

**Town of Angier
Board of Commissioners
Tuesday, May 7, 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, May 7, 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
Police Chief Arthur Yarbrough
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: Commissioner Smith offered the invocation.

Approval of the May 7, 2019 meeting agenda: The Town Board approved the agenda with the following amendment: remove Business Item #2 – Audit Contract and Engagement Letter with Cherry Bekaert LLP for FY2018-19 Annual Audit.

Board Action: The Town Board approved the May 7, 2019 meeting agenda as amended.

Motion: Commissioner Smith

Second: Mayor Pro-Tem Honeycutt

Vote: 4-0; unanimous

Presentations:

Mayor Weatherspoon recognized the Town Clerk for Municipal Clerks Week and thanked her for all she does.

Public Comment:

Everett Blake, 352 Gardner Road, requested the Board to consider either resurfacing the existing tennis court at the park or possibly utilizing it for something else such as additional parking or Dog Park.

Mayor Weatherspoon stated the Town is currently working on updating the park master plan and requested the Town Manager to take note of this request.

Rhonda Powell, 92 N Dunn Street, thanked Public Works for handling her drainage issues. She voiced her concern regarding traffic and speeding issues on her street. She requested the Board consider a four way stop at Williams Street and N Dunn Street.

Mayor Weatherspoon requested the Town Manager and Chief of Police look into the traffic issue.

William Pope, Pope & Pope Attorneys, was present on behalf of Logan Bell regarding the old alleyway that runs parallel to Broad Street. He explained there have been several attempts to close that alleyway over the last several years. Mr. Pope is in the process of closing the estate. He requested the Board to have a Public Hearing to adopt a Resolution closing the alleyway from Cutts Street to Smithfield Street.

Junior Price, 619 N Dunn Street, disagreed with the comment made about the tennis court. He has seen citizens utilizing the court. Mr. Price also asked why all Department Heads are not required to attend meetings.

Town Manager Gerry Vincent explained when Department Heads are not present it's due to other obligations.

Public Hearing:

1. Ordinance Text Amendment

- a. Waste Container Screening – to amend Section 7.3.4 of the Unified Development Ordinance.

Sean Johnson, Planning Director, addressed the Board stating that the Planning Department has been tasked with drafting amendments to the screening requirements for outdoor storage waste containers and mechanical equipment found in Angier's Ordinance. These amendments have been carefully discussed by the Planning Board and Town Board for several months. Staff recommends the

Board limit the retroactive requirements of the proposed Ordinance amendments. If adopted, the amendments would remove the "grandfathered" status of those existing uses in violation of the new requirements.

The following are the proposed changes to all existing nonresidential and multifamily development:

A. Any waste container which exceeds 96 gallons existing at the time of adoption of this ordinance shall be brought into compliance with the following screening requirements within six months of the effective date of this ordinance. For the purposes of this section, waste container shall include any waste container, recycling container, grease trap, oil storage container or any other similar container.

B. All waste containers shall be screened in the form of an opaque wall or fence with a latching gate that will reasonably secure the enclosure from unauthorized entry. The screen shall exceed the height of the waste containers by a minimum of six inches and shall not interfere with the emptying, replacement or removal of waste containers. Chain link fencing with slats or other supplemental screening material shall not be used to meet the requirements of this section. All screening materials shall remain in good condition as determined by the Administrator.

The following requirements shall apply to all new and expanding nonresidential and multifamily development:

C. All waste containers and outdoor storage shall be located to the rear of the principal structure.

D. All waste containers which exceed 96 gallons shall be screened in the form of an opaque wall or fence with a latching gate that will reasonably secure the enclosure from unauthorized entry. The screen shall exceed the height of the waste containers by a minimum of six inches and shall not interfere with the emptying, replacement or removal of waste containers. Chain link fencing with slats or other supplemental screening material shall not be used to meet the requirements of this section. All screening materials shall remain in good condition as determined by the Administrator.

E. All screening shall utilize building materials that are compatible with those used for the exterior of the principal structure.

F. Ground mounted mechanical equipment shall be located to the rear or side yard and screened from view of the street. Roof-mounted mechanical equipment shall be screened from view by a parapet wall or screen wall matching the primary building materials. For the purpose of these requirements, mechanical equipment shall consist of heating, ventilating, air conditioning and refrigeration systems, fuel burning equipment and appurtenances thereof.

Mayor Weatherspoon opened the Public Hearing.

Commissioner Hill voiced he was in favor with the proposed amendment as presented as long as citizens comply and it's enforced.

Everett Blake, 352 Gardner Road (Planning Board Chairman), stated the Planning Board has worked diligently on the proposed text amendment. He voiced that he was in disagreement with the 96 gallon container threshold as it only pertains to a small percentage of the Town. The amendment change was directed by the Town Board, however he suggested removing the six month clause for existing nonresidential and multifamily development but enforce the clause to all new and expanding businesses. He also recommended speaking with existing businesses and informing them of the proposed changes prior to ordinance adoption.

Alan Coats, 131 Wilma Street, asked for clarification on the container size requirement.

Sarah Wagner, 142 S Poplar Street, voiced her concern with removing the grandfather clause as it would cause a financial burden. She also expressed that if the existing code is not currently enforced, how would additional requirements solve the issue.

Junior Price, 619 N Dunn Street (Planning Board Member), stated that the Planning Board has spent a great deal of time on the proposed amendment and was concerned with the Planning Board Chairman's comments as his views were not shared with the rest of the Board. He suggested to do away with the proposed amendment.

