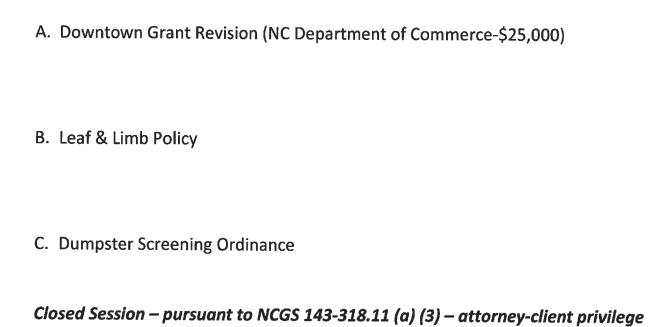
BOARD OF COMMISSIONERS WORKSHOP May 21, 2019 6:30pm



& NCGS 143-318.11 (a) (6) - to discuss a personnel matter

The North Carolina Department of Commerce ("Commerce"), an agency of the State of North Carolina ("State"), enters into this Downtown Revitalization Grant Agreement ("Grant Agreement") with the **Town of Angier** (the "Governmental Unit" or "Grantee" and, together with Commerce, the "Parties"), a local governmental unit.

WHEREAS, N.C. S.L. 2018-5 § 15.8(a) (the "Authorizing Legislation") authorized the awarding of Downtown Revitalization Grants or ("Downtown Revitalization Grant") to provide grants to certain municipal governments to encourage downtown revitalization in eligible communities; and

WHEREAS, Commerce, through its Rural Economic Development Division, administers the **Downtown Revitalization Grants**; and

WHEREAS, the Governmental Unit submitted a proposal and supporting materials (together, "Proposal") to Commerce for a grant (the "Grant") to fund a project (the "Project") as described in Grantee Proposal (Exhibit A).

NOW, THEREFORE, in consideration of the mutual promises and such other valuable consideration as set out herein, the Parties mutually agree to the following terms and conditions:

1. Grant Agreement Documents.

This Grant Agreement consists of the following documents:

- (a). This Grant Agreement, including all documents incorporated by reference herein.
- (b). Grantee Proposal (Exhibit A).
- (c). Sample Progress/Final Report (Exhibit B).
- (d). Payment Request Form (Exhibit C)

2. Changes in the Project or Other Conditions.

(a). The Governmental Unit shall immediately notify Commerce of any change in conditions or local law, or any other event, which may significantly affect its ability to oversee, administer or perform this Grant Agreement or the Project. In its sole discretion, Commerce may deem such a change in conditions, local law or other event to constitute a Project Change.

3. Term of Grant Agreement.

The effective period of this Grant Agreement shall commence on 7/1/2018 ("Effective Date") and shall terminate on 7/1/2020 unless terminated on an earlier date under the terms of this Grant Agreement (either one of which dates shall constitute the "Termination Date") or unless extended for an express term in writing by Commerce.

4. Funding.

Commerce grants to the Governmental Unit an amount not to exceed \$25,000.00 for expenditures directly relating to the Project. The Governmental Unit hereby represents and warrants that all Grant funds shall be utilized exclusively for the purpose of the Project and consistent with this Grant Agreement, the Authorizing Legislation and all other applicable laws, rules, regulations and requirements. The Governmental Unit shall not make or approve of any improper



North Carolina Department of Commerce Rural Economic Development Division Rural Grant Programs

