

Town of Angier Board of Commissioners
Work Session
October 23, 2018 - 6:30 p.m.
Angier Municipal Building
A g e n d a

1. Call to Order

2. Approval of the October 23, 2018, meeting agenda

3. New Business

A. Town of Angier Operations Protocol (Discussion and possible approval on November Consent Agenda)

B. Agreement between the Town and Angier Chamber of Commerce

- **Memorandum of Understanding for the Stage at the Depot**
- **Memorandum of Understanding for the Use of Depot Facilities**
(Schedule for approval on November Consent Agenda)

C. Update on Town Manager Duties – (Update and consideration of revising or removing)

D. Update on Proposals from Architect Feasibility Study – (Discussion and Board direction on which firm should be contacted for further negotiation)

E. Request for Additional Staffing in the Police and Public Works Departments –
(Discussion and direction from the Board)

4. Old Business

A. Gold Cart Update – (Receive as information)

B. Recommendation on Leaf, Limb and Household Goods Pickup – (discussion and direction from the Board)

5. Board Comments

6. Manager Comments

7. Closed Session – Pursuant to NCGS 143-318.11 (a) (5) to discuss land acquisition and NCGS 143-318.11 (a) (6) to discuss the Town Manager candidates

8. Adjournment

Town of Angier – Operations Protocol

Introduction

In early 2017, the Town Board recognized that clarification was needed as to how the Mayor and Board of Commissioners (Town Board), Town Manager and staff operate as a general practice with regard to conducting Town business. This document describes the practices and roles of the Mayor, Commissioners, Town Manager and Staff. . The purpose in setting this goal was to improve the organization's overall efficiency and effectiveness.

This document is intended to be viewed as a source of guidance established to document accepted practices and expectation for elected officials and town personnel. The administration of Town business is enhanced by the agreement of the Mayor, Board of Commissioners, Town Manager and Staff to adhere to these guidelines. It is understood that this document will be reviewed by the Board periodically and be revised as practices and policies evolve.

In addition to the goal of formalizing business protocols, the Town Board established that it would operate as a single unit, based upon the Town Charter, providing leadership, inspiring community spirit, maintaining fiscal health and providing the highest quality of service for the benefit of the residents, businesses and visitors of Angier. The Town Board also agreed to focus on providing a better way of life through local control of public safety, development and services, and to strive to be a county and regional model for a sustainable and vibrant community with engaged citizens and an accountable government.

Council-Manager Form of Government

On September 5, 2005, the Town of Angier amended its Town Charter to adopt the Council-Manager form of government. The Council-Manager form of government was established over 100 years ago and operates under the premise that a Town Board employs a professional manager who will conduct the daily operations of the town including advising the Town Board and carrying out the Board's approved policies. The Town Manager conducts the affairs of the town in a non or apolitical manner.

This form of government recognizes the Town Board, which is comprised of the Mayor and elected Commissioners, as the Town's governing body and allows the Town Board to focus their time and energy on legislation and policy development. The Town Board is elected by the public and each have equal standing. The Town Board is charged with providing legislative direction and policy development for the benefit of the Town of Angier.

The Town Board appoints and directs the Town Manager whose responsibilities are to manage the Town's daily administrative matters and to ensure the policies, set by the Town Board, are followed. The Town of Angier's government operates comparably to a major corporation in that

the Town Board (Board of Directors) sets policy and provides oversight while the Town Manager (CEO) carries out the policies and provides professional management of the day-to-day operations.

Under the Council-Manager form of government, the Town Board and Town Manager are expected to maintain a mutual respect between both parties and the Town Board supports the organizational teamwork and resources necessary for staff to successfully implement the Town Board's policies.

Town Board

Effective management of a municipality is enhanced when elected officials and appointed staff clearly understand and agree on their respective roles as defined by the form of government, the Town Charter and the Code of Ordinances.

The Mayor and Board of Commissioners operate as a whole. All Board Members have individual opinions but should not "speak for the board" unless designated by the Board as a whole. All members of the Board are expected to complete mandated training, participate in meetings and engage in good decorum.

The Town Board is the policy and legislative body, and its members are the community's decision makers. The Town Board, who are the Town's elected officials, implement the community's vision through the policies it enacts. The Town Board considers, debates and creates various policies by regularly replying on recommendations and feedback from citizens, advisory committees, staff and town attorney.

In order to solidify the community's vision, the Town Board needs to formulate and adopt a Vision Statement. On an annual basis, the Town Board should review the Town's Vision Statement to ensure that it accurately reflects the vision of the community.

Mayor's Role & Responsibility

The Mayor, in a Council-Manager form of government, is a key political and policy leader and is recognized as the official head of the Town for service in civil process (*i.e. Resolutions, Emergencies, etc.*) and with regard to ceremonial obligations. The powers and duties of the Mayor are those granted by law (NC GS 160A-67; Town of Angier Section 2.31), together with other powers and duties which may be granted by the Board of Commissioners pursuant to law.

Specific duties, responsibilities and authorities of the Mayor are outlined in the Town's charter. The Mayor's general responsibilities include soliciting citizen views and recommending appropriate policies, presiding at Town Board meetings and being a spokesperson for both the

community and the Town Board. In addition, the Mayor facilitates communication and understanding between elected and appointed officials, assists the Town Board in setting goals and advocating policy decisions, serves as a promoter and defender of the community and serves as the key representative in intergovernmental relations. Lastly, the Mayor advocates seeing and securing agreements and partnerships among various parties for the Town's benefit.

