

**Town of Angier  
Board of Commissioners  
Tuesday, October 4, 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, October 4, 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 Jim Kazakavage  
Commissioner George "Jr." Price

**Members Excused:** Commissioner Alan Coats

**Staff Present:** Town Manager Gerry Vincent  
Town Clerk Veronica Hardaway  
Planning Director Sean Johnson  
Chief of Police Lee Thompson  
Finance Director Hans Kalwitz  
HR Director Melissa Wilder  
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.

**Approval of the October 4, 2022 meeting agenda:** The Town Board unanimously approved the agenda with the following amendment: move #4A under Public Hearings to #4B; move #1 under Old Business to #4A under Public Hearings; add Closed Session pursuant to NCGS 143-318.11 (a)(6) to discuss a personnel matter.

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

**Motion:** Commissioner Price

**Vote:** 3-0; unanimous

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

**Motion:** Commissioner Price

**Vote:** 3-0; unanimous

Mayor Pro-tem Hawley made a comment that she is no longer in favor of utilizing *Zoom* to remote in for Board meetings and went on to say that Board members need to be present at meetings.

### **Public Comment**

Seeing no one, Mayor Smith closed the public comment portion of the meeting.

### **Consent Agenda**

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

- a. September 6, 2022 – Regular Meeting

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

**Motion:** Commissioner Price

**Vote:** 3-0; unanimous

### **Public Hearings**

#### **1. Voluntary Annexation Petition Submitted by Doris J. Collins**

Planning Director Sean Johnson stated that staff received a voluntary annexation petition submitted by Doris J. Collins requesting to annex approximately 0.942 acres located on E. Wimberly Street, Angier, NC (Portion of Harnett PIN: 0684-03-0781.000). A Sufficiency of the Petition and a Certification of Results were issued in September; a date to set the public hearing was approved in September and advertised accordingly. Following the required Public Hearing, the Town Board will be qualified to consider the adoption of an ordinance to annex the property.

Mayor Smith opened the Public Hearing.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board voted to adopt Ordinance #A009-2022 to Extend the Corporate Limits of Town totaling approximately 0.942 acres located on E. Wimberly Street, Angier, NC; submitted by Doris J. Collins (Portion of Harnett PIN: 0684-03-0781.000).

**Motion:** Commissioner Kazakavage

**Vote:** 3-0; unanimous

## **2. Voluntary Annexation Petition Submitted by Taylor Morrison of Carolinas, Inc.**

Planning Director Sean Johnson stated that staff received a voluntary annexation petition submitted by Taylor Morrison of Carolinas, Inc. to annex approximately 35.61 acres located on Junny Road & Kennebec Road, Angier, NC (Harnett PINs: 0674-76-8650.000; 0674-76-8919.000; 0674-87-0285.000; Wake PIN: 0674871973). A Sufficiency of the Petition and a Certification of Results were issued in September; a date to set the public hearing was approved in September and advertised accordingly. Following the required Public Hearing, the Town Board will be qualified to consider the adoption of an ordinance to annex the property.

Mr. Johnson stated this annexation is the site of the Camden Place subdivision (formerly Caitlin Meadows) approved by the Board of Adjustment on August 24, 2021. At that meeting, it was discussed that the development would have 163 units total.

Mayor Smith opened the Public Hearing.

Mark Altman is the VP of Land Development for the Raleigh Division of Taylor Morrison of Carolinas, Inc. He clarified that there are 60 single-family detached homes and 103 townhomes proposed.

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

**Board Action:** The Town Board voted to adopt Ordinance #A010-2022 to Extend the Corporate Limits of Town totaling approximately 35.61 acres located on Junny Road & Kennebec Road, Angier, NC (Harnett PINs: 0674-76-8650.000; 0674-76-8919.000; 0674-87-0285.000; Wake PIN: 0674871973).