<u>Progress and Final Report Form</u> Progress Report Final Report GRANTEE INFORMATION (to be completed by Grantee) Reporting Period Contract Information From: 7/1/2018 Contract Ref# 2019-001-1257-1534 (date) To: 1/28/2019 (date) Grantee Name: Town of Angier Project Title: Downtown Revitalization Project Project Contact Completing this Form: Veronica Hardaway Title: Town Clerk Primary Telephone: 919-331-6703 Email: vhardaway@angier.org **PROJECT SUMMARY** 1) Please provide a detailed description of the project progress to date. 2) Provide a detailed list of expenditures including the item and cost. 3). Attach copies of invoices/receipts for each expenditure paid with grant funds. The Town is currently interested in using the funds to help fund two projects in the Downtown. One project will be the planning and installation of a free wi-fi service to serve the Downtown. The Town has done some preliminary investigation including working with the NC Department of Information Technology to determine the feasibility of such a project. The results were very positive. The second project is the acquisition of land in the Downtown and develop the land for increased parking and a public gathering place. The progress of this project is the Town is currently negotiating with consultants. The Town will be able to expend the funds by June 30, 2019. Presently we anticipate that the wi-fi will be operational and that the Town will have acquired approximately 50% of the targeted properties. 1/28/2019 SIGNATURE OF CHIEF ELECTED OFFICIAL/AUTHORIZED REPRESENTATIVE Date Lewis W. Weatherspoon TYPED NAME AND TITLE



2018-2019 Downtown Revitalization and Economic Development Proposal Package

Grants are authorized under 2018-5 Sections 15.8(a) and 15.8(b), as construed by The Joint Conference Committee Report, and as amended by North Carolina Session Law 2018-97 for Downtown Revitalization and Economic Development Projects. The Rural Economic Development Division of the North Carolina Department of Commerce (DOC), will administer the grants.

Downtown Revitalization: Local governments identified in NC Session Law 2018-5 Section 15.8 (a) should complete the proposal form describing the downtown revitalization project proposed.

Downtown revitalization projects can include:

- Planning costs to produce a final plan for physical improvements, including architectural and engineering design;
- Streetscape design and implementation;
- Public infrastructure including water, sewer, electric, lighting, sidewalk, traffic, road and/or digital infrastructure;
- Façade or building improvements and/or property acquisition;
- Wayfinding signage; or
- Art or cultural installations.

Economic Development: Local governments identified in NC Session Law 2018-5 Section 15.8 (b) should complete the proposal form describing the economic development project proposed.

Acceptable expenses for all projects include labor and materials necessary to carry out respective economic development projects. Operational expenses including salary or wages for local government employees and/or food, refreshment and entertainment expenses are not allowable.

Local governments identified in the Joint Conference Committee Report should complete the proposal form describing the proposed activities only for the project identified in Joint Conference Committee Report.

Acceptable expenses for all projects include labor and materials necessary to carry out the identified project. Operational expenses including salary or wages for local government employees and/or food, refreshment and entertainment expenses

Funding Distribution Process

- Local governments should complete the proposal form and submit to DOC. The proposal form is included below and found at www.nccommerce.com/rd/rural-grants-programs/forms.
- Once a completed proposal form is received, DOC will mail contract documents to the local government.
- Once signed contract documents are received, DOC will issue a check in the full amount of the grant.
- Local governments should submit a progress report each January and July 15, and once all funds are expended, should submit a final report detailing the outcomes and expenditures of the grant including copies of invoices/receipts for each expenditure paid with grant funds. The progress/final report form can be found at www.nccommerce.com/rd/rural-grants-programs/forms.

Complete proposals should be submitted no later than October 5, 2018 by one of the following delivery options:

Via e-mail as a signed PDF to: repreports@nccommerce.com Or via postal or overnight delivery to: Melody Adams, Director, Rural Grant Programs North Carolina Department of Commerce, Rural Economic Development Division 301 N. Wilmington Street (For Overnight Delivery Services) 4346 Mail Service Center (For US Postal Service) Raleigh, NC 27699

2018-2019 Downtown Revitalization/Economic Development Proposal Form Local Government Information

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Title: Town Clerk	
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Title: Finance Director	
Fax: (919) 639-6130	
Federal Tax ID #: 56-6	
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	Street Address: 55 N. Broad Street State: NC Zip: Fax: (919) 639-6130 Federal Tax ID # Title: Town Clerk Email: vhardaway@angier.org John Eliis Street Address: 55 N. Broad Street State: NC Zip: Title: Finance Director Fax: (919) 639-6130 Federal Tax ID #: 56-6 Information as a NC Main Street community? as a NC Small Town Main Street community?

