

**Town of Angier  
Board of Commissioners'  
Tuesday, January 3, 2017 ~ 7 p.m.  
Angier Municipal Building  
Minutes**

The Town of Angier convened during a regularly scheduled Board of Commissioners' meeting Tuesday, January 3, 2017, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

**Members Present:** Mayor Lewis W. Weatherspoon  
Mayor/Pro Tem Commissioner Bob Smith  
Commissioner Jerry Hockaday  
Commissioner Craig Honeycutt  
Commissioner Alvis McKoy

**Staff Present:** Town Manager Coley B. Price  
Public Works Director Jimmy Cook  
Police Chief Bobby Hallman  
Planning and Permitting Technician Sean Johnson  
Librarian Amanda Davis  
Town Clerk Kim Lambert  
Corporal Lee Thompson  
Lieutenant Arthur Yarbrough

**Others Present:** Rick Curl and Tom Woerner represented *The Daily Record*

2. Mayor Weatherspoon presided, calling the Board of Commissioners' meeting to order at 7 p.m.
3. Commissioner Bob Smith led the pledge of allegiance and offered the invocation.
4. **Approval of the January 3, 2017, meeting agenda:** Town Manager Coley Price recommended the Board amend the agenda slightly – 10(A) and 10(B), changing the terminology of the Harnett County draft Comprehensive Plan from 'adoption' of Resolution 004-2017 to 'endorsement,' as CAMPO would actually subsequently adopt the Resolution.

**Board Action:** The Town Board unanimously voted to approve the January 3, 2017, agenda after making the slight adjustment listed in the aforementioned Item #4, modifying Resolution 004-2017 from 'adoption' to 'endorsement.' (Attachment #1).

**Motion By:** Commissioner Hockaday  
**Seconded By:** Commissioner Smith  
**Vote:** Unanimous, 4~0

5. **Public Forum:** Mayor Weatherspoon provided an opportunity for audience members who wished to address the Board of Commissioners on topics in some way related to the Town of Angier and issues *not* listed on the Agenda.

Angier resident George Price, Jr., ("Junior") of 129 N. Broad Street W. addressed the Board, identifying three areas of concern. He said that he didn't ask for his name to be printed in an article in *The Daily Record* concerning the December, 2016, Planning Board vote; he claimed he did not understand the motive of one commissioner whom he claimed discussed the Planning Board vote to the media. Mr. Junior Price claimed he had previously applied for the Angier ABC Board and alleged he had received no further correspondence from the Town Board regarding his interest in the ABC Board. Mr. Junior Price was concerned after seeing last month's agenda that Mr. Strohmeyer did not check and initial the 'ethics' box on his previously submitted Planning Board application until late December, well past the deadline to submit the application. He requested that the Planning Board vote be postponed until the Board of Commissioners' February meeting for officials to ascertain its validity.

Mr. Junior Price told the Board that he was contacted twice immediately following last month's meeting, December 6, 2016, from two individuals who claimed he had been voted to the Angier Planning Board – Jonathan Gray and Mayor Weatherspoon. He said he learned a couple of days later he was not officially voted to the Planning Board.

Angier resident Joe Langley of 298 Kirk Adams Road approached the Board, saying he had been campaigning for 10 years to bring a local Boys' and Girls' Club to Angier. He urged the Town's support, reporting that he had recently discussed the possibility of a Boys' and Girls' Club with Ralph Capps, an official from the Boys' and Girls' Club.

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

6. **Consent Agenda:** The Board unanimously voted to approve the Consent Agenda as listed below.

- ▶ Minutes – December 6, 2016, Town Board Regular Meeting Minutes. (Attachment #2).
- ▶ Resolution in Acquisition of a Water Line Easement with an attached Boundary Line Agreement for your information only. (Attachment #3).
- ▶ Permanent Water Distribution Line Easement Agreement. (Attachment #4).
- ▶ Budget Amendment #BOA2017.07 for Consideration. (Attachment #5).
- ▶ Consideration of a Resolution to amend last month's Resolution slightly, the 2017 Regular Meeting Schedule for the Board of Commissioners. (Attachment #6).
- ▶ Consideration of a Contract for the Sale of Property at 61 N. Raleigh Street. (Attachment #7).
- ▶ Consideration of an Engagement Letter for continued legal services by Williams Mullen. (Attachment #8).

