

**Town of Angier  
Board of Commissioners  
Tuesday, October 3, 2023, 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, October 3, 2023, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

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

**Members Excused:**

**Staff Present:** Town Manager Elizabeth Krige  
Town Clerk Veronica Hardaway  
Public Works Director Jimmy Cook  
Planning Director Jeff Jones  
Community Development Coordinator Crissy Porter  
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 October 3, 2023 meeting agenda:** The Town Board unanimously approved the agenda with the following amendment; add New Business Item #8 to allow the VFW to place boxes around Town for tattered flags.

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

**Motion:** Commissioner Kazakavage

**Vote:** 3-0; unanimous

**Public Comment**

Billy Sbani, 8798 Kenridge Lane, Fuquay-Varina, shared his concern in regards to speeding on his road and large trucks that come and go within his subdivision. He also expressed that he would

like to form a neighborhood watch program and will speak with Chief Thompson. There has been a large log truck that comes in the subdivision that makes a lot of noise during the night waking up homeowners to which Mayor Smith referred this to the Town Manager to research. Mr. Sbani had concern for safety regarding the lack of fencing around the retention pond. Another item of concern was the condition of the road at the end of the subdivision to which Mayor Smith referred to Planning Director Jeff Jones.

Tom Woerner, 234 Cambridge Drive, shared concern relating to the sign ordinance specifically for campaign signs. There're multiple yards that have more than one sign for the same candidate. Town Attorney Dan Hartzog, Jr. stated there is some guidance from the Supreme Court on what we can and can't do with respect to signs. The Town's current sign ordinance may need some updating; however, the rule is not treating signs any differently based on their content such as political signs. All signs should be treated equally. Mr. Hartzog, Jr. suggested reviewing the current ordinance as written and update it to reflect the Supreme Court's guidance.

Mike Hill, 48 S. Park St., spoke about concern with items that were previously discussed in a Closed Session setting being disseminated publicly. He then distributed a copy of Facebook comments to the Board members that was in relation to previous Closed Session material.

### **Consent Agenda**

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

- a. September 5, 2023 – Regular
- b. September 19, 2023 – Workshop

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

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

### **Public Hearing**

#### **1. Voluntary Annexation Petition Submitted by the Town of Angier**

Planning Director Jeff Jones stated that the Town is seeking to annex approximately 41.82 acres located at 298 Smith Drive, Angier (Harnett County PIN: 0672-42-0254.00). A sufficiency of the petition and certification of results were issued in September; a date to set the public hearing was approved in September and advertised accordingly. Following the Public Hearing, the Town Board will be qualified to consider the adoption of an ordinance to annex the property.

Mr. Jones explained that the Town is currently utilizing this property as the Police Department's firing range and will be the home of a future training facility.

Mayor Smith opened the Public Hearing.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board unanimously voted to approve a Voluntary Annexation Petition submitted by the Town of Angier for approximately 41.82 acres located at 298 Smith Drive, Angier (Harnett County PIN: 0672-42-0254.000).

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

## **Old Business**

### **1. Church Street Parking Lot Bids**

Planning Director Jimmy Cook stated that the Town received four bids on the proposed downtown parking lot on Church Street with Narron Contracting, Inc. being the lowest responsible bidder in the amount of \$445,430.35 to install 42 parking stalls.

Mr. Cook reviewed three proposed options as follows:

- **Option 1:** Approve Narron Contracting, Inc. to construct the Church Street parking lot in the amount of \$445,430.35 based on them providing a performance/payment bond to the Town in the amount of \$445,430.35; with an additional amount of \$66,374.35 coming from the General Fund and \$79,056.00 coming from the water System Development Fees. Since the Board budgeted \$300,000 for this project a Budget Amendment will be required for the remaining amount. System Development Fees can be able be utilized as a waterline will be installed with this project.
- **Option 2:** Reject the parking lot bids and install gravel in the parking area with parking bumpers using the funds already appropriated in this FY.
- **Option 3:** Reject the parking lot bids and leave the area as is for the time being and allow people to park on the Town's property.

**Board Action:** The Town Board voted unanimously to approve Option 3; rejecting parking lot bids and leave the area as is for the time being and allow people to park on the Town's property.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

## **New Business**

### **1. ABC Board Annual Audit Presentation**

Board Member Howard Babbitt presented year end audit findings of the ABC Store and awarded the Town a distribution in the amount of \$73,492.

