

**Town of Angier
Board of Commissioners
Special Called Meeting
Monday, May 14, 2018, 6:30 P.M.
Depot Building
19 W Depot Street
Minutes**

The Town of Angier convened during a Special Called Board of Commissioners meeting Monday, May 14, 2018, in the Board Room inside the Depot Building at 19 W Depot Street.

Members Present: Mayor Lewis W. Weatherspoon
Commissioner Loru Boyer Hawley
Commissioner Bob Smith
Commissioner Mike Hill

Excused: Mayor Pro-Tem/Commissioner Craig Honeycutt

Staff Present: Interim Town Manager Mike McLaurin
Public Works Director Jimmy Cook
Town Attorney Dan Hartzog Jr.
Town Clerk Veronica Hardaway
Corporal Danny King

Others Present: Rick Curl represented *The Daily Record*

1. **Call to Order:** Mayor Weatherspoon presided, calling the Special Called Meeting to order at 6:30 p.m.
2. **Pledge of Allegiance:** Mayor Weatherspoon led the pledge of allegiance.
3. **Invocation:** Mayor Weatherspoon offered the invocation.
4. **Approval of the May 14, 2018, meeting agenda:** The Town Board approved the agenda as presented:

Board Action: The Town Board unanimously approved the May 14, 2018 meeting agenda as presented.

Motion: Commissioner Smith

Second: Commissioner Hill

Vote: Unanimous, 3-0

5. Public Hearing

A. Amendment to Chapter 3, Article I Section 3-1 Consumption and Possession of Malt Beverages and Unfortified Wine in Public Places Generally Prohibited; and

adding Section 3-2 Possession and Consumption of Malt Beverages and Unfortified Wine at Town Sponsored Events.

Town Attorney, Dan Hartzog Jr. reviewed the proposed amendment to Chapter 3, Article I Section 3-1 Consumption and Possession of Malt Beverages and Unfortified Wine in Public Places Generally Prohibited; and adding Section 3-2 Possession and Consumption of Malt Beverages and Unfortified Wine at Town Sponsored Events.

He explained that the amendment would allow the consumption and sale of alcohol on public streets, sidewalks, and municipal property during public events sponsored by the Town such as street festivals. He cited the State Law Reference G.S. 18B-300 which allows the Town to adopt ordinances to control the consumption and sale of alcohol on property owned by the Town. It also allows the Town Manager to impose reasonable restrictions to ensure that the sale, distribution, service, possession, or consumption of malt beverages and unfortified wine does not extend beyond the boundaries of the function or celebration.

Mayor Weatherspoon opened the Public Hearing.

Chris Hughes, 65 Golden Lane, who sits on the Planning Board addressed the Board. He stated the Town is going to continue to grow and we need to promote that growth in a positive way and be business friendly. He stated times and trends of alcohol related business help fund that growth to communities to which some are nearby. Other communities have been able to manage this and are growing and thriving. He encouraged the Board to definitely consider the amendment while regulating.

Brent Surles, 372 N Broad Street E, explained his concern about the cost associated with the less restrictions on the sale of beer and wine when it actually costs taxpayers more and do little to promote economic growth in the community. He stated that because of these events, the cost for added police presence and increased crime outweigh the benefits to the Town and believes the Town doesn't have the tax base to support the financial resources to offset the cost.

Brian Hawley, 49 Kerrylane Drive, stated he believed that in a controlled environment the Town is able to limit liability. He expressed his concern with some citizens that are not consistent with making their arguments; such as allowing Bike Fest within the Town that seems to recruit certain groups. He stated the Bike Fest organization has said they raised \$1,000 for the Children's Pediatric Brain Tumor Foundation but failed to mention that they paid \$1,000 to be present at our location. Mr. Hawley stated he doesn't understand why so many are opposed to the ordinance amendment but are fine with allowing a motorcycle group that is well known for unlawful activities.

Allison Allen, 214 Twin Oaks Drive, stated she is not against alcohol but purely looks at this as a fiscal issue. Angier has a limited tax base, by having alcohol at events it would cost the Town additional money due to added police presence, Fire, and EMS along with liability. She questioned the Board on what the Town's return on investment be and stated

the Town has other immediate needs at this time. She stated there is no such thing as a controlled environment when it comes to alcohol.