2.	Denistra a describeration
۷.	Provide a description of the proposed outcomes of the downtown revitalization/economic development project/activity. We believe that the free wi-fi will be another benefit for popular difference in the free wi-fi will be another benefit for popular difference.
	We believe that the free wi-fi will be another benefit for people visiting our downtown and help facilitate community gathering particularly at our downtown events. Depending on how the custom is a set of the facilitate community.
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	number of parking spaces, improve intends and administration of land will help us increase the
	number of parking spaces, improve infrastructure and create a gathering place in this tormer dirt rut filled back alley. This
	would also provide the town the opportunity to work with the business owners to determine the teasibility in developing
3.	
Ų.	Provide a timeline for the implementation of the downtown revitalization/economic development project/activity.
	We will be able to expend the funds by June 30, 2019. Presently, we anticipate that the wi-fi will be operational and that the town will have acquired approximately 50% of the targeted properties.
	the town will have acquired approximately 50% of the targeted properties.
4.	Include photos of the area where the project/activity will take place and provide a description of the photos below. See Separate Attachment - Photo 1 is the applicated by 5 pages 1.
	See Separate Attachment - Photo 1 is the anticipated willi coverage area. Photos 2 & 3 are photos of the land to be acquired for the parking.
	acquired for the parking.
	Applicant Certifications
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that th	ttached statements and exhibits are hereby made part of this application, and the undersigned representative of the applicant certifies
knowk	ne information in this application and the attached statements and exhibits are true, correct, and complete to the best of the signatory's edge and belief. The signatory further certifies:
1	as Authorized Representative, the signatory has been authorized to file this application;
2	
3	documentation requested by the Grantor Agency;
-	that the applicant has substantially complied with or will comply with all federal, state, and local laws, rules, regulations, and
4	that as of the date listed below the applicant is not the second of the date listed below the applicant is not the second of the date listed below the applicant is not the second of the date listed below the applicant is not the second of the date listed below the applicant is not the second of the date listed below the applicant is not the second of the date listed below the applicant is not the second of the date listed below the applicant is not the second of the date listed below the applicant is not the second of the date listed below the applicant is not the second of the date listed below the applicant is not the second of the date listed below the applicant is not the second of the date listed below the date listed below the second of the date listed below the date listed below the second of the date listed below the date li
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/	Signature of Chief Elected Official or Authorized Representative
	Lewis W. Weatherspoon
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4346 Ma	ail Service Center (For US Postal Service)
Raleigh.	NC 27699

NC DEPARTMENT OF COMMERCE, RURAL ECONOMIC DEVELOPMENT DIVISION RURAL GRANT PROGRAMS PAYMENT REQUEST FORM

Request Number: 1 Request Amount: \$25,000.00 Termination Date: 7/1/2020
534
Grant Reciplent: Town of Angler Grant/Contract Number: 2019-001-1257-1534 Grant Award Amount: \$25,000.00 Project Type: Other

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AN ORDINANCE AMENDING CHAPTER 15, ARTICLE II SECTIONS 15-27 – 15-32 OF THE TOWN OF ANGIER CODE OF ORDINANCES

NOW, THEREFORE, BE IT ORDAINED by the Town of Commissioners' of the Town of Angier that Chapter 15, Article II Sections 15-27 – 15-32 of the Code of Ordinances of the Town of Angier is amended as follows:

Sec. 15-27. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bulky trash means waste produced by a residential consumer other than what is ordinarily disposed of on a weekly basis which cannot be processed by the weekly trash collection.

Director of public utilities means the director of public utilities of the town or his agents.

Land clearing debris means solid waste which is generated solely from land clearing activities, including, but not limited to stumps, trees, brush and other vegetative waste incidental to tree, brush and stump removal.

