

**Town of Angier  
Board of Commissioners  
Tuesday, June 7, 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, June 7, 2022, 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 Alan Coats  
Commissioner Jim Kazakavage  
Commissioner George "Jr." Price

**Members Excused:**

**Staff Present:** Town Manager Gerry Vincent  
Town Clerk Veronica Hardaway  
Planning Director Sean Johnson  
Library Director Katy Warren  
Public Works Director Jimmy Cook  
Chief of Police Lee Thompson  
Parks & Recreation Director Derek McLean  
Finance Director Hans Kalwitz  
HR Director Melissa Wilder  
Community Development Coordinator Heather Keefer  
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 June 7, 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

## **Presentation**

Brian Starkey, landscape architect with *WithersRavanel*, presented the Future Park Master Plan. The purpose of preparing the Town Park Master Plan and the planning process conducted of this 110-acre, Town owned property was to: define community recreational needs and aspirations; determine the capacity of the project site for park development; explore opportunities and alternatives for park development; identify a shared vision for park development; and position the Town to pursue grants and other funding. Currently, the 110-acre site is located near Campbell Street and is landlocked. The park will not be developed until development occurs on the adjacent parcels. Out of the 110-acres; 35 acres of this property is wetlands.

Several community meetings took place that included: December 16<sup>th</sup> – site analysis and programming; February 17<sup>th</sup> – concept plans; and March 31<sup>st</sup> – Draft master plan. Part of these meetings were for the community to be able to voice desired amenities. Surveys were also available to the public as well as social media engagements.

Mr. Starkey reviewed several different concept designs that aided in the making of the draft masterplan and later the final design. Probable construction costs are anywhere between \$12.8 – 19.4 million.

## **Public Comment**

Brian Hawley, 49 Kerrylane Dr., voiced that he didn't feel like some things discussed at the May 17<sup>th</sup> meeting were handled appropriately. He had submitted a public records request with the Town regarding the money spent towards the new Town Hall. He found that those funds were spent for architectural fees and blueprints and in his opinion feels those funds were not being lost. Mr. Hawley also spoke on his concerns regarding Whole Vet as he has requested financial records from this non-profit organization; to which they acknowledged, however did not produce. He requested the Board to look into the non-profit prior to approving their events in Town.

Mike Palladino, 957 Bellewood Gardens Drive, addressed the Board and asked what the time frame would be for completion of the proposed water infrastructure improvements as his subdivision is still experiencing water pressure issues.

Mr. Vincent responded that funds were received by the General Assembly through the American Rescue Plan. Requests for Qualifications have been advertised, which the Town will accept next week. Staff will then decide on which engineer to select and bring to the Board for approval. Engineering will then begin of the core water system and elevated water storage tank. The elevated water storage tank along with the improvements to the core system of the water lines will improve the water system through Bellewood and all of the downtown area. Engineering can take 4-6 months, give or take. Once engineering is complete, it then goes back before the Board for project cost approval. Completion will likely be in 2023.

Elizabeth Watson, 925 Bellewood Gardens Drive, shared her concern about the continued lack of water pressure in the Bellewood subdivision. She had her home inspected for the one-year inspection that was conducted in April 2022. The inspection showed her water pressure reading of 20psi which has decreased as additional homes were built.



Dolores Price, 129 N Broad Street W, spoke about how the Board needs to conduct themselves professionally and to please keep Closed Session items in Closed Session. She also wanted to share that she also didn't appreciate the way the May 17<sup>th</sup> meeting was conducted.

Sheveil Harmon, 95 Honeycutt Dr., thanked the Town staff for all they do for the community and voiced how disappointed she was to hear the new Town Hall will no longer be built.

### **Consent Agenda**

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

- a. March 25, 2022 – Board Retreat
- b. May 17, 2022 – Regular Meeting

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

**Motion:** Commissioner Coats

**Vote:** 4-0, unanimous

### **Public Hearings**

#### **1. Voluntary Annexation Petition – Vann Stephenson**

Planning Director Sean Johnson stated that staff received a voluntary annexation petition submitted by Vann Stephenson requesting to annex approximately 74.716 acres located at 1251 N. Raleigh St., Angier (Harnett PIN: 0674-46-8078.000). A Sufficiency of the Petition and a Certification of Results were issued in May; a date to set the public hearing was approved in May and advertised accordingly. Following the required Public Hearing, the Town Board will be qualified to consider the adoption of Ordinance #A006-2022 to Extend the Corporate Limits of Town.