**Board Action:** The Board unanimously voted to approve the Consent Agenda as presented.

**Motion By:** Commissioner Honeycutt  
**Seconded By:** Commissioner Smith  
**Vote:** Unanimous, 4~0

**7. Public Hearing:**

Angier Planning and Permitting Technician Sean Johnson discussed the application submitted by Wallace McLean, Jr., requesting rezoning of a parcel located at 1612 James Norris Road from RA~30 to Commerce Park (CP) (PIN #0673-04-7073). Mr. Johnson said the property currently contains a large storage building/garage, several stored vehicles, various automotive parts and other pieces of equipment. Surrounding land uses include low~density residential, office, retail and light manufacturing.

Mr. Johnson said the impact to the adjacent property owners and surrounding community is reasonable and the benefits of rezoning outweigh any inconvenience or harm to the community. The requested zoning district, he said, was compatible with the existing Land Use classification. Mr. Johnson said the requested zoning district would allow for use of the site that is compatible with the surrounding zoning.

Mr. Johnson said violations exist on the property including a Cease and Desist Order issued to the owner August 23, 2016, related to the alleged illegal auto repair business. At least 10 inspections have been conducted since the Order was executed and on October 5, 2016, a violation was issued due to the number of junked vehicles deeming the property a junk yard per the Unified Development Ordinance. Since that date, the junked vehicles remain on the property, and the property owner is being fined daily until compliance is reached.

He reminded the Town Board that the Angier Planning Board had voted to recommend approval of the rezoning request by a 4-to-1 margin at its December meeting.

The applicant, Wallace McLean, Jr., told the Town Board he thought his request to rezone the property from RA-30 to CP was reasonable and compatible with adjacent properties.

Deana Bridges of 160 Adams Pointe Court, Angier, approached the Board, citing several concerns she had pertaining to Mr. McLean's rezoning request. Ms. Bridges cited what she called problematic issues with the numerous cars entering and exiting the business at 1612 James Norris Road, considering the growth potential in that area.

She said she had studied the rezoning staff report, and was questioning its Standards of Review including its Requirements for Consideration. She denied the property in question would "be similarly situated in the area in the same category, or in appropriate complementary categories," stating the business does not match the character of its neighbors nor nearby businesses including Johnson Properties. Ms. Bridges said there "was no convincing demonstration that all uses permitted would be in the general public interest," and that the operation is not conducive nor complimentary for potential growth. She said there "was no convincing demonstration that all uses permitted would be appropriate in the area," questioning whether the owner or business operator has

respect for other businesses and/or residents. Ms. Bridges felt there “was no convincing demonstration that the character of the neighborhood would not somehow be adversely affected” as the property is clearly visible to motorists on James Norris Road. She felt that no other entities other than The Town of Angier had attempted to improve the aesthetics at the property in question.

Ms. Bridges asked the Town Board to respectfully deny Mr. McLean’s rezoning request to maintain the character of adjoining residential and commercial property.

Angier resident Jimmy Johnson of 350 Woodcroft Drive addressed the Town Board, saying that he was friends with Mr. McLean, and that he had no problems with his rezoning request. Mr. J. Johnson reminded the Board of all the stipulations placed on his commercial property off N.C. 210, asking the Town that – if they approve the rezoning request – they should keep in mind the exorbitant amount of money he spent adding berms to comply with the Town’s standards. Mr. Johnson also cautioned Mr. McLean that, if the parcel was rezoned, he may face challenges in meeting required setbacks and additional costs required to improve aesthetics at the property.

Mr. C. Price reminded the audience that the next step, if the applicant pursues it, would be a special-use permit. This would involve going before the Board of Adjustment where stringent stipulations involving a detailed site plan, setbacks and signage could be placed on the property.

