unanimous, 4-0

Commissioner Honeycutt made a motion, seconded by Commissioner McKoy to go into Closed Session Pursuant to NCGS 143-318.11 (a) 1, 5 at 9:05pm.

Commissioner McKoy made a motion, seconded by Mayor Pro-Tem/Commissioner Smith, to reconvene in open session. Unanimously approved at 9:32pm.

**Board Action:** The Board voted on a new employment contract for Town Manager Coley Price.

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

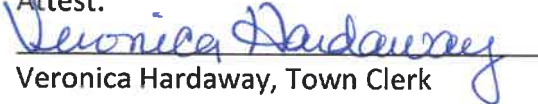
**Second:** Commissioner McKoy

**Vote:** 4-0, Unanimous

**12. Staff Reports and Informational Items:** Staff Reports were enclosed in the Agenda Packet (Attachment #12).

**13. Adjournment:** The Town Board voted unanimously to adjourn the meeting at 9:37 p.m.

  
Lewis W. Weatherspoon, Mayor

Attest:  
  
Veronica Hardaway, Town Clerk

