

**Town of Angier  
Board of Commissioners  
Tuesday, March 1, 2022, 6:30 P.M.  
Angier Municipal Building  
28 North Raleigh Street  
Minutes**

The Town of Angier convened during a regularly scheduled Board of Commissioners meeting on Tuesday, March 1, 2022, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

**Members Present:** Mayor Bob Smith  
Mayor Pro-tem Loru Hawley  
Commissioner Alan Coats  
Commissioner Jim Kazakavage  
Commissioner Junior Price

**Members Excused:**

**Staff Present:** Town Manager Gerry Vincent  
Town Clerk Veronica Hardaway  
Planning Director Sean Johnson  
Library Director Katy Warren  
Chief of Police Lee Thompson  
Parks & Recreation Director Derek McLean  
Finance Director Hans Kalwitz  
HR Director Melissa Wilder  
Community Development Coordinator Heather Keefer  
Town Engineer Bill Dreitzler  
Town Attorney Dan Hartzog, Jr.

**Others Present:**

**Call to Order:** Mayor Smith presided, calling the Board of Commissioners meeting to order at 6:30 p.m.

**Pledge of Allegiance:** Mayor Smith led the pledge of allegiance.

**Invocation:** Mayor Smith offered the invocation.

**Approval of the March 1, 2022 meeting agenda:** The Town Board unanimously approved the agenda as presented.

**Board Action:** The Town Board unanimously voted to approve the agenda as presented.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 4-0; unanimous

## **Public Comment**

Chairman Brian Hawley and Assistant Store Manager Christina Kazakavage reviewed and gave an update on 1<sup>st</sup> & 2<sup>nd</sup> Quarter Audits of the ABC Board. A check was presented to the Town of Angier in the amount of \$100,000 for profit disbursement of the first two quarters.

County Commissioner Lew Weatherspoon introduced the new Harnett County Economic Development Director, Christian Lockamy. Mr. Lockamy conveyed he is excited and looking forward to working with Angier.

## **Consent Agenda**

### **1. Approval of Minutes**

- a. February 1, 2022 – Regular Meeting
- b. February 15, 2022 – Work Session

**Board Action:** The Town Board unanimously voted to approve the consent agenda as presented.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 4-0, unanimous

## **Public Hearings**

### **1. Voluntary Annexation Petition**

Planning Director Sean Johnson stated that staff received a voluntary annexation petition submitted by James W. Johnson, III, Connie Johnson, and Vickie Mendenhall requesting to annex approximately 16.15 acres located on S. Wilma Street north of Campbell Street (Harnett PINs: 0683-07-3454.000 & 0683-06-0336.000). The Clerk has investigated the sufficiency of the annexation petition. Now the Town Board is eligible to consider whether to adopt Ordinance #A003-2022 to Extend the Corporate Limits of Town.

Mayor Smith opened the Public Hearing.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board voted to adopt Ordinance #A003-2022 to Extend the Corporate Limits of Town totaling approximately 16.15 acres located on S. Wilma Street; submitted by James W. Johnson, III, Connie Johnson, and Vickie Mendenhall (Harnett PINs: 0683-07-3454.000 & 0683-06-0336.000).

**Motion:** Commissioner Kazakavage

**Vote:** 4-0; unanimous

## 2. Rezoning Request

Planning Director Sean Johnson stated that, in addition to the aforementioned annexation petition for voluntary annexation into Angier, staff also received a conditional rezoning application from James W. Johnson, III, Connie Johnson, and Vickie Mendenhall. The proposal includes 68 single family lots on approximately 16.15 acres located on S. Wilma Street (Harnett PINs: 0683-07-3454.000 & 0683-06-0336.000). The current zoning is R-10 and the proposed zoning is CZ R-6. The properties in question are currently vacant agricultural land. Surrounding land uses include medium to high density residential, agricultural uses, and a nearby church. Public water and sewer services will be provided. The requested rezoning is compatible with the medium density residential classification shown on the Future Land Use Map. The Planning Board voted unanimously to recommend approval of the rezoning request at their February 8<sup>th</sup> meeting.

Mr. Johnson reviewed the proposed subdivision plan that shows 68 single family lots, two proposed entrances on S. Wilma Street, sidewalk curb & gutter throughout proposed streets as well as along S. Wilma Street & Campbell Street, and a proposed widening of S. Wilma Street & Campbell Street by approximately 3ft. of asphalt (Due to the current conditions of S. Wilma Street & Campbell Street not meeting the Towns current construction specifications). The developer has offered in his conditions list a widening of his portion (Half) of the full 29ft curb to curb street width standard.