The following, per the UNC School of Government, provides guidance for Mayors to operate more effectively:

1. Managing Board Meetings Effectively

- Presiding at Town Board Meetings
- Keeping Town Board members' dialogue on track while managing time
- Focusing on the Job/topic at hand
- Paying attention to the Town Board's feedback on the conduct of Town Board meetings
- Allowing time for consideration before making important decisions
- Establishing the tone for the Town Board

2. Serving as a Liaison for the Town Board

- Staying abreast of matters presented to the Town Board
- Overseeing relations with stakeholders
- Testing the Town Board's preliminary ideas with key stakeholders
- Asking external stakeholders to provide input on strategic issues

3. Facilitating Communication

- Treating everyone in a fair manner
- Encouraging Town Board members to express opinions and perspectives
- Fostering healthy participation, especially among those with differing views
- Managing Town Board member contributions so that no one dominates
- Engaging more reticent members in discussion
- Employing effective group processes and allowing for exploration of alternate views
- Serving as consensus builder with the Town Board
- Promoting two-way exchange between the Town Board and Town Manager

4. Serving as the Spokesperson for the Board

- Presiding as the primary liaison with the Town Manager
- Being a strong advocate and credible representative of local government and the governing Town Board
- Honoring the one-voice principle (*Once the Town Board has agreed, Town Board members shall adopt and communicate agreed upon value when addressing other individuals. This shall not preclude Town Board members from expressing individual opinions and beliefs.*)
- Speaking knowledgeably and energetically about the accomplishments and shortcomings of the Town

- Using the Five F's: Be Fast, Factual, Frank, Fair and Friendly
- Actively think before speaking. (*Imagine what statements will sound like in the newspaper before speaking and don't say more than necessary.*)
- Staying on message
- Routinely declining to answer questions off the record. (*Comments may be quoted or the information shared printed.*)
- Remembering the role of the media and role it plays in democratic government
- Engaging the press in advance of a big issue to help reporters anticipate important stories

5. Facilitating Team Building

- Gaining the trust and respect of fellow members
- Building positive and productive relationship with the Town Manager
- Acknowledging contributions of Town Board members
- Developing and maintaining team work among members of the Town Board and professional staff
- Being aware of Town Board dynamics.
- Learning to lead from behind so others can share in accomplishments
- Setting the Town Board's culture
- Establishing expectations that the Town Board and management will work as a team
- Promoting positive team relations and commitment to working together.

6. Managing Conflict

- Increasing Town Board consciousness of group dynamics
- Promoting desirable group norms, valuing differences, diversity and honesty, asking questions for better understanding and encouraging dialogue
- Suspending judgment until all perspectives have been shared
- Being independent (*Being able to disagree without being disagreeable*)
- Modeling good listening and inquiry skills
- Managing conflict on the Town Board constructively

7. Instrumental in Shaping the Board's Agenda

- Actively working with members of the Town Board and Town Manager to identify agenda items
- Working with the Town Manager and others to establish the Town Board's agenda
- Planning meetings to allow enough time for discussing and exploring issues

8. Promoting a High Performing Governing Town Board

- Demonstrating an understanding of local government and the environment in which it operates
- Learning and utilizing skills in managing group dynamics

- Using techniques to help the Town Board view ideas from different perspectives such as thinking hats, divergent thinking or reframing
- Giving the Town Manager and senior staff opportunities to contribute to the Town Board's dialogue
- Making sure members of the Town Board read materials in advance and ask for necessary information in a timely and efficient manner
- Being prepared for meetings
- Offering and inviting constructive feedback
- Seeking out opportunities to develop the Town Board's effectiveness
- Supporting the Town Board-Town Manager relationship
- Mentoring newer members

Mayor Protem

In the absence of the Mayor, the Mayor Protem shall temporary assume those duties until the Mayor is available to continue to serve as Mayor.

Board of Commissioners' Role and Responsibility

One of the most visible roles that the Town Board has is its legislative responsibility, which involves setting policy for the Town of Angier. It is also the Town Board's responsibility to identify community needs and then to communicate those needs to the Town Manager. Specific duties of the Town Board include discussing and adopting the annual budget, establishing the annual tax rate, calling for bond referendums, enacting local ordinances, resolutions and Town policies, formulating policies for the conduct of Town operations, making appointments to advisory boards and overseeing long-range plans for the community.

The Town Board is assisted in an advisory capacity by the Town's advisory boards who are asked to weigh in on various Town activities. The Town Charter grants the Town Board the authority to create these entities and to establish their mission, member composition, duties, period of existence, etc. The Town Board may establish committee operating bylaws and establish a limitation on the number of committees an individual may serve simultaneously. The Town Board also has the authority to appoint individuals to serve as Town Manager and Town Attorney. The Town Board also has the authority to remove these individuals.

The Town Manager is responsible for the day-to-day operations of the Town and for communicating to the Town Board items need the Town Board's attention or the Town Board's decision. The Town Manager serves as liaison to Town Board allowing the Town Board to focus on broader policy issues. As such, the Town Board communicates their needs through the Town Manager, who delegates to the appropriate staff.

As generally defined by the UNC School of Government, the role of the Town Board includes:

1. Setting direction by:

- ✓ Annually reviewing and approving the Town's vision, Mission and Values
- ✓ Annually establishing the Town's Strategic Initiatives

- ✓ Regularly engaging in strategy development work session

2. Acting as one body by:

- ✓ Conducting its formal discussion using clear and consistent Rules of Procedure, following an agenda and spending time on important topics
- ✓ Understanding its own and the Town's legal responsibilities
- ✓ Making sure all Town Board members have the same information to make decisions
- ✓ Abiding by the decisions that were made by a majority of Town Board members.

3. Serving citizens well by

- ✓ Enhancing the Town's public image
- ✓ Providing citizens opportunities to respectfully comment on public issues
- ✓ Convening and facilitating citizen engagement
- ✓ Making sure that resources are adequate to serve the public's basic needs
- ✓ Honoring the one-voice principle (*Once the Town Board has agreed, Town Board members shall adopt and communicate agreed upon value when addressing other individuals. This shall not preclude Town Board members from expressing individual opinions or beliefs.*)

4. Respecting the role of the Town Manager as the Chief Executive Officer for the Town by:

- ✓ Channeling communications through the Town Manager as opposed directly to staff
- ✓ Submitting questions to the Town Manager about agenda items ahead of the meeting
- ✓ Allowing the Town Manager to make independent and objective recommendations without individual Town Board influence
- ✓ Expecting the Town Manager and staff to support and advocate for adopted Town Board policy
- ✓ Respecting the professionals who work in local government and by following appropriate protocols for interacting with staff
- ✓ Refraining from criticizing staff. Comment should be directed to the Town Manager.

