

**Town of Angier
Board of Commissioners
Tuesday, April 2, 2019, 7:00 P.M.
Angier Municipal Building
28 North Raleigh Street
Minutes**

The Town of Angier convened during a regularly scheduled Board of Commissioners meeting Tuesday, April 2, 2019, 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

Members Excused:

Staff Present: Town Manager Gerry Vincent
Town Clerk Veronica Hardaway
Public Works Director Jimmy Cook
Planning Director Sean Johnson
Finance Director John Ellis
Downtown Manager Christy Adkins
Library Director Amanda Davis
Town Engineer Bill Dreitzler
Town Attorney Dan Hartzog, Jr.

Others Present:

Call to Order: Mayor Weatherspoon presided, calling the Board of Commissioners meeting to order at 7:00 p.m.

Pledge of Allegiance: Mayor Weatherspoon led the pledge of allegiance.

Invocation: Mayor Weatherspoon offered the invocation.

Approval of the April 2, 2019 meeting agenda: The Town Board approved the agenda as presented.

Board Action: The Town Board approved the April 2, 2019 meeting agenda as presented.

Motion: Mayor Pro-Tem Honeycutt
Second: Commissioner Smith
Opposed: Commissioner Hawley
Vote: 3-1; motion carried

Presentations:

1. **Mayor Weatherspoon administered the Oath of Office to Arthur R. Yarbrough, Jr. as Angier's new Chief of Police.**

Chief Yarbrough thanked everyone along with his officers for all they do.

Public Comment:

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

Public Hearing:

1. **Rezoning Request**

Sean Johnson presented the Staff Report for the proposed rezoning request submitted by Prime 1 Builders for the property located at 8316 S. N.C. 55 HWY and identified by Wake County PIN: 0675510135. Mr. Johnson explained that the 0.9 acre parcel is currently vacant other than a small utility structure used by Hotwire to serve the Johnson's Landing subdivision. The current zoning of the property is General Commercial and the requested zoning is R-6.

Mr. Johnson stated that the surrounding land uses include medium and high density residential, office, retail and professional services. The property can be served by Town of Angier water and sewer services. He also stated that the 2017 Comprehensive Land Use Plan calls for commercial uses in this area, including on the property in question.

During the Staff evaluation of the rezoning request, Mr. Johnson concluded the following:

- 1) The impact to adjacent property owners and the surrounding community is reasonable, because the requested zoning district allows for uses compatible with surrounding uses.
- 2) The requested zoning district is not compatible with the existing Land Use Plan which calls for commercial use of the property.
- 3) The proposal does enhance or maintain the public health, safety and general welfare, because the proposal would allow for uses compatible with surrounding uses.
- 4) The request is not for a small scale rezoning, because the requested zoning district would allow for uses compatible with adjacent uses.

Staff recommended approval of the requested rezoning based on the items mentioned in the staff evaluation in the rezoning report.

The Town Board then considered the Standards of Review in the case of the requested rezoning. The Standards of Review were read and agreed upon as follows:

1. The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.
2. There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group.
3. There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.
4. The proposed change is in accord with the land use plan and sound planning principles.

Mayor Weatherspoon opened the Public Hearing.

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

Board Action: The Board unanimously voted to approve the rezoning request submitted by Prime 1 Builders to rezone a .9 acre parcel located at 8316 S N.C. 55 Highway from General Commercial to R-6 (PIN#: 0675-51-0135).

Motion: Commissioner Smith

Second: Mayor Pro-tem Honeycutt

Vote: Unanimous, 4-0

Consent Agenda Items

1. Approval of Minutes

- March 5, 2019 – Regular Meeting
- March 8, 2019 & March 9, 2019 – Board Retreat
- March 26, 2019 – Work Session Meeting

2. Consideration and Approval of Town Attorney, Dan Hartzog, Jr. Memorandum of Understanding

3. Consideration and Approval to construct a Retention Wall at Jack Marley Park

4. Consideration and Approval to adopt a Flag Policy

5. Consideration and Approval to appoint 9 members to the Downtown Advisory Committee

6. Consideration and Approval of a proposal for the Highway 210 Sidewalk Extension Project

7. Consideration and Approval to proceed with a Farmer's Market next spring

8. Consideration and Approval to adopt Resolution #006-2019 to amend the Board Meeting Schedule to reflect the modification of Work Session Meeting dates

Board Action: The Town Board voted to approve the Consent Agenda as amended.

Motion: Commissioner Hill

Second: Commissioner Smith

Opposed: Commissioner Hawley

Vote: 3-1, motion carried

Business Items

1. Annexation Petition - The Town Clerk, on behalf of the Governing Board, has received an Annexation Petition owned by the Limited Liability Corporation, KBNK Holdings, LLC. The proposed site requested for annexation is 4 tracts of land approximately 33.88 acres located off Gardner Road (PIN#: 0673-42-7003.000; 0673-52-1506.000; 0673-52-3849.000; 0673-52-4376.000). The Board may consider directing the Clerk to investigate Sufficiency of Petition and to Certify Results at the next regularly scheduled Board of Commissioners meeting May 7, 2019.

Board Action: The Board unanimously voted to direct the Clerk investigate the Sufficiency of the Petition and Certify Results at the next regularly Board of Commissioners meeting May 7, 2019.