Mr. Johnson pointed out that the Angier Board of Adjustment has already approved the master plan for a mixed-use development on this property in question. This is the White Oak Creek Crossing planned unit development with approximately 370 residential units plus some commercial tracks for future development along the future Highway 55 bypass corridor. This property will have entrances both to North Raleigh Street as well as Rawls Church Road.

Mayor Smith opened the Public Hearing.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board voted to adopt Ordinance #A006-2022 to Extend the Corporate Limits of Town totaling approximately 74.716 acres located at 1251 Raleigh St., Angier; submitted by Vann Stephenson (Harnett PIN: 0674-46-8078.000).

**Motion:** Commissioner Kazakavage

**Vote:** 4-0; unanimous

## **2. Voluntary Annexation Petition – Sandra V. Stephenson/Peggy V. Hardison**

Planning Director Sean Johnson stated that staff received a voluntary annexation petition submitted by Sandra V. Stephenson & Peggy V. Hardison requesting to annex approximately 17.675 acres located on NC 55 W. (Harnett PIN: 0673-94-3543.000 & 0673-93-4853.000). A Sufficiency of the Petition and a Certification of Results were issued in May; a date to set the public hearing was approved in May and advertised accordingly. Following the required Public Hearing, the Town Board will be qualified to consider the adoption of Ordinance #A007-2022 to Extend the Corporate Limits of Town.

Mayor Smith opened the Public Hearing.

Mr. Johnson stated that the Angier Board of Adjustment has also already approved the mixed-use development including townhomes and single-family lots with a total of 88 units.

Tom Woerner, 234 Cambridge Dr., asked to give him an idea of where the property in question sits in relation to the Cambridge subdivision. Mr. Johnson stated the property in question is located south of the Cambridge subdivision, and the development plan includes substantial buffering along the Cambridge subdivision.

Seeing no one else, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board voted to adopt Ordinance #A007-2022 to Extend the Corporate Limits of Town totaling approximately 17.675 located on NC 55 W., Angier; submitted by Sandra V. Stephenson & Peggy V. Hardison (Harnett PIN's: 0673-94-3543.000 & 0673-93-4853.000).

**Motion:** Commissioner Kazakavage

**Vote:** 4-0; unanimous

## **3. Rezoning Request – Stuart Matthews & Morris Coats**

Planning Director Sean Johnson stated that staff has received a rezoning application request from Stuart Matthews & Morris Coats for approximately 2.17 acres located at 8616 S. NC 55 HWY, Angier, NC (Wake PIN: 0674587359) from RA-30 to General Commercial. The property is currently vacant and surrounding land uses include retail, restaurant, professional services and the Charter School. Public water and sewer services are available. The proposed rezoning is in line with the commercial mixed-use designation on the Future Land Use Plan. At their May 10, 2022 meeting, the Planning Board recommended approval of the requested rezoning.

Mayor Smith opened the Public Hearing.

Seeing no one, Mayor Smith closed the Public Hearing.



**Board Action:** The Town Board voted unanimously to approve the rezoning request for approximately 2.17 acres located at 8616 S. NC 55 HWY, Angier, NC (Wake PIN: 0674587359) from R-30 to General Commercial.

**Motion:** Commissioner Price

**Vote:** 4-0; unanimous

#### **4. Rezoning Request – Neal Eichhorn**

Planning Director Sean Johnson stated that staff has received a rezoning application request from Neal Eichhorn for approximately 0.48 acres located at 324 S. Raleigh St., Angier (Harnett PIN: 0673-67-9663.000) from R-10 to General Commercial. The property is currently vacant and surrounding land uses include single family, multifamily, restaurant, retail, and medical uses. Public water and sewer services are available. The proposed rezoning is not in line with the designation shown on the Future Land Use Map, however, the property in question is located on NC 55, Angier's main business corridor, and is adjacent to several existing commercial properties. At their May 10, 2022 meeting, the Planning Board recommended approval.

Mayor Smith opened the Public Hearing.

Trudy Stephenson Chappell, 456 S. Raleigh St., asked what the property in question will be used for and if it will impact her property as she is directly behind said property.