5. Behaving responsibly by:

- ✓ Abstaining from seeking political support from staff
- ✓ Focusing on issues, not personalities
- ✓ Addressing inappropriate behavior among members of the Town Board
- ✓ Working as a team to jointly hold Town Board members accountable

6. Working with the Town Manager to create a high-performing team by:

- ✓ Clearly defining roles and relationships
- ✓ Respecting and understanding that the Town Board decides Town policy and the Town Manager implements that policy
- ✓ Thinking to the future and acting strategically on key issues
- ✓ Respecting staff time restraints and organizational capacity limitations
- ✓ Focusing on professional learning and continually improving as Town leaders

- ✓ Having the Mayor and Town Manager orient new Town Board members to the governing Board

7. Responsibility of the Mayor Pro Tempore

- ✓ The Mayor Pro Tem shall fill the duties of the Mayor in the absence or disability of the Mayor
- ✓ Duties of the Mayor Pro Tem shall be in accordance with NCGS 160A-70 and Town of Angier Charter, Section 2.4

Town Manager's Role and Responsibility

The Town Manager is hired by the Town Board and is expected to operate the town in a professional, non-political manner and in compliance with Town Board policies. Further the Town Manager is expected to supervise to insure that town functions are carried out in a manner which is fair and non-political and which serves the greater good. The Town Manager is expected to create a welcoming environment in which each Board Member feels free to meet with and speak with the Town Manager on various municipal issues.

The Town Manager should be a member of the International City/County Management Association (ICMA) and as such, the Town Manager is bound to a professional code of ethics. The code addresses certain practices that are designed to ensure the Town Manager's actions are in the best interest of the Town. Violation of the code can result in Censure of the Manager by the ICMA.

1. As generally defined by the NCGS 160A-148, the Town Manager is the Chief Administrator of the town and shall have the following powers and duties:

- The Town Manager shall appoint and suspend or remove all town officers and employees not elected by the people in accordance with general personnel policies or ordinances the Town Board may adopt.
- The Town Manager shall direct and supervise all departments, offices and agencies of the Town
- The Town Manager shall attend all meetings of the Town Board and make recommendations he deems appropriate
- The Town Manager shall see that all laws of the state, the Town Charter and the ordinances, resolution and regulations of the Town Board are faithfully executed with the Town of Angier.
- The Town Manager shall prepare and submit the annual budget and capital improvement program to the Town Board
- The Town Manager shall annually submit to the Town Board a complete report on the finances of the Town of Angier
- The Town Manager shall make any other reports that the Town Board may require.

2. Additionally, per the ICMA Code of Ethics, the Town Manager has the professional obligation to:
- Submit policy proposals to elected officials
 - Provide facts and advice to the Town Board on matters of policy as a basis for making decisions and setting goals for the Town of Angier
 - Uphold and implement local government policies adopted by elected officials
 - Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

The Town Manager shall keep confidential information that is deemed confidential. Such information will not be shared with the Town Board or any other party. Items include, but are not limited to, personnel information or certain aspects of police affairs.

Town Attorney's Role and Responsibilities

The Town Attorney is appointed by and accountable to the Town Board as a whole. The role of the Town Attorney is to serve as the Board's legal advisor on various proposals and policies being considered. It is expected that the Town Attorney will work closely and regularly with the Town Manager and staff, however the Town Attorney's responsibility lies in serving the Town Board.

Board Members are discouraged from engaging the Town Attorney in providing legal research or legal advice outside the scope of their role as a Town Board. Additionally Board Members are discouraged from formally engaging the Town Attorney in providing legal services outside their role as Town Attorney. Examples may include but not limited to: preparation of wills, real estate closings etc.

Relationship Expectations between the Town Board and Town Manager

A professional relationship between the Town Board (Mayor & Commissioners) and the Town Manager honors the Town Manager's role as chief executive of the Town. All dealings between the Town Manager and members of the Town Board, whether public or private, shall be respectful. Any disagreements, public or private, should be based on issues of policy. Disagreements should not be of a personal nature.

The Town Manager respects the responsibilities of the Town Board in setting policy and acknowledges that the Town Board holds the final responsibility for establishing the policy direction of the Town of Angier.

Town Boards interaction with Town Staff

The Town Board is expected to communicate solely with the Town Manager when dealing with administrative duties of the Town. The Town Board shall not give any orders to staff that are

under the direction of the Town Manager. Any request for staff assistance shall be directed to the Town Manager who will assign the task(s) to the appropriate staff.

Outside of the need for staff assistance on various projects, the Town does assist in items such as scheduling meetings or seminars. If citizens call Town Hall for a Commissioner or the Mayor, staff should give the citizen the contact information for the Commissioner or Mayor. Only in extreme cases should the staff be expected to take messages.

The Town Board or its individual members shall not, either directly or indirectly, be involved in or attempt to influence administrative matters that are under the direction of the Town Manager, such as staff decision-making, the development of staff recommendations, scheduling of work, executing department priorities, personnel issues, etc. This is necessary to protect staff from undue influence and pressure from individual Town Board members and to allow staff to execute work in the priority set by management.

The sharing of timely, accurate information is one of the Town Manager's highest priorities. Town Board request for information shall be forwarded to the Town Manager who will ensure a prompt and professional response. Such information request, and subsequent response, will be copied to the full Town Board (Mayor & Commissioners) so that each member may be equally informed.