Mr. Johnson then reviewed the draft conditions to be incorporated into the zoning regulations of this property.

1. The parcel in question shall only be developed with single family residential lots
2. There shall be no more than 70 total lots on the parcel in question
3. The minimum lot size shall be at least 6,000sqft.
4. The minimum building setbacks shall be as required in the R-6 district
5. The minimum lot width shall be 50ft measured at the front setback
6. There shall be 30in valley curb & gutter and 5ft wide sidewalk on both sides of each proposed street in the proposed subdivision
7. There shall be 30in valley curb & gutter and 5ft wide sidewalk installed in the Right-of-Way along the existing streets adjacent to the subdivision (S. Wilma Street & Campbell Street), which stub to the adjacent properties
8. Asphalt shall be installed in order to widen S. Wilma Street and Campbell Street adjacent to the proposed subdivision. When complete, this widening shall measure 14.5ft from the centerline of the existing street to the back of the proposed curb

In accordance with NCGS 160D-703(b), only those conditions approved by the local government and consented to by the petitioner in writing may be incorporated into the zoning regulations

Town Attorney Dan Hartzog Jr. expressed that due to the number of citizens signed up wishing to speak, the Board has the authority to limit the maximum time allotted for each speaker pursuant to NCGS 160A-81.



**Board Action:** The Town Board unanimously voted to allow anyone wishing to speak not to exceed 5 minutes per person.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 4-0; unanimous

Mayor Smith opened the Public Hearing.

The following citizens spoke in opposition of the proposed rezoning that all shared similar concerns. Amongst these concerns, the proposed subdivision would create additional traffic and would create hazardous road conditions traveling on an already busy and undersized S. Wilma Street. Another concern was that of infrastructure and water pressure. Furthermore, the proposed project is too dense and lacks adequate open space. Finally, it was stated that insufficient conditions are proposed on the property in question. Amongst these conditions, was the quality of materials to be used on the proposed homes, specifically, if the proposed homes would share some of the same characteristics of homes in Kathryn's Retreat.

Georgette Melella, 661 S. Wilma Street  
Michael Ferraro, 22 Camille Brooks Drive  
Chuck Zoio, 62 Camille Brooks Drive  
Rufus Arledge Castles, 446 E McIver Street  
Bradley Batchter, 693 S. Wilma Street  
Timothy Manhardt, 740 S. Wilma Street  
Mary Fischer, 669 S. Wilma Street  
Lorelei Carta, 737 S. Wilma Street  
Vikki Harris, 311 S. Wilma Street  
Angela Gidzinas, 79 S. Pleasant Street  
Brian Church, 377 Woodcroft Drive  
John Brancato, 649 S. Wilma Street  
Sam Gregory, 247 S. Wilma Street  
Richard Fischer, 669 S. Wilma Street

*Multiple emails given to the Clerk expressing concern regarding the proposed R-6 Conditional Rezoning has been provided to the Board of Commissioners.*

Mike Stewart, P.E., 4716 Carrollton Drive, Raleigh, stated the applicant applied for conditional rezoning to try to improve on some of the things they thought were important. The proposed homes are all interior, meaning the driveways are inclusive to the subdivision itself and not on S. Wilma Street. However, Kathryn's Retreat does have driveways from the homes that lead out to S. Wilma Street. It was important to them to have all lots accessed internally. They have proposed widening along S. Wilma Street that was not provided by the Kathryn's Retreat development. Another exit out to Hwy 55 cannot be made as that would only come with future development as roads tie together. Sidewalks will be installed throughout proposed streets of the subdivision. Because there will be two entrances, waterlines will be looped through the subdivision to mitigate issues of water pressure for Kathryn's Retreat. Mr. Stewart stated that it's possible to increase the

proposed open space from 8% to 14%. A Homeowners Association (HOA) will be in place to oversee management of the residential community.

Jimmy Johnson, III, 1206 Oak Grove Church Road, stated he chose to apply for an R-6 Conditional Rezoning rather than a Planned Unit Development since that is what is currently in the area. He has agreed to install sidewalks and widen Wilma Street as previously mentioned. Mr. Johnson conveyed that conditional rezonings are difficult on the Board, but more difficult for the developer. He is willing to increase the proposed open space area if that would please adjacent property owners. Lot sizes are comparable to what is currently at Kathryn's Retreat.