Town Attorney Dan Hartzog, Jr. stated we are not permitted to ask how the property will be used, as all uses permitted in the proposed zoning district would be allowed.

Seeing no one else, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board voted unanimously to approve the rezoning request for approximately 0.48 acres located at 324 S. Raleigh St., Angier (Harnett PIN: 0673-67-9663.000) from R-10 to General Commercial.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 4-0; unanimous

#### **Old Business**

##### **1. Resolution #R014-2022 – Fixing a Date for Annexation Public Hearing submitted by Roger Howard Dupree**

Planning Director Sean Johnson stated staff has received a voluntary annexation petition submitted by Roger Howard Dupree for approximately 91.85 acres located on Tippet Road & Roy Adams Road, Angier (Harnett PIN's: 0673-45-5069.000; 0673-44-2149.000 & 0673-53-1625.000). The Town Clerk has investigated the sufficiency of the annexation petition, and the next step is for the Board to set the date for the Public Hearing as July 5, 2022.

**Board Action:** The Town Board unanimously voted to approve Resolution #R014-2022 to Fix a Date for Annexation Public Hearing submitted by Roger Howard Dupree for July 5, 2022.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 4-0, unanimous

## 2. Junkyard (Storage Yard) Ordinance Discussion

Commissioner Price thanked the Planning Board for all of their work on this Ordinance.

Mayor Pro-tem Hawley suggested hosting a round table for other text amendments to get the community more involved.

Mr. Hartzog, Jr. stated the Board can always conduct a Public Hearing whether its required or not and invite anyone they would like to attend. He also stated that, if the Board wishes to revoke a junkyard's grandfathered status based on ownership change, language will need to be included in the ordinance addressing conveyance of property specifically.

**Board Action:** The Town Board unanimously voted to require all new businesses that fall under the Junkyard (Storage Yard) Ordinance be required to follow the Ordinance as written. The Board also requested that staff send out an additional letter to those businesses notifying them of the intent to allow existing non-conforming junkyards to remain grandfathered until conveyance of their property. Once the Board has a final, revised version of the Ordinance a Public Hearing will be set for approval.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 4-0, unanimous

## New Business

### 1. Road Closure

Community Development Coordinator Heather Keefer introduced Dale Robbins from Whole Vet who is requesting a road closure for an upcoming event downtown.

Dale Robbins, 3233 Virginia Creeper Ln., Willow Spring, expressed his gratitude to the Board and Town that have supported him through the years. The road closure request is for the first annual *Motor Muscle Excursion* with the theme this year being "unity of community". Cars, trucks, jeeps, and bikes from *I-95 Muscle* in Hope Mills will stop at the Veteran Memorial Park in Lillington where participants will be able to meet members of the Veteran Treatment Corp and Veterans Upward Bound. They will then end up in Angier where Ellington Studios has agreed to play for them.

Mayor Smith asked how Ellington Studios would work into this program.

Mr. Robbins stated they will be utilizing the Depot Stage and will play for those in attendance as they did last year.



Mayor Pro-tem Hawley asked how long the road closure is for.

Ms. Keefer stated the road closure would be until 3pm. The Morning Market event begins at 9am and would close Lillington Street subsequently closing Broad Street for the afternoon for a few hours to park cars. We would know ahead of time how many participants prior to the excursion as this is a pre-registered event. Whole Vet would be renting the depot space under the non-profit fee structure.

Commissioner Coats asked if Mr. Robbins had an issue with producing non-profit records to the Town to rent facilities.

Mr. Robbins explained that Whole Vet became a non-profit in North Carolina in 2017. He stated he has no problem with producing those records for well intentioned requests. When the request was made by Mr. Hawley, his attorney advised him on how to respond. Whole Vet is a 501(c)(3) and files with the IRS a 994 and because of the amount of funds brought in so far, they file a 990 postcard. The 990 postcard was filed the last 3 years; legally all he would have to provide is the 990 postcard filed with the IRS. The budget for Whole Vet is not broken down into revenue and expenditures.

Commissioner Coats asked if the Town verifies validation or the standing of a charity.

Mr. Hartzog, Jr. stated it would be a simple matter of reviewing the 501(c)(3) filings to confirm, however if there's question regarding the legitimacy of the 501(c)(3) that is not the Town's role.