### **2. Police Station Capital Project Multi-Fiscal Year Budget Ordinance**

Town Manager Elizabeth Krige stated this project fund is needed to secure the cost of the Police Station for audit purposes. This project will span multiple budget years to pay for the new Police Station which typically is expended within a fiscal budget year.

**Board Action:** The Town Board voted unanimously approve the Police Station Capital Project Multi-Fiscal Year Budget Ordinance.

**Motion:** Commissioner Coats

**Vote:** 3-0; unanimous



**Police Station  
Capital Project  
Multi-Fiscal Year Budget Ordinance**

*BE IT ORDAINED* by the Board of Commissioners of the Town of Angier, Harnett County, North Carolina in accordance with G.S. 159-13 of the North Carolina General Statutes that:

**Section 1:** The following revenue is hereby appropriated to the Police Station Capital Project Fund to be used, in accordance to provisions and guidance, during the fiscal years beginning October 3, 2023, and ending June 30, 2025:

Transfer from General Fund	\$	100,000
<b>TOTAL</b>	\$	<b>100,000</b>

**Section 2:** The following expenditures are hereby appropriated in the Police Station Capital Project Fund to be used, in accordance to provisions and guidance, during the fiscal years beginning October 3, and ending June 30, 2025:

Construction	\$	100,000
<b>TOTAL</b>	\$	<b>100,000</b>

### 3. Budget Amendment #2

Ms. Krige explained that Budget Amendment #2 pertains to Board consent of property acquisition as well as subsidizing the Police Station project until further funding is obtained.

**Board Action:** The Town Board voted unanimously to approve Budget Amendment #2 that pertains to Board consent of property acquisition and subsidizing the Police Station project until further funding is obtained.

**Motion:** Commissioner Kazakavage

**Vote:** 3-0; unanimous

General Fund (10 Fund)				
Revenue	Line Item	Budget	Change	Amended Budget
FUND BALANCE APPROPRIATED	10-3010-9999	300,000	↑ 435,000	735,000
<b>Total Budget Revenues</b>		<b>7,322,900</b>	<b>435,000</b>	<b>7,757,900</b>
Administration Departmentt	Line Item	Budget	Change	Amended Budget
CAPITAL OUTLAY	10-4200-5000	300,000	↑ 335,000	635,000
<b>Total Budget Expenditures for Dept 4200</b>		<b>928,486</b>	<b>335,000</b>	<b>1,263,486</b>
Inter-Fund Transfers Department	Line Item	Budget	Change	Amended Budget
TRANSFER TO POLICE STATION FUND	10-8700-8210	-	↑ 100,000	100,000
<b>Total Budget Expenditures for Dept 8700</b>		<b>167,734</b>	<b>100,000</b>	<b>267,734</b>

#### **4. Proposal for Phase II/Limited Site Investigation**

Ms. Krige explained that the Town is moving forward with construction of a new police station at 29 West McIver Street. Phase I environmental identified that pesticides were used on the old railroad track that was there and possible other items such as fuels and other petroleum-based products stored on that property. As part of the USDA funding process and before construction can begin, further analysis of the site is needed, particularly related to pesticides that may have been sprayed when the site was part of the railroad. The cost for the site investigation is \$17,000 and time/materials as needed.

**Board Action:** The Town Board voted unanimously to approve the proposal from Terracon for a limited site analysis and authorize the Town Manager to execute the agreement.

**Motion:** Commissioner Coats

**Vote:** 3-0; unanimous

Ms. Krige stated that Representative Howard Penny and Senator Jim Burgin were able to secure \$9M in funds to be spent towards water and sewer infrastructure for Angier. A report given about a month ago identified a shortfall in capacity purchase with Harnett Regional; those funds will help prevent the Town from having to obtain a loan. Commissioner Coats suggested to post a thank you letter to representatives online.

#### **5. Property Acquisition for 32 W. Williams Street**

Ms. Krige stated that as the town grows, additional facility space is needed for employees to continue serving the community. The town was approached by the owner of 32 W. Williams Street about purchasing the property, which is located adjacent to Town Hall. This property will provide office space for the town's Planning and Zoning Department, which was slated to move into the Board Room. The cost of the property is \$325,000 and additional legal fees will be associated with the title search, survey, and inspections. The town has a strong fund balance, which is being used to purchase this property. Included in the cost of the property is furniture and two copiers

**Board Action:** The Town Board voted unanimously to approve the purchasing agreement for 32 W. Williams Street adjacent to Town Hall.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

#### **6. Contracting with the League of Municipalities for Policies and Ordinances**

Ms. Krige stated that the NC League of Municipalities offers free legal services, up to \$10,000 worth, through their partner *Parker & Poe* to help draft and review policies and ordinances needed when spending American Rescue Plan Funds. In order to utilize these services, the Board will need to sign a pre-drafted Resolution and the Memorandum of Agreement (MOA) to proceed with using the services. By using these services, the Town can ensure the necessary policies and ordinances are compliant with the legal guidelines set by the government.