Commissioner Price shared his opposition of placing conditions on this particular rezoning as he believes other developments in the area should have shared the same responsibility of installing sidewalks as well as widening Wilma Street.

Seeing no one, Mayor Smith closed the Public Hearing.

Commissioner Coats conveyed that he hears and shares all concerns stated by citizens. Because things were not necessarily done by previous developers, does not mean we continue on the same path. The Board has to consider developments as they are presented and as the Town grows. Developments today will be looked at differently than 2 years ago.

Town Manager Gerry Vincent stated that the Town applied for a state and federal grant during the Fall/Winter of 2021 for the widening of Wilma Street, however the project did not score high enough to receive funding. The Town will apply again in the future for this project. As far as water pressure, the Town has been awarded \$10.4 million by the General Assembly, \$6.5 million is allocated for the replacement of the core water lines in Angier and also a 500,000-gallon elevated water tank that will help pressure in the entire Town.

Commissioner Coats inquired about a landscaping buffer along the northern property boundary to separate developments.

Jimmy Johnson, III has agreed to install a 15ft wide Type C landscaping buffer along the northern edge of the property boundary.

**Board Action:** The Town Board voted to approve the proposed Rezoning Request along with the conditions proposed, in addition to a 15ft wide Type C landscape buffer along the northern edge of the property in question. These conditions are to be incorporated into the rezoning regulations for the application submitted by James W. Johnson, III, Connie Johnson, and Vickie Mendenhall (Harnett PINs: 0683-07-3454.000 & 0683-06-0336.000).

**Motion:** Commissioner Price

**For:** Mayor Pro-tem Hawley; Commissioner Kazakavage

**Opposed:** Commissioner Coats

**Vote:** 3-1; motion carried



## **New Business**

### **1. Budget Work Schedule FY 2022-23**

Town Manager Gerry Vincent reviewed the outlined proposed dates to be accomplished by staff, and to present to the Board of Commissioners for discussions and final adoption.

**Board Action:** The Town Board unanimously voted to approve the proposed Budget Work Schedule for FY 2022-23.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 4-0, unanimous

### **2. Engagement Letter with Thompson, Price, Scott, Adams & Co., P.A.**

Finance Director Hans Kalwitz stated that to follow through with a seamless transition of FY 2022 audit, he requested the Board approve the CPA Engagement Letter with Thompson, Price, Scott, Adams & Co., P.A. The Town currently holds a three-year contract with the firm.

**Board Action:** The Town Board unanimously voted to approve the auditor engagement letter for FY 2022 audit.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 4-0, unanimous

### **3. Contract with Thompson, Price, Scott, Adams & Co., P.A.**

Finance Director Hans Kalwitz stated that to begin our FY 2022 audit with Thompson, Price, Scott, Adams & Co., P.A. the Town will need to have a formal agreement with the audit firm. This contract includes the cost of the audit as well as the deadline of financial statements; which will be delivered to the Local Government Commission for approval.

**Board Action:** The Town Board unanimously voted to approve the auditor agreement for FY 2022 audit.

**Motion:** Commissioner Coats

**Vote:** 4-0, unanimous

### **4. Budget Amendment #10**

Finance Director Hans Kalwitz explained that this Budget Amendment will acknowledge revenue that has exceeded anticipation and increase allowable spending within the General Fund (by \$1,443,323), Booster Club Fund (by \$13,250), Powell Bill Fund (\$25,042), and Water & Sewer Fund (by \$98,252). The General Capital Reserve Fund and the Municipal Building Fund will increase by \$1,053,700 and \$319,590 respectively.

**Board Action:** The Town Board unanimously voted to approve Budget Amendment #10.

**Motion:** Mayor Pro-tem Hawley  
**Vote:** 4-0, unanimous

## **5. Road Closures for Morning Market Events in 2022**

Community Development Coordinator Heather Keefer stated that Angier has a new community event called the “Morning Market” which will be held on the third Saturday of the month from 9:00am – 1:00pm. The market will focus on the sale of local goods and produce with the goal to develop a cohort of local farmers and makers that will help kick start the future Farmer’s Market in Angier. The proposed road closures will take place between 6:00am and 2:00pm on the third Saturday of each month. Over the past year the Planning Department, Public Works Department, and Police Department have been working together to standardize road closures for events that take place in downtown Angier. Staff has also been coordinating with community partners and market vendors to gain valuable feedback into account parking, safety, interaction with downtown businesses, and overall event experience. The Morning Market will take place on S. Broad St. W utilizing the town owned grassed areas, Lillington St., and Depot Square. The monthly market layout may vary in size based on seasonal needs and partnering vehicles. The market will continuously coordinate with downtown businesses to encourage shopping and dining in our local establishments.