Brian Hawley, 49 Kerrylane Dr., spoke of his concerns regarding Whole Vet and stated he requested specific information via email. His request was the production of financial reports for years 2018, 2019, and 2020 seeking all donations made, revenue generated, and expenditures including salaries paid. The response to his email by Whole Vet was that his request was received. Mr. Hawley also received a written response by certified mail stating the same. To date, nothing has been produced. Mr. Hawley has concerns as to how monies are being spent and doesn't want to see his tax dollars being used to provide security or other things for organizations that refuse to comply with a simple request.

**Board Action:** The Town Board voted to approve the road closure request for September 17, 2022 Motor Muscle Excursion contingent upon receipt of Whole Vet's 990 postcard.

**Motion:** Commissioner Coats

**Opposed:** Mayor Pro-tem Hawley; Commissioner Price & Commissioner Kazakavage

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

### **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 of Commissioners/Budget Work Meetings: Last week, June 2<sup>nd</sup>, Hans and I met with Commissioners Hawley and Kazakavage regarding the FY23 budget, and looking to schedule other commissioners in the next 2 weeks.
2. Harnett County/Library Consolidation Plan: A meeting was held with Brent Trout, County Manager in early May to discuss possible changes to the draft agreement. My understanding is that its under review by the Harnett County Attorney's Office before it is submitted for the Angier Board of Commissioners consideration.
3. FY23 Budget Schedule: Based on the approved schedule, budget meetings with commissioners will continue throughout this week into next week. The Public Hearing and final adoption is set for June 21<sup>st</sup>.
4. Property Appraisal/Acquisition Update: No update at this time.
5. FY22 Audit: Auditors began its initial review of FY22 last week. We anticipate a deeper dive in June/July.
6. Town Hall Update: Chief Thompson and I have met and scheduled arrangements for the cleaning of Town Hall, awaiting a painting estimate, making a few adjustments within the building for circulation, and had the carpets cleaned thoroughly. In approximately 2-3 weeks, we should be able to spread out the department in the vacant offices.

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

Mayor Pro-tem Hawley made a statement informing the public that the Mayor, Commissioners, and Town Manager all care about the Town employees and the situation they are in right now. Town Hall is only being delayed and not off the table. Due to the unknown of the economy, we are trying to be fiscally conservative for the constituents. Infrastructure is the number one priority right now.

Mr. Vincent stated the Board has tabled the project, but the Town has not lost any funds spent to date. All parties understand the Town Hall is on hold and we have all of the information we need along with the guaranteed max price. The cost of a new Town Hall at a later date is unknown.

Commissioner Price stated that he and the Mayor had said some things that shouldn't have been said out of frustration at the May 17<sup>th</sup> meeting. *The Daily Record* made the article regarding the Town seem like there was a secretive deal had been going on between him and Senator Burgin. When Commissioner Price was contacted, he was only given a short amount of time to respond to the newspaper. He wanted to go on record stating that the information printed was misinformation and explained he had already apologized to Sen. Burgin personally.

**Board Action:** The Town Board unanimously voted to go into Closed Session pursuant to NCGS 143-318.11 (a)(5) to discuss property acquisition at approximately 8:40pm.



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

**Board Action:** The Town Board unanimously voted to reconvene in open session at approximately 9:04pm.

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

**Board Action:** The Town Board unanimously voted to acquire a 20' utility easement from 4 property owners to repair an existing 4' sewer line that serves the Mi Cancun Restaurant; costs of acquiring properties are being negotiated.

Harnett County PIN#'s

- 0673-78-2815.000
- 0673-78-1865.000
- 0673-78-3701.000
- 0673-78-2711.000

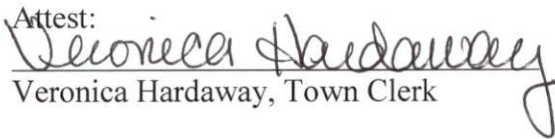
**Motion:** Mayor Pro-tem Hawley  
**Vote:** 4-0, unanimous

**Adjournment:** Being no further business, the Town Board voted unanimously to adjourn the meeting at 9:05pm.

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



Robert K. Smith, Mayor

Attest:  
  
Veronica Hardaway, Town Clerk