**Motion:** Commissioner Price

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

**Vote:** 2-2

After consulting with the Town Attorney, Mr. Johnson stated that usually the case with developments proposed in town, they require Town of Angier water and sewer to be built. Typically, the annexation will follow immediately after the approval, in this case the property changed hands and it wasn't annexed until over a year later. Normally, the Board would have seen this last August when the PUD was approved. This annexation is simply a formality. By placing the property in town limits will allow them to continue with construction as already approved. The Town code requires property to be annexed prior to being provided with Town sewer. The development proposed can only be built with Town sewer. Essentially not allowing the annexation would be a violation of the town's code.

Mayor Smith called for a motion to reconsider.

**Board Action:** The Town Board voted to reconsider the previous motion.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

**Board Action:** The Town Board voted to reconsider to adopt Ordinance #A010-2022 to Extend the Corporate Limits of Town totaling approximately 35.61 acres located on Junny Road & Kennebec Road, Angier, NC (Harnett PINs: 0674-76-8650.000; 0674-76-8919.000; 0674-87-0285.000; Wake PIN: 0674871973).

**Motion:** Commissioner Price

**For:** Commissioner Kazakavage

**Opposed:** Mayor Pro-tem Hawley

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

**3. Voluntary Annexation Petition Submitted by Daniel & Janet Gardner and Kenneth & Debra Gardner**

Planning Director Sean Johnson stated that staff received a voluntary annexation petition submitted by Daniel & Janet Gardner and Kenneth & Debra Gardner to annex approximately 47.8 acres located on Old Buies Creek Road, Angier, NC (Harnett PINs: 0673-72-4977.000; 0673-72-7501.000). A Sufficiency of the Petition and a Certification of Results were issued in September; a date to set the public hearing was approved in September and advertised accordingly. Following the required Public Hearing, the Town Board will be qualified to consider the adoption of an ordinance to annex the property.

Mr. Johnson stated this annexation is the site of the Gardner Farms subdivision approved by the Board on September 6, 2022.

Mayor Smith opened the Public Hearing.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board voted to adopt Ordinance #A011-2022 to Extend the Corporate Limits of Town totaling approximately 47.8 acres located on Old Buies Creek Road, Angier, NC (Harnett PINs: 0673-72-4977.000; 0673-72-7501.000).

**Motion:** Commissioner Price

**For:** Mayor Pro-tem Hawley

**Opposed:** Commissioner Kazakavage

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

**4. Conditional Rezoning Request – Submitted by Chris McKinney**

A. Planning Director Sean Johnson reviewed the rezoning request and stated this item was tabled by the Board at the September 6<sup>th</sup> meeting after the Public Hearing. The property in question is roughly 32.23 acres situated on the east side of Matthews Mill Pond Road directly west of the previously approved CZ R-6 at Dupree Farms off Tippet Road and Roy Adams Road. The applicant proposed 87 units consisting of townhomes and duplex lots on two parcels. The overall density is approximately 2.7 units an acre which does fall lower than the medium density residential on the land use plan. The conditions proposed for the property in question was read into the record at the September 6<sup>th</sup> meeting. The

for the property in question was read into the record at the September 6<sup>th</sup> meeting. The only one that was up for further discussion was the age restriction condition that was deferred to the Town Attorney.

**Board Action:** The Town Board unanimously voted to approve the Conditional Rezoning request submitted by Chris McKinney for approximately 32.23 acres located on Matthews Mill Pond Road, Angier, NC (Harnett PINs: 0673-35-3156.000 & 0673-34-3650.000) from RA-30 to CZ R-6 with the proposed conditions.

**Motion:** Commissioner Kazakavage

**Vote:** 3-0; unanimous

#### **4. Voluntary Annexation Petition Submitted by Rebecca Partin**

**B.** Planning Director Sean Johnson stated that staff received a voluntary annexation petition submitted by Rebecca Partin to annex approximately 32.23 acres located on Matthews Mill Pond Road, Angier, NC (Harnett PINs: 0673-35-3156.000; 0673-34-3650.000). A Sufficiency of the Petition and a Certification of Results were issued in September; a date to set the public hearing was approved in September and advertised accordingly. Following the required Public Hearing, the Town Board will be qualified to consider the adoption of an ordinance to annex the property.

Mayor Smith opened the Public Hearing.