Motion: Mayor Pro-tem Honeycutt

Second: Commissioner Hawley

Vote: Unanimous, 4-0

2. Approval of an Amendment to the Audit Contract for Fee Modification

Town Manager Gerry Vincent stated that the Town contracted with Cherry Bekaert, LLP to perform its annual audit for a total fee of \$25,000. The auditors started in November 2018 and the Board has been aware the contract has been extended to a final date of March 6, 2019. Because of the turnover of all staff in the Finance Department including the Finance Director in the year under audit (FY 2018), it took more time for current staff to find and prepare information for the auditors. This resulted in additional time needed to complete the audit. The amount of additional time was significant and both the Town and the Audit firm have agreed for the Town to share 50% of the time

and cost. The contract amendment results in a \$9,500 additional cost to the Town. There are sufficient funds in the current budget to cover these costs. Staff is requesting the Board to consider amending the audit contract from \$25,000 to \$34,500.

Board Action: The Town Board unanimously voted to approve an amended contract with Cherry Bekaert from \$25,000 to \$34,500.

Motion: Commissioner Hawley

Second: Commissioner Smith

Vote: Unanimous; 4-0

3. Approval of the Annual Financial Information Report (AFIR) (Form LGC-37-06)

Town Manager Gerry Vincent stated that the Annual Financial Information Report (AFIR) (Form LGC-37-06) for the fiscal year ended June 30, 2018 was due October 31, 2018. The form is required by GS 159-33.1 and should be submitted as soon as audited information is available. The information from this form is used in a number of statistical reports that are prepared by the Local Government Commission and is also used to provide much of the data that is available to local government units, etc. on their website.

He explained that the Town's audit was presented to the Board March 5, 2019 and was submitted to the State Treasurer's Office the next day. Confirmation was just received from the LGC Tuesday, March 26, 2019, that the report had been reviewed and did not identify any financial statement or compliance presentation items that required any attention. Accordingly, the audited information can be used to prepare the report.

Due to the AFIR being a lengthy report and the auditors estimate it could take up to 40 hours to complete, staff is requesting the Board consider contracting with Cherry Bekaert LLP to complete the report not to exceed \$4,000.

Board Action: The Town Board unanimously voted to contract with Cherry Bekaert to complete Form LGC-37-06 not to exceed \$4,000.

Motion: Commissioner Hawley

Second: Commissioner Smith

Vote: Unanimous; 4-0

4. Budget Ordinance Amendment #8 to purchase additional Flags for Downtown

Town Manager Gerry Vincent stated there is a current need to purchase additional United States flags to replace torn and tattered flags. The current budget line item for decorations and banners is overspent by \$4,528.04, however there are unspent funds for beautification projects in the depot department budget of \$9,035 with no identified projects at this time. Transferring the unused amount would correct the over expenditure of the funds in the decorations and banners budget and leave approximately \$4,500 to purchase new flags.

The net effect of this transaction would be zero for the budget since we are reducing one department and increasing another department by the same amount.

Board Action: The Town Board unanimously voted to authorize the Town Manager to purchase new Flags.

Motion: Commissioner Hawley

Second: Mayor Pro-tem Honeycutt

Vote: Unanimous, 4-0

Town Manager's Report

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

- A. Classification & Pay Study began April 1st. The study timeline is April 1, 2019-February 2020. Staff is working closely with Triangle J & Central Piedmont COG.
- B. The Town Manager and Public Works Director met with representatives of Open Broadband to identify existing structures, i.e. light poles to affix WiFi equipment to each totaling 15 in all.
- C. The Downtown Study began April 1, 2019 staff will be working with the NCSU group to complete the study through February 20, 2020.
- D. The Budget process has begun, and Department heads will send their requests this week for review to formulate next year's budget.
- E. Workshops are scheduled for the 4th Tuesday of every month, but because it conflicts with Board Agenda Packets, Workshops will now be on the 3rd Tuesday of every month starting in May.
- F. The Board's computers will be delivered this week. IT will be contacted to setup each one. In addition, the Town Manager and Clerk have been interviewing agenda software companies.
- G. The Mayor has been working diligently on the ribbon cutting for the Piedmont Natural Gas line set for April 16, 2019 at 10:30am located at Jeff Barnes Auto Repair.

Mayor & Town Board Comments

Board Action: The Town Board unanimously voted to go into Closed Session pursuant to 143-318.11 (a) (3) – to discuss privileged or confidential information, 143-318.11 (a) (5) – to discuss property acquisition at approximately 7:27pm.

Motion: Commissioner Smith

Second: Commissioner Hill

Vote: Unanimous, 4-0

Board Action: The Town Board unanimously voted to reconvene in Open Session at approximately 8:01pm.

Motion: Commissioner Hawley

Second: Mayor Pro-tem Honeycutt

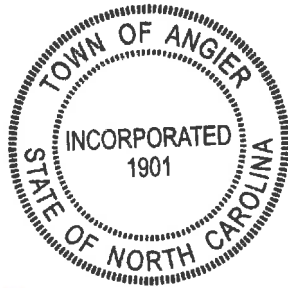
Vote: Unanimous, 4-0

Adjournment: Being no further business, the Town Board voted unanimously to adjourn the meeting at 8:01pm.

Motion: Commissioner Hawley

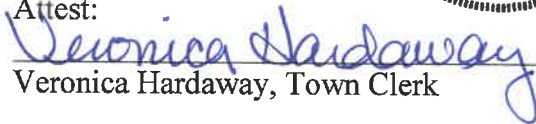
Second: Commissioner Hill

Vote: Unanimous, 4-0




Lewis W. Weatherspoon, Mayor

Attest:


Veronica Hardaway, Town Clerk