**Board Action:** The Town Board voted unanimously to approve the MOA with the NC League of Municipalities to utilize their legal services for the drafting and review of the American Rescue Plan policies and ordinances at no cost.

**Motion:** Commissioner Kazakavage

**Vote:** 3-0; unanimous

#### **7. Amendment to November Board of Commissioners Meeting Date**

Mayor Bob Smith explained that the November meeting date falls on Election Day and it has been requested to move this meeting from Tuesday, November 7<sup>th</sup> to Wednesday, November 8<sup>th</sup> at 6:30pm.

**Board Action:** The Town Board voted unanimously to amend the November Board of Commissioners Meeting Date from Tuesday, November 7<sup>th</sup> to Wednesday, November 8<sup>th</sup> due to Election Day.

**Motion:** Commissioner Coats

**Vote:** 3-0; unanimous

#### **8. VFW Requesting to Place Boxes Around Town for Flag Disposal**

Commissioner Kazakavage stated he was approached by the Angier VFW notifying him that the Boy Scouts have a special program they're doing. They would like to place some drop boxes in Angier for flag disposal so they can be discarded properly. It was the consensus of the Board for the Angier VFW and Boy Scouts to speak with the Town Manager for proper placement of boxes.

**Board Action:** The Town Board voted unanimously to allow the Angier VFW and Boy Scouts to speak to the Town Manager for placement of boxes in Angier for proper flag disposal.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

#### **Manager's Report**

Ms. Krige updated the Board on various items:

- North Carolina General Assembly Budget Appropriations – thanks to the work of our legislators, Representative Howard Penny and Senator Jim Burgin, the Town will receive \$9M toward improving our water and sewer system. Based on the latest cost projections, the Town will not need to seek funding from USDA to pay for the WWTP capacity purchase.
- Police Station Project – as you heard at our last workshop, the Town is in excellent financial shape. Davenport is guiding us through the USDA loan application.

A kick-off meeting is scheduled with our design team, Bobbitt and Davis Kane. A contract will be presented to the Board in the coming weeks. This contract will identify the Guaranteed Maximum Price (GMP), insuring the Town does not receive unexpected cost increases as the project goes on.

- Facilities – because the Town purchased 32 W. Williams Street, the Planning Department can move to that location at the end of October.
- Parking Lot off Lillington Street – this project is nearing completion and has added curb appeal to this area.
- Board Requests – as the last workshop, the manager was directed to gather some information about obtaining a bond rating. After careful consideration with the team at Davenport, they do not recommend pursuing a rating at this time due to the expense. They also noted that having a rating would not make the application to USDA any more favorable.

Community Development Coordinator Crissy Porter requested road closures for the Trunk or Treat event October 28<sup>th</sup>. The road closure request consists of closing Willow Street to Wimberly Road and Williams Street to N. Broad for parking and hayrides. After much discussion, it was the consensus of the Board to table this item until the workshop meeting to receive further information.

### **Mayor & Town Board Reports**

Mayor Smith reviewed the Highway 401 project and announced there will be a presentation by CAMPO on October 25<sup>th</sup> at 7pm in the Angier Board Room located at 28 N. Raleigh St.

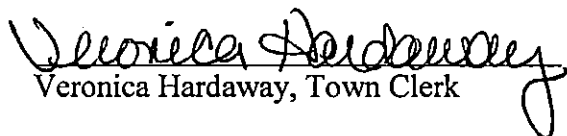
Mayor Smith thanked Brayden Meyers, an Eagle Scout that constructed two dog park ramps for both of the dog park areas of Jack Marley Park. He and the other Boy Scouts did an outstanding job.

**Adjournment:** Being no further business, the Town Board voted unanimously to adjourn the meeting at 7:37pm.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

Attest:

  
Veronica Hardaway, Town Clerk

  
Robert K. Smith, Mayor