Appointed Boards Relationship to Town Staff

The Town's appointed boards exist to assist the Town Board by serving in an advisory capacity and by overseeing various functions or projects. Appointed boards operate within the framework provided by the Board. The Town Manager may assign staff to assist the Appointed Board in their work. . Appointed boards shall not direct or give orders to staff. Any concerns about assigned staff should be directed to the Town Manager by the Appointed Board Chair.

Information Sharing with the Town Board

The Town Manager and staff use a variety of methods to share information with the Town Board. The Town Manager's open-door policy allows for impromptu meetings and workshops for detailed presentations and discussions of Town business. In an effort to consolidate the communication of non-emergency information, the Town Manager provides regular updates to the Town Board. Work retreats will be held as needed with the Town Board and senior staff to allow for in-depth, focused discussion on both strategic and tactical topics.

Request Received by the Town Board

It is anticipated that Town Board members will receive service requests from citizens, vendors, personal contacts, etc. requesting a Town Board member's assistance with certain administrative functions of the Town (i.e. events management or marketing and promotion). Request from citizens to the Town Board should be communicated to the Town Manager. The Town Board is asked to refrain from committing any of the Town's staff, services or actions, on the Town's behalf. The Town Board is asked to be cognizant of the need for a managed, professional approach.

The Town Board will also receive frequent contacts from citizens requesting the Town's services for things such as repairing potholes, code enforcement issues, replacement of street lights, etc. In these situations, the Town Board and/or citizens are encouraged to notify the Town Manager and he will assign the task(s) to the proper department.

Town Meetings

As a general rule, the business of the Town of Angier is conducted through monthly meetings as approved by the Town Board's approved meeting schedule. Town Board meetings operate under the Open Meetings Law and are conducted in a manner to afford the highest level of transparency to all residents, staff, Town Board members businesses and visitors. The Town Board provides a public comment period at each regular meeting during which any person may speak to the Town Board on a topic of the Speaker's choice. In addition, the Town Board may hold Special Meetings from time to time to allow additional time to be spent on particular topics. The Town is required and does give advance notice of all meetings to the public.

The Town Board is permitted under North Carolina Law to conduct Closed Session meetings either during the regular meeting or as a special meeting on a limited number of topics. In accordance with the General Statutes, Closed Session topics and supporting Statutes are disclosed to the public prior to the Town Board conducting closed sessions.

The meeting agenda is a key document needed to direct the flow and effectiveness of the Board. The agenda preparation will be coordinated by the Town Manager and staff in a format agreed by the Board. The Town Manager will work with the Mayor and Town Clerk to identify issues which should be included in the agenda. Board Members desiring to have items placed on the agenda should communicate those desires at the Board Meeting or through the Town Manager who will share the request with the other Board Members.

DATE: October 18, 2018
TO: Mayor and Board of Commissioners
FROM: Michael McLaurin, ICMA-CM
CC: Veronica Hardaway, CMC, NCCMC
RE: Agreement between the Town and Angier Chamber of Commerce

Action Requested:

Consider approving two Memorandums of Agreements (MOU) between the Town and the Chamber of Commerce.

- The first MOU establishes that the Town owns the stage at the Depot and the Chamber may use without charge.
- The second MOU is a three year agreement that establishes the condition in which the Chamber may use the Depot facilities including the pond at Jack Marley Park without charge.

Background

The Town's rental rates for its Depot related facilities when into effect on October 1st. At a recent Chamber meeting the Interim Town Manager discussed these rates with the Chamber. Chamber members expressed concern about the impact of these rates on their ability to hold events. There was also a larger discussion on the greater community benefit of the Crepe Myrtle and Christmas celebrations. Several meetings have been held between the Town and Chamber officials to review the items contained in these MOUs.

The approval of these MOUs will: 1) more clearly define the roles of both the Town and Chamber in organizing the Crepe Myrtle and Christmas events while providing for the free use of the depot facilities and 2) clarify the ownership and use of the stage.

MOU Details

Ownership of the Stage – See Attached Separate Document

Use of Depot Facilities -

1. Three year Memorandum of Understanding concluding in December 2021.
2. The Town and Chamber agree that the Chamber shall have free use of the Depot facilities for seven days a year. Depot facilities would include

the depot, grounds, and stage. In addition, the Chamber has use of the pond as part of its Christmas celebration. The seven days are generally anticipated to be three days for Crepe Myrtle Festival (1 day to set up, 1 day for the festival, and 1 day for clean-up). The remaining four days would be for Christmas Functions including (1-Day to Decorate the grounds, 1-Day Christmas on the Square, 1-Day-Clean Up, 1-Day-Parade). The use for these seven days will be without charge.

3. Govern through a separate Memorandum of Agreement; the Chamber may use the Stage without charge provided the Stage is available at the time of booking request. There is no defined expiration date on this separate Memorandum of Agreement.
4. The Chamber agrees to provide the Town a Certificate of Insurance naming the Town of Angier as an additional insured on any Chamber event involving the use of the depot facilities, grounds, stage etc. for Chamber events such as Crepe Myrtle and Christmas.
5. The Town agrees to contribute \$1000 per fiscal year for the use of Christmas functions and continue to provide in-kind services for Crepe Myrtle and Christmas events. Current value of in-kind personnel services provided by the Angier's Public Works and Police is approximately \$4000.00 per year.
6. The Chamber agrees to print off flyers for the Crepe Myrtle and Christmas events and the Town agrees to place the notices in its water bill. The schedule for this will be coordinated between Chamber and Town staff.
7. The Chamber agrees to waive the Town's membership dues and provide fourteen banquet tickets at no charge. The Town agrees to strive to insure that all tickets are used.
8. The Chamber agrees to list the Town of Angier as a Corporate Sponsor for the Crepe Myrtle Celebration at the value level of \$1500.00. Acknowledgement of the \$1000 contribution by the Town of Angier.
9. The Chamber will provide up to three cars for the Town Board and one car for the Planning Board to be used in the Christmas parade.