Christina Kazakavage, 198 Windsor Drive (Planning Board Member), stated the Planning Board has spent many hours on the proposed amendment. She explained there is a desire for Angier to grow but in order to do that, things need to be safe, secure, and somewhat aesthetically pleasing. Being a business owner, she has seen several people going through her dumpster for food leaving trash everywhere as well as getting into the dumpster causing a safety concern.

Brian Hawley, 49 Kerrylane Drive, suggested that the advisory board speak to stakeholders to approach the Town Board with their ideas. He voiced his disagreement with government forcing citizens to spend their money on things unless there is a factual safety issue.

Joe Langley, 298 Kirk Adams Road, stated his agreement with Mr. Hawley's comments. He recommended speaking to all those with dumpsters whether they are in compliance or not to inform them of the text amendment well in advance.

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

Board Action: The Board voted to approve the text amendment as presented.

Motion: Commissioner Hill

Second:

Vote: Motion died for lack of a second.

Board Action: The Town Board voted to table the proposed text amendment and add the item to the Board Work Session.

Motion: Mayor Pro-tem Honeycutt

Second: Commissioner Smith

Opposed: Commissioner Hawley; Commissioner Hill

Vote: 2-2

Board Action: Mayor Weatherspoon broke the tie by voting to table the proposed text amendment and add the item to the Board Work Session.

Vote: 3-2, motion carried

Consent Agenda Items

1. Approval of Minutes

- April 2, 2019 – Regular Meeting
- April 23, 2019 – Work Session Meeting

2. Advisory Board Appointment

- a. Theodore Lumbrazo – has submitted an application for consideration to be appointed to serve a first term on the Planning Board as an in-town member.

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

Motion: Mayor Pro-tem Honeycutt

Second: Commissioner Hawley

Vote: 4-0, unanimous

Business Items

- 1. Annexation Petition** - The Town Clerk, on behalf of the Governing Board, has investigated and confirmed the Sufficiency of the Petition submitted by property owner KBNK Holdings, LLC. The proposed site requested for annexation are 4 tracts of land approximately 36.187 acres total more or less; located off Gardner Road inclusive to Harnett County Parcel PINs #0673-42-7003; 0673-52-1506; 0673-52-3849; and 0673-52-4376. Since its Certification Sufficiency, the Town Board, per General Statute, may now consider adopting a Resolution to Fix the Date for a required Public Hearing during its June 4, 2019, Board of Commissioner's meeting.

Board Action: The Board unanimously voted to adopt a Resolution to Fix the Date for a required Public Hearing during its June 4, 2019 Board of Commissioner's meeting.

Motion: Commissioner Smith

Second: Mayor Pro-tem Honeycutt

Vote: Unanimous, 4-0

2. Audit Contract and Engagement Letter with Cherry Bekaert LLP for FY2018-19 Annual Audit - removed

Town Manager's Report

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

- A. Classification & Pay Study representatives met with staff on April 24th to discuss overall process. Questionnaires will be completed by all employees and returned for analysis. The results are tentatively scheduled for completion around Mid-May. There will be compression issues and the plan is to budget for the Board's consideration.
- B. The U.S. Flags have been purchased from a local business and will be installed around Mid-May.
- C. The next Board Workshop in May will be the Town Manager's Budget Message to the Board. This has been quite an undertaking with new management staff, the Board's goals and objectives, and limited funds.
- D. Advised of the following meetings for the month of May:
 - a. Planning Board at 7pm-May 14th
 - b. Board Workshop at 6:30pm-May 21st
 - c. Board of Adjustment at 7pm-May 28th
- E. The Town of Angier Community Video is scheduled for May 8th & 9th. Mayor Weatherspoon, Christy Adkins, and Derek McLean will host CGI Communications highlighting our community.
- F. The additional civic logos have been added to the entrance signs of the Town.
- G. Brian Hawley and his organization, Campbell University Student Veterans Club and the Phi Delta Theta Fraternity performed a community service project by sprucing up the Town's landscaping in several different areas.
- H. Harnett County's Library Consolidation Plan is scheduled to be discussed by the County Commissioners this month for consideration to move forward. There is no new information to pass along at this time.
- I. The Downtown WiFi Project is ongoing as well as the WRAL Weather Camera Project.
- J. There is no new information regarding the PNG Gas Line Project. PNG is considering an alternate route as it crosses Hwy 55 Business heading east. However, please be advised, regardless of its route, the Downtown businesses will be served if requested.
- K. NCLM City Vision 2019 Annual Conference in Hickory, NC May 14-16

Mayor & Town Board Comments

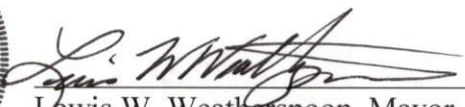
Adjournment: Being no further business, the Town Board voted unanimously to adjourn the meeting at 7:53pm.

Motion: Commissioner Hawley

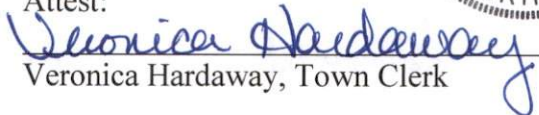
Second: Commissioner Smith

Vote: Unanimous, 4-0




Lewis W. Weatherspoon, Mayor

Attest:


Veronica Hardaway, Town Clerk