**Board Action:** The Town Board unanimously voted to approve road closures for Morning Market Events in 2022.

**Motion:** Commissioner Coats  
**Vote:** 4-0, unanimous

## **6. Voluntary Annexation Petition**

Planning Director Sean Johnson stated that staff has received a voluntary annexation petition from William Coy Rogers Heirs approximately 15.62 acres located at 9405 Kennebec Road, Willow Spring (Wake PIN: 0684477282). The first step in the annexation process is for the Board to Direct the Town Clerk to investigate the sufficiency of the petition. The clerk will then report back to the Board at the April 5<sup>th</sup> meeting.

**Board Action:** The Town Board unanimously voted to approve Resolution #R005-2022 Directing the Clerk to Investigate the Sufficiency of the Petition.

**Motion:** Commissioner Coats  
**Vote:** 4-0; unanimous

## **Old Business**

- 1. Resolution Authorizing the Application for Approval of a Financing Agreement per NCGS 160A-20.**



Town Manager Gerry Vincent stated that this Resolution is required per NCGS 160A, Article 3, Section 20 for the Town of Angier to seek authorization to file an application for the approval of interim financing to design and construct a new Town Hall and Police Headquarters.

**Board Action:** The Town Board voted to approve a Resolution Authorizing the Application for Approval of a Financing Agreement per NCGS 160A-20.

**Motion:** Commissioner Coats

**For:** Mayor Pro-tem Hawley; Commissioner Kazakavage

**Opposed:** Commissioner Price

**Vote:** 3-1; motion carried

## **2. EB-6020 Junny Road Sidewalk Extension Project**

Town Engineer Bill Dreitzler stated that 6 submittals were received for the design of the Junny Road sidewalk project previously awarded, and the selection committee independently scored the applications. Upon qualifications-based selection, staff will negotiate a fee Agreement for presentation to the Board of Commissioners and recommendation of approval. Based on scoring, the selection team chose *Summit Engineering*. Documentation was provided to NCDOT and they have concurred with our selection. *Summit Engineering* has provided a fee proposal for the PE Phase of the sidewalk extension project. During NCDOT concurrence review of the *Summit Engineering* Proposal, NCDOT directed that the scope be divided into Task Order 1 and Task Order 2. TO1 will bring the project design to the 65% phase. At the completion of TO1, *Summit Engineering* will update the Scope for TO2 and provide a lump sum fee for that phase.

The budget for the PE Phase was established as \$175,000. The project is an 80/20 Federal/Local match. The Lump Sum Fee for TO1 is \$86,788.68. Therefore, the Town's financial impact for this phase is \$17,357.74. *Summit Engineering* has included within the presented Proposal that the combined fee for TO1 and TO2 will not exceed \$170,000. At \$170,000, the total financial impact for the PE work will be \$34,000. Should unforeseen issues require that the overall fee exceeds \$170,000 then a revised proposal will be brought to the Board for review. The cost for this project is included in the FY 21-22 Budget.

**Board Action:** The Town Board unanimously voted to approve the *Summit Engineering* Fee Proposal for TO1 in the amount of \$86,788.68 and to authorize the Town Manager to execute TO2 as long as the total fee does not exceed \$170,000. The approval is contingent upon final approval by NCDOT auditors.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 4-0; unanimous

### **Manager's Report**

- Department Reports (Informational Items included in Agenda packets)



Town Manager Gerry Vincent updated the Board on various items. Those items are the following:

1. Board Retreat 2022 – We are preparing for the Board Retreat for March 25<sup>th</sup> & 26<sup>th</sup>

**Mayor & Town Board Reports**

Commissioner Coats requested everyone to keep Rick Tudor and family in prayers as his daughter underwent a heart transplant.

**Adjournment:** Being no further business, the Town Board voted unanimously to adjourn the meeting at 9:20pm.

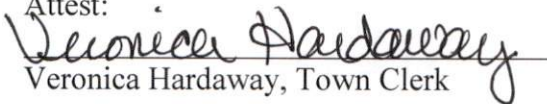
**Motion:** Mayor Pro-tem Hawley

**Vote:** Unanimous, 4-0



Robert K. Smith, Mayor

Attest:



Veronica Hardaway, Town Clerk