Town Manager Price reminded Ms. Bridges that the request before the Board was one of rezoning only and that Town officials could not base their judgment on future business operations. He said that, at the present time, if the applicant chose to sell the property, anything permitted in the current zoning district would be allowed to operate at the location.

Commissioner Honeycutt commented that, if a lot of stipulations and costly setbacks were imposed later, he hated to see Mr. McLean ‘throw his money away.’

Ms. Bridges urged officials to consider the mathematical placement of existing buildings and the lack of feasibility at that location. She said in calculating the distance from the building structure for future setbacks, it would not comply with Town regulations. She asked why the Town Board didn’t get ahead of itself and consider if there was enough land to rezone as Commerce Park. She suggested the Board consider whether the former farm structure had been inspected, if any permits had ever been issued, and if the business is not in compliance now, would the property owner and business operator be willing to bring the business into compliance. She also requested that the Town consider the funding, time and effort that may be required.

Mr. Price said that, while Ms. Bridges made valid points, the Board could not get ahead of itself and that it was up to the applicant to do his homework.

The mayor reminded the audience that the Public Forum had closed.

8. The Town considered and unanimously approved the request submitted by Mr. McLean to rezone the property from RA~30 to CP.

**Board Action:** The Town Board voted unanimously to approve the request to rezone the parcel at 1612 James Norris Road from RA~30 to Commerce Park.

**Motion By:** Commissioner McKoy

**Seconded By:** Commissioner Honeycutt

**Vote:** Unanimous, 4~0

**9. Old Business:**

- A. The Board was to reconsider the two candidates for the Planning Board seat erroneously voted upon during the December, 2016, Board meeting. The two candidates were incumbent Planning Board member Paul Strohmeyer and his challenger, George "Junior" Price (hereafter referred to as Mr. J. Price).

Mayor Weatherspoon conceded to the Board that he "had made a grievous error" in how the vote for the Planning Board was conducted. He said he "did not realize until after it was over, that it was not done properly."

Prior to the vote, Mr. J. Price asked again if Mr. Strohmeyer's initial failure to check the ethics box on the application should be considered. Mr. C.Price said that he had consulted with legal advisors who said that the application submitted by Mr. Strohmeyer was satisfactory.

Mayor Pro Tem Smith asked what would be the harm to postpone the vote until February. Mr. C. Price explained that Mr. Strohmeyer's term expired December 31 and that an advertisement for former Planning Board member Tristan Scott's seat stated the deadline to submit applications was January 17.

The Town voted for Mr. Strohmeyer to retain his seat on the Planning Board. Commissioner McKoy nominated Mr. Strohmeyer, to which Commissioner Hockaday seconded. Commissioner Hockaday then moved that the nominations be closed. All four commissioners voted by a show of hands for Mr. Strohmeyer.

**Board Action:** The Town Board voted unanimously to reappoint Paul Strohmeyer to the Angier Planning Board.

**Motion By:** Commissioner McKoy

**Seconded By:** Commissioner Hockaday

**Vote:** Unanimous, 4~0

Town Manager Price asked the Board if he could address a couple of issues regarding the December Planning Board vote. He said that staff members asked Mayor Weatherspoon twice if he had contacted Junior Price concerning the results of the December vote and the mayor said, "No." He said that J. Price showed him his cell phone log of incoming calls proving that the mayor had, in fact, contacted J. Price at 7:49 PM, only a few minutes after the December meeting.



Town Manager Price repeated the mayor's statement that he "didn't give a flip about who was on the Planning Board" and that the mayor claimed he "could work with anybody."

The mayor responded to the allegation saying, "When you asked me that, in my mind, I was thinking, 'Did I tell him he was elected?,' but he'd already heard, someone else told him. Yes, I did call him on the way home."

Angier Librarian Amanda Davis approached the Town Board, asking if they would like for her to continue the discussion. Commissioner McKoy said, "Yes." Ms. Davis said that she was present when the mayor was questioned twice whether he had contacted the applicant, J. Price, and twice he said, "No." She asked the mayor why he contacted J. Price only 12 minutes after the meeting to congratulate him.

