

**Town of Angier  
Board of Commissioners  
Wednesday, July 5, 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 Wednesday, July 5, 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 George "Jr." Price

**Members Excused:** Commissioner Alan Coats

**Staff Present:** Interim Town Manager Richard Hicks  
Town Manager Elizabeth Krige  
Town Clerk Veronica Hardaway  
Chief of Police Lee Thompson  
Finance Director Hans Kalwitz  
Planning Director Jeff Jones  
Parks & Recreation Director Derek McLean  
Public Works Director Jimmy Cook  
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.

**Board Action:** The Town Board unanimously voted to excuse Commissioner Coats from the meeting.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

**Approval of the July 5, 2023 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:** Commissioner Kazakavage

**Vote:** 3-0; unanimous

### **Presentations**

Mayor Smith administered the Oath of Office to new Town Manager Elizabeth Krige and was welcomed to the Town of Angier. Ms. Krige came to Angier from the Town of Catawba. She has prior experience in local government that includes assistant to the County Manager in Catawba County, Human Resources Officer and Town Clerk for the Town of Maiden. Ms. Krige has a master of public administration and a bachelor of science in communication and political science from Appalachian State University.

### **Public Comment**

### **Consent Agenda**

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

- a. June 6, 2023 – Regular
- b. June 20, 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 Hearings**

#### **1. Continued Public Hearing --- Voluntary Annexation Petition Submitted by G&J Development, LLC**

Planning Director Jeff Jones stated this public hearing is a continuation from last month on a voluntary annexation petition submitted by G&J Development, LLC for approximately 28.35 acres located at 5963 NC-210, Angier, NC (Harnett County PINs: 0662-68-5452.000; 0662-68-6638.000; and 0662-68-0457.000). The Town Clerk has investigated the sufficiency of the petition and the Board set a date of the Public Hearing. At the June meeting the Board opened the public hearing; however, the applicant was not present at the meeting causing the Board to decide to continue the Public Hearing for July. The property in question is approximately 2.5 miles from town.

Mayor Smith continued the Public Hearing.

Michael Collins, 5821 NC 210 N, stated that the property in question would add additional risk to the intersection of NC 210 N and N. Harnett School Road. There is a safety concern of children going to school in that area due to the high density. The proposed property does not fit the surrounding area. If there was ever an emergency at the school, there wouldn't be a way for fire and rescue to get there.



Chris Turner, 107 N. Harnett School Road, shared that he echoed a lot of what Mr. Collins shared. There is a large amount of congestion on this road on a daily basis especially when school is in session. As parents pick children up from the school, traffic backs up all the way to and into NC-210. He voiced that he is concerned with any request to move from R-30 to R-10 due to the high level of congestion and that doesn't even account for the new homes that are already being built in that area. There is a major safety concern.

Alan Button, 61 Karen Court, wanted to focus more on the staff report and the standards that have to be met before annexation can occur. Mr. Button quoted commentary out of the UNC School of Government stating "...is highly unusual if not unique, in allowing non-contiguous satellite annexation". That being the case, annexation should occur only in exceptional circumstances and that annex petition from a developer whose land use amendment request was unanimously denied by the County Board of Commissioners seven months ago is not one of those exceptional circumstances. The developer could have appealed the County's decision but chose not to. The proposed rezoning is incompatible and will have an unreasonable impact on the surrounding community.

Mayor Smith reminded all in attendance that this public hearing was strictly for the annexation petition and the rezoning request is a separate matter.

Bo Bierley, 30 Homestead Road, voiced that the proposed property will not fit into the surrounding neighborhoods. A lot of area will be taken away displacing wildlife.

Ed Loeffler, P.E., Curry Engineering, stated that he feels this request is reasonable and he is in attendance to answer any questions that may come up.

Mayor Smith asked Mr. Loeffler if it was his proposal that the only access to the property in question be on North Harnett School Road to which Mr. Loeffler stated that was correct.

Commissioner Price asked Mr. Loeffler how many homes are proposed to which Mr. Loeffler responded 78 single family homes. It was also asked if there could be a direct entrance to NC-210 to which Mr. Loeffler responded that would be for NCDOT to determine.

The Board's concern was that there would be an estimated 156 additional people coming in and out of N. Harnett School Road with no secondary entrance/exit. Mr. Loeffler stated the applicant felt that it would be most efficient to have the single entrance and keep it as far away from the entrance to the school as possible. It could be considered to have more than one entrance; however, the applicant feels this is the most efficient approach.

Mr. Collins approached the Board and stated he felt it would be prudent for the Town Attorney to hear the legal issues that Mr. Button brought up relative to the annexation.

Town Attorney, Dan Hartzog, Jr. clarified that the only item before the Board right now is the annexing in the property. It's not necessary all of the details about driveways and entrances and exits. All of that will come up later when they submit for a particular use.

All details will be worked out through planning and through the regular process and will go before the Board again. As far as the rezoning, that pertains to rezoning a particular type of zoning and will be discussed during the second public hearing.