NORTH CAROLINA
HARNETT COUNTY

MEMORANDUM OF UNDERSTANDING

1. Parties The Parties to this memorandum of understanding are the Town of Angier ("the Town") and the Chamber of Commerce ("the Chamber").

2. Purpose The purpose of this memo is to set forth the understanding and agreement between the parties concerning the ownership and use of the stage in Depot Square. ("the Stage")

3. Ownership of Property The parties hereby acknowledge and agree that the Stage is fully owned by the Town of Angier, and is therefore Town property.

4. Use of Property The Town agrees to allow the Chamber to use the Stage for events without having to pay a rental fee, provided that the Stage is available for use at the time requested and the event has been approved by the Town.

5. Duration, Termination The Town may revoke this memorandum of understanding at any time and for any reason. In the event the Town wishes to revoke this memorandum of understanding, the Town will provide written notice to the Chamber. The Town's ownership of the Stage shall survive any termination of this agreement.

This Memorandum of Understanding is executed by the parties this the ____ day of August, 2018.

BY: _____
Mike McLaurin, Interim Town Manager

BY: _____

ATTEST: ,

Veronica Hardaway, Town Clerk

DATE: October 18, 2018
TO: Mayor and Board of Commissioners
FROM: Michael McLaurin, ICMA-CM
CC: Veronica Hardaway, CMC, NCCMC
RE: Update on Town Manager Duties

Action Requested:

- 1) Consider removing or revising the Town Manager duties as described in the January 8, 2018 meeting.

Background

At the January 8th meeting the Board approved a motion pertaining to the duties of the Town Manager. Many of the items or requirements in the duties have been completed or underway. Other identified duties or responsibilities would limit the ability to operate in an efficient, transparent, and accountable manner that was the Board's initial desire.

**Town of Angier
Board of Commissioners
Monday, January 8, 2018, 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 Monday, January 8, 2018, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

Members Present: Mayor Lewis W. Weatherspoon
Mayor Pro-tem/Commissioner Craig Honeycutt
Commissioner Bob Smith
Commissioner Loru Boyer Hawley
Commissioner Mike Hill

Staff Present: Town Manager Coley Price
Planning and Permitting Technician Sean Johnson
Library Director Amanda Davis
Corporal Daniel King
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 Smith offered the invocation.
4. **Approval of the January 8, 2018, meeting agenda:** The Town Board amended the Agenda; adding two additional Budget Amendments #BOA2018.17 and #BOA2018.18 to Consent Agenda #6C.

Board Action: The Town Board unanimously approved the January 8, 2018 meeting agenda with the above amendments.

Motion: Commissioner Smith

Second: Commissioner Hill

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.

Brian Hawley, 49 Kerrylane Drive, read from a statement prepared for the Board.

"Good evening Board of Commissioners and Mayor. As we work together to improve our community, I would like to address this board regarding an incident I witnessed on October 31, 2017. I have been contemplating filing a formal complaint with the United States Office of Special Counsel or address this board regarding this matter and decided I am obligated to identify this concern to my elected officials first and foremost.

I concede, I am not an expert at law, nor an expert on municipal government and always welcome opportunities to become better acquainted with the policies and procedures of our government. However, I am also not ignorant to what is right and what is wrong, and I believe in accountability and as such, I expect those in leadership positions to adhere to a strict code of conduct and follow personnel policies provided from their employer.

My concern is that our Town Manager is not held to the same standard as our other employees. When a town resident walks into our Town Hall building/Police Station to pick up paper work and over hears the Town Manager conducting partisan political activity during work hours, there is an issue. We have a personnel policy for a reason and my concern is that our Town Manager does not adhere to these directives. The Town Manager was just given a contract this past year and from what we hear this contract is non-ending, and the town may be forced to buy him out, if he is dismissed or leaves. If this is true, why would our elected officials place such a burden on the tax payers of this community? I believe we reward employees based on accomplishments and we compensate them accordingly. But, I also believe as an elected official you're obligated to protect the Town's best interest. If we have negotiated a contract that handcuffs you to hold others accountable, what will deter them from conducting business however they please? If they face no consequences for their actions, then how will you prevent those violations moving forward?

So, in ending, before I seek outside guidance with the U.S. Office of Special Counsel, Hatch Act Division, I ask this Board to address this matter, and consider a way to ensure that we can prevent issues such as this in the future. Thank you for your time and your service to our community."

6. **Consent Agenda:** The Board amended the Consent Agenda by removing item #6B to discuss further.

Motion: Commissioner Hawley

Second: Commissioner Smith

Vote: Unanimous, 4-0

- A. Minutes – December 5, 2017 – Town Board Regular Meeting Minutes
- B. Parks & Recreation Building Capital Project Ordinance pursuant to NCGS 159 Section 13.2 (moved to discuss)
- C. Budget Amendments: #BOA2018.15 – To transfer funds from General Fund to Parks & Recreation Capital Project for construction of office and concession building; #BOA2018.16 – To purchase additional radio read meters for new homes.; #BOA2018.17 – To replace materials due to excessive water leaks; #BOA2018.18 – The Town has been granted \$5,000 from the Arts Council to fund the Friday Depot Nights. This is the first time the funds will be funded through the Town and not a separate grant fund.

Board Action: The Town Board unanimously approved the Consent Agenda with the above amendment.

Motion: Commissioner Smith

Second: Commissioner Hill

Vote: Unanimous, 4-0

Item #6B Discussion: Parks & Recreation Capital Project Ordinance pursuant to NCGS 159 Section 13.2.

Town Manager Coley Price explained that when a project ordinance is in place, it has to be done within that Fiscal Year. When the old Parks and Recreation building was sold that money went into the Fund Balance. At that time, a project ordinance was done in the amount of \$228,294. When a Fiscal Year ends and there are changes, you have to change it for the new Fiscal Year. The new Parks and Recreation building was originally designed as a two story building, however in a public building you are required to have an elevator which would have been way over budget. The building then had to be redesigned as a one story building, therefore it was a few thousand dollars over the Capital Project Budget.