Mr. J. Price said he felt like the innocent victim and had been to Angier Town Hall several times to discuss the voting error. He said he felt like "a scapegoat being used to go after the mayor for the mistakes he made," and felt as though no one wanted him on any of the advisory boards. Commissioner Honeycutt said that he had nominated Mr. J. Price during the December meeting because he felt like "anyone who would fill out an application deserved a chance to be voted on."

Town Manager Price said that both candidates were victims. He asked the Board if he could continue the discussion, presenting only factual information. After Board members consented, Mr. C. Price started with what the mayor called a grave mistake. He stated that the mayor called in sick the Wednesday following the Board meeting, but was called into the conference room the following day on Thursday. Mr. Price said the mayor produced and laid out the secret ballots in which the mayor had reported in December as being 2-to-2. Mr. Price said the results were clearly proven to be 3-to-1 in Mr. Strohmeyer's favor. Mr. C. Price told the Board that the mayor had changed his story "four different times," saying the mayor called for a secret ballot, he counted the ballots himself and after the results, called Mr. J. Price with the results. The Town Manager said Mayor Weatherspoon first claimed the ballots had been tampered with, later accusing Commissioner Honeycutt of changing the ballots. When Commissioner Honeycutt joined the group inside the conference room, Mr. C. Price said the mayor then claimed he had made "an honest mistake."

When asked why he called for a secret ballot vote in December, Mayor Weatherspoon said he chose that method as to "not embarrass the board" in their voting preference. He said that Attorney Fusco, the Town Manager, and the Town Clerk did not specifically object to the secret ballot process in December before he personally collected and counted the results aloud.

#### **New Business:**

- A. NCDOT Transportation Engineer Hemal Shah addressed the Board to discuss the Board's potential endorsement of the draft Harnett County Comprehensive Transportation Plan. Ms. Shah said the recommended highway improvements included CAMPO projects as the 2012 South West Area Study (SWAS) and the 2040 Metropolitan Transportation Plan (MTP).

Ms. Shah pointed out the potential Park-and-Ride locations, the Fixed Deviated Route, a suggested Bicycle project, an updated Highway Map, Pedestrian Map, Public Transportation and Rail Map. Local businessmen including Jimmy Johnson were questioning the potential placement of the blue line. Mr. J. Johnson stated that during one prior meeting, he had secretly marked the back of one particular map and that it was referenced as an updated map. NCDOT officials including Deputy Director of CAMPO Alex Rickard reminded Town officials and audience members that the maps displayed and the information contained in them were subject to change. He said that the blue line signifying a potential bypass is fluid and could shift approximately 1,000 feet as indicated on a map.

**Board Action:** The Town Board voted unanimously to endorse the draft Harnett County Comprehensive Transportation Plan via Resolution No. 004-2017.

**Motion By:** Commissioner Smith

**Seconded By:** Commissioner McKoy

**Vote:** Unanimous, 4~0

#### 11. Manager's Report

Town Manager Price informed Town Board officials of numerous events that had taken place and forthcoming events including:

- There would be no Planning Board nor Board of Adjustment meeting in January.
- The Angier Museum Committee would be touring the Coats Museum Monday, January 9, 2017, a date that changed due to inclement weather.
- Angier Town Hall offices would close Monday, January 16, 2017, in observance of the Martin Luther King, Jr., holiday.
- The Comprehensive Land~Use Steering Committee would resume its meetings Wednesday, January 18, 2017, at 7 PM.
- The deadline to submit applications to the Planning Board for the post vacated by Tristan Scott was by close of business Tuesday, January 17, 2017.
- The date tentatively scheduled for Envirolink's water study report was Tuesday, January 24, 2017, at 6:30 PM.
- The Town Board was invited to the Local Government Meeting at the Brass Lantern in Dunn Monday, January 30, 2017 at 6:30 PM.
- The date tentatively scheduled for the first 2017~2018 Budget Retreat was Monday, February 13, 2017, at 6 PM.
- An update on the following events took place:
  - Wednesday, December 21, 2016 ~ Christmas Luncheon was provided to the Town Hall staff and Board of Commissioners.
  - Monday, January 2, 2017 ~ Town Offices had been closed in observance of the New Year's Day holiday.