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

**Board Action:** The Town Board unanimously voted to adopt Ordinance #A012-2022 to Extend the Corporate Limits of Town totaling approximately 32.23 acres located on Matthews Mill Pond Road, Angier, NC (0673-35-3156.000; 0673-34-3650.000).

**Motion:** Commissioner Kazakavage

**Vote:** 3-0; unanimous

#### **5. Rezoning Request – Submitted Moises Chavez and Hilda Osorio**

Planning Director Sean Johnson stated that staff has received a rezoning application request from Moises Chavez and Hilda Osorio for approximately 0.57 acres located at 18 Nordan Street, Angier (Harnett PIN: 0674-60-3292.000) from R-10 to R-6. The Planning Board recommended approval of the rezoning request at their September 13<sup>th</sup> meeting. The requested rezoning would reduce the setbacks and allow the property owners to build a single-family dwelling on the property in question. The property is currently vacant and surrounding land uses include medium density residential, commercial, and recreational uses. Public water and sewer are available.

Mr. Johnson stated the proposed rezoning does not align with the commercial designation shown on the future land use plan, however the proposed R-6 zoning will match the adjacent zoning, and facilitate additional infill housing development that will be similar to the adjacent housing.

Mayor Smith opened the Public Hearing.

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

**Board Action:** The Town Board unanimously voted to approve the rezoning request submitted by Moises Chavez and Hilda Osorio to rezone approximately 0.57 acres located at 18 Nordan Street (Harnett PIN: 0674-60-3292.000) from R-10 to R-6.

**Motion:** Mayor Pro-tem Hawley

**Vote:** 3-0; unanimous

### **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. I have been informed by Harnett County that Angier will receive approximately \$50,000 from the NC General Assembly. Harnett County, in total, will receive approximately \$1.5M, and these funds will be distributed to each of the towns. I do not have these funds designated to any particular project, only a "capital project" purpose. I think the purpose should be discussed and approved by the Board of Commissioners. Please give it some thought and let's discuss at a later date.
2. Jimmy Cook and I met with NCDOT last week to discuss alternatives to the Old Buies Creek Road/Hwy 55 South intersection. With more than 288 new homes approved, just south of that intersection, alternatives should be considered.
3. Announcement of a new Planning Director: It is my pleasure to announce that Randy Cahoon-Tingle is Angier's new planning director. He is a graduate of East Carolina University in Urban Planning, over 14 years of experience in government, currently a director of planning, and an American Institute of Certified Planners (AICP) certification. His start date is tentatively October 27<sup>th</sup>, at the latest.
4. He thanked staff for being proactive as Hurricane Ian moved closer.

### **Police Department**

Chief Thompson spoke about a surplus armored personnel carrier that was awarded to the department at no cost to the Town, however there is a delivery fee associated with the vehicle that is approximately \$700. Delivery is more practical as the vehicles top speed is 35mph.

**Board Action:** The Town Board unanimously voted to approve a surplus armored personnel carrier to the Police Department along with the delivery cost of \$700.

**Motion:** Mayor Pro-tem Hawley

**Motion:** Mayor Pro-tem Hawley  
**Vote:** 3-0; unanimous

**Mayor & Town Board Reports**

Mayor Smith requested the Declaration of State of Emergency from Hurricane Ian be terminated.

**Board Action:** The Town Board unanimously voted to go into Closed Session pursuant to NCGS 143-318.00 (a)(6) to discuss a personnel matter at approximately 7:28pm.

**Motion:** Mayor Pro-tem Hawley  
**Vote:** 3-0, unanimous

**Board Action:** The Town Board unanimously voted to reconvene in open session at approximately 8:30pm.

**Motion:** Mayor Pro-tem Hawley  
**Vote:** 3-0, unanimous

**Adjournment:** Being no further business, the Town Board voted unanimously to adjourn the meeting at 8:30pm.

**Motion:** Mayor Pro-tem Hawley  
**Vote:** 3-0; unanimous

*Robert K. Smith*

Robert K. Smith, Mayor

Attest:

*Veronica Hardaway*  
Veronica Hardaway, Town Clerk