Commissioner Hawley asked if the funds that were received from the sale of the old Parks and Recreation building would directly go the new Parks and Recreation building.

Mr. Price stated that was correct.

Commissioner Hawley asked if the new building would be held to the same standards of the commercial façade requirements.

Mr. Price stated that was correct.

Board Action: The Board voted to approve the Parks & Recreation Building Capital Project Ordinance pursuant to NCGS 159 Section 13.2

Motion: Commissioner Hawley

Second: Commissioner Smith

Vote: 4-0, Unanimous

7. Public Hearings

A. Annexation Petition – A petition for Annexation for the property located on Rawls Church Road (PIN#: 0665-90-0278). A sufficiency of the Petition and a Certification of Results were issued in December; a Date to Set the Public Hearing for tonight was approved in December 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.

Seeing no one 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 Honeycutt

Second: Commissioner Hill

Vote: 4-0, Unanimous

B. Rezoning Request – Application submitted by George Aiken (AV Homes, Inc.) to rezone a 66.98 acre parcel located at Rawls Church Road from Harnett County RA-30 to Town of Angier R-6 (PIN#: 0665-90-0278.000).

Sean Johnson presented the staff report for the rezoning request to rezone 66.98 acre parcel from RA-30 to R-6 that was made by applicant George Aiken. The majority of the property is currently wooded with the remaining percentage being used as farm land. The Eastern edge of the property contains steep topography with a stream at the lowest point. Surrounding Land Uses include vacant wooded areas and low density residential. If the property is annexed and developed, the developer will be responsible for providing Town water and sewer to the property.

Mr. Johnson stated 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 requested rezoning would allow for use of the property that is compatible with adjoining uses. The requested zoning district is compatible with the existing Land Use Classification. The Land Use Plan adopted in

September designates the adjacent property as medium density residential which calls for 3-6 units per acre. The requested rezoning 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 rezoning would not change the character of the area. 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.

Commissioner Smith asked if the proposed sewer line will be large enough to support future projects.

Mr. Johnson stated the Town will consider upgrading the line to prepare for future growth in addition to what the developer will need for the project.

Bill Dreitzler, Town Engineer, stated the sewer line will be large enough.

Mayor Weatherspoon opened the Public Hearing.

Mark Ashness, Engineer 301 Glenwood Ave., stated the proposed rezoning is consistent with the future Land Use Plan in that area. Water will be extended on Rawls Church Road from Kennebec Church to the west which a County line is in place now but a Town line will be added. Ultimately, other residents may tap to that line as well. The proposed entrance will be opposite of Jarrett Bay Lane on the south side of Rawls Church Road. The reason R-6 was requested was for 5ft setbacks on the lots.

William Leather, 515 Moonlight Drive, stated he was concerned with being made to tap onto the Town sewer line as Moonlight Drive has septic tanks.

Town Manager Coley Price stated the Town cannot do an involuntary annexation but explained to Mr. Leather that having a Town sewer line nearby will be to his advantage as a safety net in the event his septic fails.

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

Board Action: The Board voted to approve the rezoning request submitted by George Aiken (AV Homes, Inc.) to rezone a 66.98 acre parcel located at Rawls Church Road from Harnett County RA-30 to Town of Angier R-6 (PIN#: 0665-90-0278.000).

Motion: Commissioner Smith

Second: Commissioner Hawley

Vote: 4-0, Unanimous

8. New Business

A. Re-appointment of Town Attorney

Under Town of Angier's Code of Ordinances Chapter 2, Article III, Section 2-141 (a) At the first meeting of the Town Board after their election and qualifications, or as soon thereafter as possible, they shall appoint (or reappoint) a Town Attorney.

Mayor Weatherspoon entertained a motion for the re-appointment of Town Attorney Al Bain.

Board Action: Commissioner Honeycutt made a motion to retain Town Attorney Al Bain, seconded by Commissioner Smith. The motion died for lack of majority vote.

Board Action: Commissioner Hawley made a motion to dismiss Town Attorney Al Bain, seconded by Commissioner Hill.

Board Action: Mayor Weatherspoon broke the tie by voting to dismiss Town Attorney Al Bain and set forth a 60 day notice to Mr. Bain on this date.

Vote: 3-2, to dismiss Town Attorney Al Bain

Mayor Weatherspoon instructed the Town Clerk to advertise for the position of Town Attorney.

9. Manager's Report:

Town Manager Coley Price asked Mayor Weatherspoon if he could offer an explanation as to why he did not re-appoint Town Attorney Al Bain.

Mayor Weatherspoon stated he agreed with the two Commissioners that voted no.

Mr. Price stated there's got to be a reason because I don't know of anything that he's done enough for you to not allow him to be re-appointed.

Mayor Weatherspoon stated he felt that was the way he should vote.

Mr. Price asked Mayor Weatherspoon why he had no explanation on voting no.

Mayor Weatherspoon stated the matter was closed.

Town Manager Price informed Town Board officials of numerous events that had taken place and forthcoming events including the following:

- There will not be a Planning Board meeting.
- There will not be a Board of Adjustment meeting in January.
- Town Hall offices will be closed Monday, January 15, 2018 in observance of Martin Luther King Jr. Holiday.
- There will be a Town Board Workshop Tuesday, January 23, 2018 at 6:30pm.

Board Action: The Board voted to close the advertisement for the ETJ Planning Board position as of Friday, January 12, 2018 and to conduct interviews at the January 23, 2018 Board Workshop Session.