Mr. Price recognized Commissioner Hockaday for being named one of only 38 statewide "Hometown Heroes," who were honored during a luncheon hosted by former Governor Pat McCrory.

## **12. Mayor and Town Board Reports:**

Commissioner Smith made a motion, to which Commissioner Hockaday seconded, to consider the adoption of Resolution No. 001-2017, A Resolution of The Town of Angier Censuring Mayor Lewis W. Weatherspoon.

Commissioner Smith read aloud the Resolution of The Town of Angier Censuring Mayor Lewis W. Weatherspoon. Commissioner Smith explained to the audience that a Public Censure is an expression of the Board's disapproval of the actions of an elected official.

Mayor Weatherspoon responded by saying the accounts were "totally incorrect." He said that he did not have a problem with the Censure if that was the desire of the Board.

Commissioner Hockaday stated, "This Censure is correct, accurate and valid, and we, the Board, are in agreement and we would like to ask for your resignation."

Mayor Weatherspoon replied, "Nope, I am not going to do it. I will not resign."

The mayor then said that he would like the Board to consider the fact that "the Town Manager refuses to talk without a room full of people." The mayor said he felt that was insubordination.

Commissioner McKoy said that, in Commissioner Smith's reading of the Resolution, the Town was to operate under a council-manager form of government. He said the Town Manager has the right to oversee day-to-day Town actions at his discretion. Commissioner McKoy said that the system was "laid out legally" how daily activities should be conducted.

Mayor Weatherspoon said he agreed that the Board should be in charge and the Town Manager is expected to run daily operations. He said when he approached the Board to ask if they wanted him to continue ongoing projects with the Town Manager, they said, 'Yes, please proceed with the Town Manager.'

Mayor Weatherspoon said, "Now I hear you say, 'Do not do that. Let the Town Manager do that and he will report back to the Board. I suggest someone meet with the Town Manager once each week regarding ongoing projects and that the Board pick someone.'"

When asked for comment, Commissioner Honeycutt said, 'Don't make promises you cannot keep and keep things out in the open.'

Commissioner Smith said Commissioner Honeycutt had attended a meeting where Town Hall employees were not happy.

Commissioner McKoy said it was the Board's responsibility to address any problems particularly any internal problems that arise. He said that Junior Price should not "feel like a scapegoat."



Junior Price asked the mayor if he had accepted the letter and if so, he felt that indicated that the mayor admitted to having falsified the (Planning Board) vote in December.

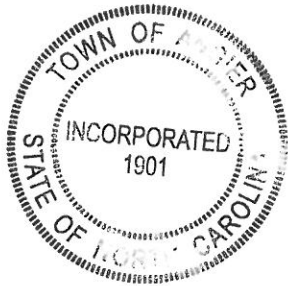
Mayor Weatherspoon said that – when he left (after the Planning Board vote), he “felt like the vote had been 2-to-2.” He said, “I did not intentionally falsify the vote. If I made a mistake in counting the ballots, I made a mistake. I don’t know how many times I have to say it.”

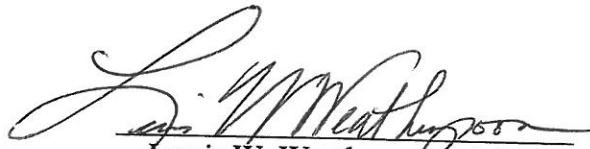
**Board Action:** The Town Board voted unanimously to adopt Resolution No. 001-2017, A Resolution of The Town of Angier Censuring Mayor Lewis W. Weatherspoon. (Attachment #11).


**Motion By:** Commissioner Smith  
**Seconded By:** Commissioner Hockaday  
**Vote:** Unanimous, 4~0

13. **Adjournment:** The Town Board voted unanimously to adjourn the January 3, 2017, meeting at 8:40 PM.

**Motion By:** Commissioner Smith  
**Seconded By:** Commissioner Hockaday  
**Vote:** Unanimous, 4~0



  
Lewis W. Weatherspoon, Mayor

Attest:   
Kim Lambert, Town Clerk