Light Household Items means household furniture, TVs, mattresses, and box springs. Light Household items shall be no larger than 7 feet and weigh no more than 300 pounds.

Ordinances means the ordinances of the town.

White goods means household appliances such as refrigerators, washers, dryers, water heaters, water softeners, stoves, ovens, or other appliances either containing chlorofluorocarbon refrigerants or not. White goods shall be no larger than 7 feet and weigh no more than 300 pounds.

Yard and leaf waste means solid waste consisting of vegetative matter resulting from landscaping maintenance, including, but not limited to leaves, grass, twigs, certain limbs, hedge trimmings, hay, straw, pine straw, pine cones, and shrubs.

Sec. 15-29. - Disposal of Yard and Leaf Waste

- (a) The Town will endeavor to pick up yard and leaf waste, as defined pursuant to Sec. 15-27, on a weekly basis. Any person desiring to place yard and leaf waste for collection as refuse shall place that material in piles upon the occupant or owner's private property between existing curblines of street and sidewalks or where no such curblines or sidewalks exist on their premises off street rights-of-way and ditches. All leaf, limbs, cuttings and household items should be placed beside the road by 7:00 am on Monday morning. Yard and leaf waste shall be kept separate from and shall not be mixed with any other solid waste material for the purpose of residential collection by the town or its agents. The limbs in each pile should be placed perpendicular to the street and not intertwined or bundled. Each pile should be placed three feet apart and away from the roll out containers, large tree branches and power lines.
- (b) No person shall burn yard and leaf waste material on the street or sidewalks or on private property within the corporate limits. Burning may be permitted for land clearing or right-of-way maintenance material, provided a state burning permit is obtained and burning is done in compliance with all conditions stated in the permit.
- (c) The Town will collect two piles of yard waste per property each week, which shall be no longer than four feet wide, four feet deep, and four feet tall. The maximum size of the piles should not exceed five feet in length and four feet in height. Limbs may not exceed five feet in length and six inches in diameter. 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 curbline. If yard waste placed for collection exceeds these standards, the Town may not be able to collect the yard waste. To the extent the Town is unable to collect the yard waste, Residents may be notified to remove the debris. If debris is not moved within 10 days after notice, such debris will be considered a nuisance

pursuant to Sec. 14-11. If the debris is deemed to be a hazard to the safety of the public as stated in Sec. 14-11, the resident or property owner shall remove the debris within 24 hours.

- (d) Yard and leaf waste materials placed at curbside for collection shall be free from contamination by materials that are not included in the definition of yard and leaf waste provided in section 15-27. Leaves and grass should not be placed in plastic or paper bags. Where yard and leaf waste materials are found to be contaminated, town staff or its agents will not collect the yard and leaf waste until such time as the contaminants are removed by the homeowner. Grass clippings and leaves are collected by a vacuum and therefore must be free from twigs, sticks, rocks and any inorganic material. Leaf, limb hedge cuttings pick up is designed for residential customers.
- (e) During leaf collection season, residents desiring yard and leaf waste collection by the town or its agents shall rake their leaves to behind the existing curbline of the street or, where no such curbline exists, the leaves shall be placed off the street pavement and between the roadside ditch and front property line.
- (f) The Town Manager retains the discretion to collect items out of compliance where it is determined to be necessary for the public good, including storm clean-ups.
- (g) During Christmas tree collection by the town or its agents, residents shall place their Christmas tree behind the existing curbline of the street or, where no curbline exists, the Christmas tree shall be placed off the street pavement and between the roadside ditch and the front property line. All tinsel, nails, screws, wires, ribbon and other nonvegetative material shall be removed from the Christmas tree by the residents for collection provided that the wreaths are free from wire, screws, metal frames and other nonvegetative material.
- (i) Yard or leaf waste left for pick up that is not in compliance with this section shall be considered a public nuisance under Sec. 14-11.