Motion: Commissioner Hawley
Second: Commissioner Honeycutt
Vote: 4-0, Unanimous

- Essentials of Municipal Government class is January 25th & 26th.
- NC City/County Managers Association winter conference January 31, Feb 1, & Feb2.
- Town Board Breakfast will be held at Red Barn January 13, 2018 at 8:30am.
- Budget Retreat will be held February 17, 2018 at 8am-12pm.
- Chamber Banquet is scheduled for Tuesday, March 6, 2018 at Barclay Villa. It was the consensus of the Board to move the Tuesday, March 6, 2018 Town Board Meeting to Tuesday, March 13, 2018.
- Town Engineer's Report attached.

Town Manager Coley Price informed the Board that the Public Works Department had to repair ten water leaks in some of the coldest temperatures recorded. Employees spent 13 hours in one hole Saturday and 12 hours in another hole Sunday. Mr. Price thanked the Public Works Department for all of their hard work and commitment to the Town.

10. Mayor and Town Board Reports:

Mayor Weatherspoon thanked the Public Works Department for all of their hard work.

Commissioner Hawley made a motion, to ensure the citizens of Angier are provided with a more efficient and transparent and accountable municipality and municipal government as such I would like to ask the Town Clerk to please read into the minutes Items 1-9 of the Town Manager's duties and Attachment A. Commissioner Hill seconded the motion.

Town Manager Duties

1. Duties to be in accordance with NC G.S. 160A-148 and Angier Code of Ordinances: Chapter 2, Article III, Division 2, Sec. 2-101.
2. Town Manager is not authorized to sign checks or authorize payments exceeding \$2500. All monthly payroll and Town expense checks are to be signed by the Interim Finance Director and the Mayor.
3. Before any discussions are held with any professional service providers, the need for assistance must be presented to the Town Board and have Board approval to contact professional services providers. Once approval is granted, service providers may be contacted for purpose of issuing an RFP.
4. All contracts for professional services, i.e. Attorneys/law Firms; Auditors, Consultants, Engineers, etc., shall be competitively bid with bids presented to the Town Board prior to

selection of the service provider. Staff will recommend the provider to be hired and final decision will be made by the Town Board.

5. The Town Manager will provide the Mayor and Board updates on all projects on a monthly basis or more often if requested or deemed necessary by the Board. Projects and reports shall be per Attachment A of this document.

6. In the event of replacing the Town Attorney, the Town Clerk will advertise for applications for the position and all applications will be brought to the Town Board for review and disposition. The Town Board will interview candidates selected and offer a contract to the Attorney selected.

7. Town Manager will supply the Mayor and Commissioners, via email, a weekly itinerary. To be submitted each Friday for the following week.

8. People in Town complain that they come to the Town Board with questions or concerns and they never get a response. The Town Manager will respond, in writing, to anyone asking questions or expressing a concern at a Town Board meeting within 30 days or at the next Town Board meeting. The Mayor and Commissioners will be copied on all responses to the citizens.

9. Town Manager will review proposed Board agenda with Mayor for additions/deletions, finalize agenda and distribute no later than Noon on the Thursday prior to the Board meeting. If the meeting is on a Monday, then agenda must be distributed no later than Noon on Wednesday prior to the meeting.

Attachment A

1. Report on status of Mott-McDonald work with DOT on NC-55 expansion, By-Pass and upgrades through Town. Written monthly update beginning with January 23, 2018 Town Board Work Session.

2. Update on discussions with Greg Burns, NC DOT, regarding traffic improvements in Town, Williams Street, etc. Written monthly update beginning with February 6, 2018 Town Board Work Session.

3. Listing of all consultants currently employed and what they are the consultant for. All existing contracts with Attorneys/law Firms must be presented to the Town Board for determination of need for continuation of agreements. Need to maintain consultants and outside law firms must be presented in writing to the Town Board and Mayor. Due January 23, 2018 Town Board Work Session.

4. Status of Natural Gas and timetable for getting to Angier. Monthly update beginning with January 23, 2018 Town Board Work Session.

5. Status of having Broadband in Angier. Status of any talks with possible providers, Harnett County IT and Campbell University. Monthly update beginning January 23, 2018 Town Board Work Session.
6. Status of DFI proposals and amount of funds spent on the project. Report due January 23, 2018 at Town Board Work Session.
7. Plan and status for hiring an Economic Development Director. Monthly updates beginning at February 6, 2018 Town Board Meeting.
8. Develop or revise Storm Water policy and plan. Rough draft due in 60 days with final policy due in 90 days. No consultants.
9. Develop plan, along with cost estimates, for replacing aging water and sewer lines in those parts of Town lying in Harnett County. Rough draft due in 60 days, final plan due in 90 days. No consultants.
10. Provide Commissioners and Mayor a copy of all Town financial policies. Due January 23, 2018 Town Board Work Session.
11. Develop plan to do a one-time cleaning of all the ditches in Town. Rough draft due in 60 days. Final draft in 90 days. No consultants.
12. Status of Impact Fees Information Request and HB 436 on Town of Angier. Monthly update beginning February 6, 2018.
13. Determine ways to reduce fees paid to Daily Record. Proposal due in 30 days.
14. Develop procedure for streamlining the permitting process at additional fee. Due at February 27, 2018 Board Work Session.
15. Develop listing of concessions that can be used as inducements for developers to do work in the Town of Angier.
16. Develop plan to relocate Police Department and redesign interior of Town Hall to better utilize space. Recommendation to Town Board on space to relocate PD, due in 60 days along with schedule to complete the move. Recommendation, to Town Board, on Designer/Architect for redesign of interior of Town Hall in 30 days, preliminary plan in 90 days. Recommendation to Town Board on contractor due in 120 days with construction to begin after selection of contractor.
17. Design or have designed banners proclaiming Campbell University students, faculty and staff are welcome in our Town. Banners can be similar to those used by the City of Dunn. Design and cost of banners to be completed and presented to Town Board for approval at February 27, 2018 Board Work Session. Upon approval, banners to be ordered and installed within two weeks of receipt.