Mr. Button stated the annexation petition also includes a rezoning application to which Mr. Hartzog, Jr. stated the Town would annex the property in question with an initial zoning; however, would need to be applied to a Town zoning district. Mr. Button referenced NCGS 160A-58.2 "that requires a finding that the public health, safety, and welfare of the inhabitants of the city, and of the area proposed for annexation would be best served by the annexation". He requested that standard with construction of 78 proposed dwelling units, is not satisfied in this instance. He also referenced NCGS 160A-58.3 that "the annexed area and its citizens and property are entitled to the same privileges and benefits as other parts of the city". Mr. Button stated he referenced this subsection because it is indicated in the materials for tonight that the financial impact on the Town of Angier is not applicable; however, stated providing services to 78 additional dwelling units is hardly a negative in terms of financial impact.

Mr. Hartzog, Jr. clarified that when the Town agrees to annex property into the Town of Angier, it is not necessarily agreeing to the proposal for this particular project. It is an agreement that the land is properly part of the Town of Angier. The Town would be responsible for providing water, sewer to that area if annexed.

Mr. Jones stated that it's common in Harnett County for Harnett Regional Water to serve projects outside of a municipality's area where they have utilities. In talks with Harnett Regional that's something that occurs. So essentially it would be an agreement between the town, the developer, and Harnett Regional. The Town would annex and the tax would be at a city rate; however, we would not be providing water and sewer. That area would still be serviced by town public works, garbage, and police.

Mr. Hartzog, Jr. stated that the Town would ultimately be responsible for making sure they get those services.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board voted to approve a voluntary annexation petition submitted by G&J Development, LLC to annex approximately 28.35 acres located at 5963 NC-210, Angier, NC (Harnett County PINs: 0662-68-5452.000; 0662-68-6638.000; and 0662-68-0457.000).

**Motion:** Mayor Pro-tem Hawley

**Opposed:** Commissioner Price

**Vote:** 2-1; motion carried

## **2. Rezoning Request Submitted by Austin Gardner with G&J Development, LLC**

Mr. Jones stated that staff has received a rezoning request from Austin Gardner with G&J Development, LLC to rezone approximately 28.357 acres located off 5963 NC-210, Angier, NC (Harnett County PINs: 0662-68-5452.000; 0662-68-6638; 0662-68-0457.000)



from R-20 to R-10. The analysis of the area does not show up on our land use plan because of the proximity outside of town. The property is currently vacant and surrounding land uses include low and medium density residential as well as North Harnett Primary School adjacent to the property. The Planning Board took this issue up at their June meeting and recommended approval with the caveat that Harnett Regional Water provide utilities to this tract of land.

Mayor Smith opened the Public Hearing.

Claire Cooper, 226 Hartman Drive, stated she has called the Town to find out more about this public hearing; however, was not able to reach anyone. She is in favor of reasonable development; however, this is too much too fast. Taxes are going up but services that the government are obligated to provide are increasingly inadequate. The water pressure is erratic and a number of developments nearby are not even completed yet. Schools are becoming overcrowded and understaffed and response times for emergencies is growing dramatically. Giving developers the green light to higher density decreases our quality of life.

Rose Cotton, 105 N. Harnett School Road, stated anytime you add anything, there is an impact to the community. Most of this land has been scraped bare destroying food bearing land. Too many homes too close creates problems between neighbors.

Mr. Jones stated the signs were placed on the property in question regarding tonight's hearing as well as it being advertised in the *Daily Record*.

Mike Hill, 48 S Park Street, stated everyone has a legit concern about heavy traffic. He understands a developer coming in and wanting to get as much out of his property as possible. He asked the Board to take into consideration that Angier needs to start growing in that area.

Juan Paguero, 195 Clover Ridge, voiced that some people have left Wake County and moved to Harnett County because of what Harnett County offers. It's decisions like this rezoning that will determine whether this stays as Harnett County or becomes another Wake County. He agrees growth shouldn't be prevented; however, it doesn't have to be in such a hurried fashion.

Mr. Button stated the property in question does not meet the standards of review and requested the Board to deny the request.

Mr. Bierley voiced his concern regarding flooding and impact to the surrounding creeks.

Angie Collins, 5821 NC-210, stated it felt like the "would be" 156 people to move into the new subdivision was being represented over the people that already live in that area. The pond near her property used to be a beautiful aquamarine green and not it's brown due to directing the runoff.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board voted unanimously to deny the rezoning request submitted by Austin Gardner with G&J Development, LLC from R-30 to R-10 as it would have an unreasonable impact to the surrounding community such as safety concerns due to traffic and having only one ingress/egress.