Chris Hall stated he has been a pastor in Angier for over fourteen years. He stated there are several questions that have not been answered at this time and questioned what the benefit would be to the Town. He stated his opinion is not a religious preference to him but more of a moral issue along with ramifications of alcohol. He has preached at many funerals where alcohol was the deciding factor. Mr. Hall explained to the Board that other Towns are not growing because of alcohol but are growing from many other things. He stated he stands against the ordinance amendment because there needs to be more clarification.

Peggy Weatherspoon, 180 Alan Street, strongly urged the Board to vote against the amendment. She stated that once the amendment is approved this could open the door for more leniency in other areas. She stated these events will not be family time due to those who want to drink will be away from those who are listening to the music. She stated the Town needs a change, but needs a good change. She questioned the Board if the Town has the resources to control the event.

Junior Price, 619 N Dunn Street, read from a prepared statement on behalf of Donald Gregory who could not attend in reference to his opposition of the ordinance amendment.

Junior Price, 619 N Dunn Street, stated he was raised in a family where he was affected negatively by alcohol. He doesn't agree with alcohol being at the concert events because children can be easily influenced. He asked what the liability would be to the Town. Mr. Price informed the Board there is a house on Church Street where alcohol and marijuana is being sold.

Mayor Weatherspoon requested the Interim Manager look into the house on Church Street.

Phil Burleson, 160 Woodcroft Drive, stated he appreciates what the Board members do for the Town. He stated it took several meetings for the Board to approve a farmers market and encouraged the Board to think very hard on this amendment and not pass the amendment in just one night.

Reisha Lasater, 2489 Old Buies Creek Road, stated she thinks the citizens are not aware of the Board's plan on the beer garden and what the plan is on controlling it. Ms. Lasater requested the Board to review their plans on the events to everyone in attendance.

Town Attorney Dan Hartzog Jr. explained the ordinance allows the permit to be issued and the Town Manager would be able to place specific restrictions on the written permit. He also explained the vendor would be serving the alcohol not the Town.

Interim Town Manager Mike McLaurin explained the beer garden would be cordoned off only allowing those 21 and over to enter and also prohibiting anyone from leaving that area with alcohol. Everyone will have to show identification prior to entering which at that time they will receive a maximum of two drink tickets. If anyone leaves the area they will be

subject to a citation from law enforcement. He informed the Board that all vendors are required to provide liability insurance as well as a hold harmless agreement.

Jimmy Johnson, 350 Woodcroft Drive, urged the Board to proceed with caution and use their best judgement. He stated that it's harder to undo something that has already been done.

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

Commissioner Hill stated he frequents Fuquay-Varina for their concerts and hasn't seen any issues. He believes this would be good for Angier because it promotes people from the outside. They are coming for the show not for alcohol.

Commissioner Smith stated he was concerned with the liability issue but was glad to hear about the indemnification. He thinks the Town Managers permit is key along with the liability insurance and the controlled environment.

Mayor Weatherspoon stated some questions have been asked that the Town was unable to provide. He asked if there is a vendor fee associated with the event.

Interim Town Manager Mike McLaurin responded there is no current fee structure at this time, however as the event evolves the Town will be able to put a fee structure in place.

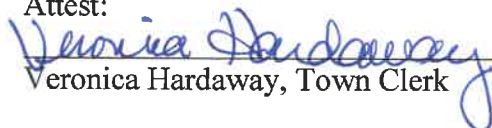
Board Action: The Town Board voted to adopt the ordinance amendment to Chapter 3, Article I Section 3-1 Consumption and Possession of Malt Beverages and Unfortified Wine in Public Places Generally Prohibited; and adding Section 3-2 Possession and Consumption of Malt Beverages and Unfortified Wine at Town Sponsored Events.

Motion: Commissioner Hill
Second: Commissioner Smith
Vote: Unanimous, 3-0

7. Adjournment: Being no further business, the Town Board voted unanimously to adjourn the meeting at 7:36pm.

Motion: Commissioner Hawley
Second: Commissioner Hill
Vote: Unanimous, 3-0

Attest:


Veronica Hardaway, Town Clerk