18. Provide the Mayor and each Town Commissioner a copy of evaluation of Angier Police Department and recommendations concerning Police Department performed in 2014. Copies to be provided at January 23, 2018 Town Board Work Session.

19. Town Manager will work with Commissioners to establish a schedule of Town Hall/Ward meetings. Meetings will be held for each ward a minimum of once per year. First meetings to begin in first quarter of 2018.

20. All employees will sign a statement that they have been given a copy of the Town personnel policy, understand it and will abide by it. This signed statement will be kept on file with the employee's personnel records.

21. Develop plan to implement use of discussion about Tablet/laptop and software package for Board, Town Manager, and Clerk. Proposal for consideration due at March 13, 2018 Town Board Meeting.

There was much discussion with the Board regarding the deadlines outlined above.

Board Action: The Board amended their motion and voted to modify the January 23, 2018 deadlines and will decide on a later date at the January Board Work Session.

Motion: Commissioner Hawley

Second: Commissioner Hill

Vote: 4-0, Unanimous

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

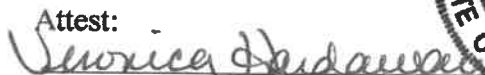
12. Adjournment: The Town Board voted unanimously to adjourn the meeting at 8:15 p.m.

Motion: Commissioner Hawley

Second: Commissioner Hill

Vote: Unanimous, 4-0

Attest:


Veronica Hardaway, Town Clerk




Lewis W. Weatherspoon, Mayor

DATE: October 18, 2018

TO: Mayor and Board of Commissioners

FROM: Michael McLaurin, ICMA-CM

CC: Veronica Hardaway, CMC, NCCMC

RE: Update on Proposals Received from Architects to Work with the Town on a Police Department and Town Hall Feasibility Study.

Action Requested:

Receive an update on proposals received and staff recommendation to move forward and negotiate with a specific firm to conduct the work.

Background

In the FY 2018-2019 budget the Board approved funding for an architectural firm to conduct a facility feasibility analysis for relocating the Police Department. As part of this, it was logical to prepare the request to include examining the Town Hall facilities.

A Request for Qualifications was sent to several firms who were invited to submit proposals. Four proposals were received. These proposals were reviewed by the Interim Town Manager, Police Chief and Town Engineer. The Board will receive an update on the results of the review and will identify which firm the staff recommends should be considered.

The selection of professional firms such as architects and attorneys are based on qualifications. As such, no price has yet been submitted by any firm. Once the Board has received and approved staff recommendation, further negotiations will be held with that firm of which will include the cost for services.

DATE: October 18, 2018

TO: Mayor and Board of Commissioners

FROM: Michael McLaurin, ICMA-CM

CC: Veronica Hardaway, CMC, NCCMC

RE: Request for Additional Staffing in the Police and Public Works Departments

Action Requested:

- 1) Consider authorizing two additional police officers and two additional staff for the Public Works Department.

Background

In recent years, the Town has experienced a great deal of growth in both land area and population. The Town limits is now in both Harnett and Wake Counties. The growth is expected to continue into the future as more people move into the area from out of state and from our neighboring communities in Wake County.

The staffing level of these two departments has remained stagnant as the Town has grown. This has resulted in staff having to make decisions on how to best serve the citizens within the existing resource base.

I have asked Public Works Director Jimmy Cook and Chief Bobby Hallman to offer some comments to the Board on their specific department needs. If the Board agrees, I will have Finance Director John Ellis prepare some budget estimates for an upcoming meeting.

DATE: October 18, 2018
TO: Mayor and Board of Commissioners
FROM: Michael McLaurin, ICMA-CM
CC: Veronica Hardaway, CMC, NCCMC
RE: Recommendations on Leaf, Limb and Household Goods Pickup

Action Requested:

- 1) Approved policy on leaf, limb and household goods pickup. The description below contains the policy highlights. If the Board agrees then the Town Attorney will be requested to assemble into an ordinance for approval by the Board.
- 2) Continue the practice of picking up to three household items per week. In cases of evictions, move outs etc., where large quantities of items are placed at the curb, the property owner will be responsible for removing the items.
- 3) Continue the practice of not picking up construction debris including carpet, drywall, shingles etc.
- 4) Continue the practice of not picking up automobile parts such as tires, batteries, bumpers etc.

Background

For a number of years, the Town Board has discussed and debated the Town's policy pertaining to leaf and limb pickup. We have records where the Town Board was debating this subject in 1989. The most recent debate came about when it was discovered that the Town Ordinance was in conflict with the Town's policy which was approved in November 2017. The Interim Town Manager was asked to study this issue and bring a recommendation back to the Board.

Presently the ordinance provides for tree trimming, hedge cuttings, leaves and similar material to be placed in piles behind the curb line. The material should not exceed four feet in length or six inches in diameter. The current ordinance does not contain a specific height of the pile. The goal of the Public Works Department is to try to pick up the leaves and limbs within three days. This is becoming more difficult as the town grows.

Leaf, Limb and Hedge Cutting Policy Highlights

- 1) Leaf, limb hedge cuttings pick up is designed for residential customers. Residential customers using a commercial landscaper or tree service should insure that the service provider remove the cuttings from the property and not place at the curb line
- 2) The Town shall pick up to two piles leaf, limb and hedge cuttings weekly. The maximum size of the piles should not exceed five feet in length diameter nor four feet high. Limbs may be a maximum of five feet and six inches in diameter. The limbs and debris should not be intertwined nor bundled. Residents should only place two piles beside the road each week. Residents may contract with private firms to remove larger quantity of debris.
- 3) In the event of a major storm, the Town Manager may designate a "storm event" in which portions of the policy may be waived for a temporary period of time to allow for the removal of debris.
- 4) The limbs in each pile should be placed perpendicular to the street. Each pile should be placed three feet apart and away from the roll out containers, large tree branches and power lines.
- 5) All leaf, limbs, cuttings, and household items should be placed beside the road by 7:00 am on Monday morning.