**Motion:** Commissioner Price

**Vote:** 3-0; unanimous

## **Old Business**

### **1. Ordinance #A004-2023 to Amend Chapter 7, Sec.-106; Speed Limit Limitations Generally**

Chief Thompson stated the speed limits in residential districts are 35mph, per ordinance, unless otherwise posted. This appears to be too fast for most of our Town's residential areas, due to the close proximity of residences to the roadway where children are at play. After many complaints, the department has looked into amending the ordinance to change the speed limit to 25mph and install new signage for the affected areas.

There are approximately 97 streets that currently have no signage. If one is installed on each street the cost would be roughly \$15,035 and this would include the ones that needed to be changed out. There are approximately 10 signs that would need to be changed to the 25mph speed limit that would cost roughly \$1,550. If the U-Channel post can be reused and just sign replacement would be approximately \$315 for 10 signs. This process could be completed within 30 days; however, if all 97 signs were to be installed or replaced it was recommended to hire a company that would be able to install.

It was the consensus of the Board to direct staff to bring a budget amendment to the next meeting in regards to the 97 streets signs that need installation for approximately \$15,035.

**Board Action:** The Town Board voted unanimously to change residential speed limit signs from 35mph to 25mph; unless otherwise posted.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

## **New Business**

### **1. Request from the Angier Museum**

Ms. Rachel Barnes spoke on behalf of the Angier Museum sharing that they have run out of wall space and requested permission to hang pictures of old Angier inside the Depot. She also requested approval to use the train caboose for storage and display of historical railroad artifacts currently being stored in the Depot.

The Board was concerned that items would become damaged due to temperatures inside the caboose.



**Board Action:** The Town Board voted unanimously to grant the Angier Museum the use of the train caboose for storage and display of historical railroad artifacts currently being stored at the Depot, along with allowing old Angier pictures to be hung inside the Depot.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

## **2. Request for Gospel Singing Music Festival**

Interim Town Manager Richard Hicks stated that back in 2021, there was an inaugural gospel singing event held at the Depot. Apparently, there was no town participation in the event. A temporary use permit was issued by the Town for the event. In 2022, the event was again scheduled for the first of October. Prior to the event, the Town Manager executed a Service Agreement with Clint McCallum to handle the event. In return for those services, Mr. McCallum was to be paid \$6,000 from the Town. The initial \$3,000 payment was made to pay for the deposits for the bands and other pre-event costs. The event was ultimately canceled due to weather and none of the deposits were refundable.

Mr. McCallum was under the impression that the Town had received a grant to assist with the cost of holding the event. It does not appear that any grant funds were received in the 2022/2023 budget year, and it does not appear that any grant applications were filed. The Town did receive a \$1,500 grant in 2021 from the North Carolina Arts Council. The projected \$6,000 cost for the 2022 event was apparently being covered entirely from Town funds. The Community Development budget does include funds necessary to sponsor and fund community events.

Mr. McCallum has again approached the Town and has requested permission to hold the event again in October of this year. The estimated cost for the event is again at \$6,000. He is requesting that again; these costs be paid by the Town. Town staff is trying to determine if there are potential grant opportunities prior to the event. It was recommended that the Town Board will need to determine if the Town should partner in the planned event and determine the Town's level of financial involvement.

**Board Action:** The Town Board voted unanimously to partner with Mr. McCallum for the Gospel Event in October splitting the cost between parties where Angier will contribute \$3,000 and Mr. McCallum contribute \$3,000 subject to a Board approved contract at a later date.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

## **Manager's Report**

## **Mayor & Town Board Reports**

The Board shared their appreciation to Richard Hicks for the services he provided to the Town Board, staff, and citizens these last seven months.

Town Manager Elizabeth Krige stated it's been a very busy two days meeting with Department Heads and other staff members and looks forward to getting to know everyone in town as well as working with the Board to share their vision for Angier.

There was discussion regarding a dead tree on private property hanging into Church Street that is a potential safety hazard to which Mr. Hicks explained that it could be added into the ordinances if an item is a potential hazard or health issue the Town has the authority to go on private property to get it removed. It was the consensus of the Board to refer this item to the Town Manager to look into.

Public Works Director Jimmy Cook explained that construction of widening Wilma Street by 2ft on either side begins Thursday, July 6<sup>th</sup>.

**Board Action:** The Town Board unanimously voted to go into Closed Session pursuant to NCGS 143-318.11 (a)(6) to discuss a personnel matter at approximately 8:52pm.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

**Board Action:** The Town Board unanimously voted to reconvene in open session at approximately 9:30pm.

**Motion:** Mayor Pro-tem Hawley

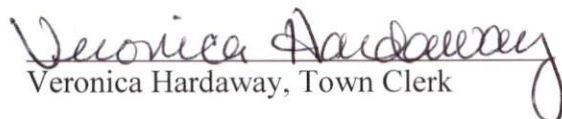
**Vote:** 3-0; unanimous

**Adjournment:** Being no further business, the Town Board voted unanimously to adjourn the meeting at 9:30pm.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

Attest:

  
Veronica Hardaway, Town Clerk



Robert K. Smith, Mayor