Sec. 15-32. - Removal of Light Household Items and White Goods

- (a) The Town of Angier will endeavor to pick up light household items and white goods, as defined by Sec. 15-27, left in front of the resident's personal property along the right-of-way of Town streets. Pickup of Light Household Items and White Goods are limited to three items per week. If more than three items per property are left for pickup, the Town may not be able to pick up any of the items left.
- (b) The Town will not pick up items from storage units, construction debris (such as shingles, sheetrock, lumber, building materials, doors, or windows), carpet, tires, or glass.
- (c) If the items left do not fall under the category of Light Household Items and White Goods, the Town may notify the resident to remove the items. If items are not moved within 10 days after notice, such items will be considered a nuisance pursuant to Sec. 14-11. If the items are deemed to be a hazard to the safety of the public as stated in Sec. 14-11, the resident or property owner shall remove the items within 24 hours.

Adopted by the Angier Board of Commissioners on this the day of November, 2018.

INCORPORATED

Ordinance Effective January 1, 2019

ewis W. Weatherspoon, Mayor

ATTEST:

onica Hardaway, Town Clerk

Dumpster Screening Requirements

Current UDO Language

- 7.3.4 Screening requirements for outdoor storage, waste containers, and mechanical equipment. The requirements of this section shall apply to all new and expanding nonresidential and multifamily development:
- A. Any outdoor storage, waste container, and mechanical equipment existing at the time of adoption of this ordinance shall be brought into compliance with the screening requirements of this section within six months of the effective date of this ordinance.
- B. Any outdoor storage or utility structures shall be screened in the form of a berm, wall, or fence and natural plantings as to provide an opaque screen for outdoor storage, waste containers, and utility structures. The screen shall exceed the height of the storage or equipment by a minimum of one foot, shall not interfere with the operation of utility equipment.
- C. Dumpsters and other waste collection containers shall not be located in the front yard of any structure.
- D. Ground mounted mechanical equipment shall be located to the rear or side yard and screened from view of the street. Roof-mounted mechanical equipment shall be screened from view by a parapet wall or screen wall matching the primary building materials.
- E. Any fencing used to fulfill the requirements of this section shall be supplemented with landscaping. Chain link fence with slats shall not be used to meet the requirement of this section.
- F. All screens shall utilize building materials and design which are compatible with those used for the exterior of the principal building.

Revised Draft Per Town Board Comments At Their April 23rd Workshop

7.3.4 Screening requirements for outdoor storage, waste containers, and mechanical equipment.

The following requirements of this section shall apply to all existing new and expanding nonresidential and multifamily development:

- A. Any outdoor storage, waste container which exceeds 96 gallons, and mechanical equipment existing at the time of adoption of this ordinance shall be brought into compliance with the following screening requirements of this section within six months of the effective date of this ordinance. For the purposes of this section, waste container shall include any waste container, recycling container, grease trap, oil storage container or any other similar container.
- B. Any All waste containers outdoor storage or utility structures shall be screened in the form of an opaque wall or fence with a latching gate that will reasonably secure the enclosure from unauthorized entry. a berm, wall, or fence and natural plantings as to provide an opaque screen for outdoor storage, waste containers, and utility structures. The screen shall exceed the height of the waste containers storage or equipment by a minimum of six inches one foot and shall not interfere with the operation of utility equipment. emptying, replacement or removal of waste containers. Chain link fencing with slats or other supplemental screening material shall not be used to meet the requirements of this section. All screening materials shall remain in good condition as determined by the Administrator.

The following requirements shall apply to all new and expanding nonresidential and multifamily development.

C. Dumpsters and other waste collection containers shall not be located in the front yard of any structure.

- C. All waste containers and outdoor storage shall be located to the rear of the principal structure.
- D. All waste containers which exceed 96 gallons shall be screened in the form of an opaque wall or fence with a latching gate that will reasonably secure the enclosure from unauthorized entry. The screen shall exceed the height of the waste containers by a minimum of six inches and shall not interfere with the emptying, replacement or removal of waste containers. Chain link fencing with slats or other supplemental screening material shall not be used to meet the requirements of this section. All screening materials shall remain in good condition as determined by the Administrator.
- E. Any fencing used to fulfill the requirements of this section shall be supplemented with landscaping. Chain link fence with slats shall not be used to meet the requirement of this section.
- E. All screening shall utilize building materials that are compatible with those used for the exterior of the principal structure.
- F. All screens shall utilize building materials and design which are compatible with those used for the exterior of the principal building.
- F. Ground mounted mechanical equipment shall be located to the rear or side yard and screened from view of the street. Roof-mounted mechanical equipment shall be screened from view by a parapet wall or screen wall matching the primary building materials. For the purposes of these requirements, mechanical equipment shall consist of heating, ventilating, air conditioning and refrigeration systems, fuel burning equipment and appurtenances thereof.

Final Draft To Be Added To The UDO Upon Town Board Approval After Public Hearing

7.3.4 Screening requirements for outdoor storage, waste containers, and mechanical equipment.

The following requirements shall apply to all existing nonresidential and multifamily development:

- A. Any waste container which exceeds 96 gallons existing at the time of adoption of this ordinance shall be brought into compliance with the following screening requirements within six months of the effective date of this ordinance. For interpretation purposes, waste container shall include any waste container, recycling container, grease trap, oil storage container or any other similar container.
- B. All waste containers shall be screened in the form of an opaque wall or fence with a latching gate that will reasonably secure the enclosure from unauthorized entry. The screen shall exceed the height of the waste containers by a minimum of six inches and shall not interfere with the emptying, replacement or removal of waste containers. Chain link fencing with slats or other supplemental screening material shall not be used to meet the requirements of this section. All screening materials shall remain in good condition as determined by the Administrator.

The following requirements shall apply to all new and expanding nonresidential and multifamily development.

- C. All waste containers and outdoor storage shall be located to the rear of the principal structure.
- D. All waste containers which exceed 96 gallons shall be screened in the form of an opaque wall or fence with a latching gate that will reasonably secure the enclosure from unauthorized entry. The screen shall exceed the height of the waste containers by a minimum of six inches and shall not interfere with the emptying, replacement or removal of waste containers. Chain link fencing with slats or other supplemental screening material shall not be used to meet the requirements of this section. All screening materials shall remain in good condition as determined by the Administrator.
- E. All screening shall utilize building materials that are compatible with those used for the exterior of the principal structure.
- F. Ground mounted mechanical equipment shall be located to the rear or side yard and screened from view of the street. Roof-mounted mechanical equipment shall be screened from view by a parapet wall or screen wall matching the primary building materials. For the purposes of these requirements, mechanical equipment shall consist of heating, ventilating, air conditioning and refrigeration systems, fuel burning equipment and appurtenances thereof.

Existing Town Code To Be Revised Based On Board's Comments At Their April 23rd Workshop

**No Public Hearing Required, Board Can Chose A Future Effective Date Of This Amendment

Sec. 15-35. - Placement, removal of containers; duties of occupants.

Residential accounts properties will be provided up to two refuse containers and the account will be billed for each container requiring pickup on the monthly utility bill. Any number of refuse containers above two will require dumpster service at the owner's expense.

Commercial accounts properties will be provided up to three refuse containers. Any number of refuse containers above three will require dumpster service at the owner's expense.

- (1) Refuse containers shall be placed for collection at a location in such a manner as to be convenient for removal and collection.
- (2) It shall be the duty of the occupant of any building or any residential unit to:
 - a. Place the refuse container at a location in such a manner as to be convenient for removal and collection. The supervisor may require such placement at any location for reasons of topography, efficiency or emergency.
 - b. Remove the empty container from the place of deposit at curbside or otherwise to the storage location. Such removal shall be accomplished not later than 7:00 p.m. on the day of collection.
 - Empty garbage containers must be placed in a storage location behind or at the side rear of the dwelling or business.