

**Town of Angier
Board of Commissioners
Work Session
Tuesday, August 15, 2023, 6:30 P.M.
Angier Municipal Building
28 North Raleigh Street
Minutes**

The Town of Angier convened during a regularly scheduled Board of Commissioners Work Session meeting Tuesday, August 15, 2023, 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 Absent:

Staff Present: Town Manager Elizabeth Krige
Town Clerk Veronica Hardaway
Planning Director Jeff Jones
Public Works Director Jimmy Cook
Town Engineer Bill Dreitzler
Town Attorney Katie Barbour Jones

Others Present:

Call to Order: Mayor Smith presided, calling the Board of Commissioners Work Session meeting to order at 6:30 p.m.

Pledge of Allegiance: Mayor Smith led the pledge of allegiance.

Invocation: Mayor Smith offered the invocation.

Commissioner Price requested the Closed Session item be moved to open session; however, the Town Attorney advised the Board against taking that action. The item has been reviewed and to honor the Attorney-Client privilege the discussion would need to take place in Closed Session.

There was discussion in regards to postponing ABC Board interviews until the open vacancies have been advertised for one month; making that until August 27th. It was the consensus of the Board to interview candidates in attendance that have already applied and then interview any additional candidates at the September meeting when appointments will be made.

Approval of the August 15, 2023 meeting agenda: The Town Board unanimously approved the agenda with the following amendment: 1) add discussion in regards to the placement of propane tanks on Town property as Business Item #9.

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

Motion: Mayor Pro-tem Hawley

Vote: 4-0; unanimous

Public Hearing

1. Rezoning Request Submitted by K & C Holdings, LLC

Planning Director Jeff Jones stated that staff has received a rezoning request from K&C Holdings, LLC to rezone approximately .55 acres located on W. Williams Street; Lot 15 & Tract A, Angier, NC (Harnett PINs: 0674-50-8044.000; 0674-50-8090.000) from R-10 to R-6. The property in question is currently vacant and surrounding land uses include medium to high density residential. Public water and sewer are available. The Planning Board recommended approval of the rezoning request at their July 6th meeting. The future Land Use plan has these parcels as high density residential, which R-6 would fall under, while just outside of the identified redevelopment area of the comprehensive plan. The high-density designation would support the rezoning and will facilitate additional infill housing development that will be similar to adjacent housing. Staff recommends that this rezoning request be approved.

Mayor Smith opened the Public Hearing.

Seeing no one, Mayor Smith closed the Public Hearing.

Board Action: The Town Board unanimously voted approve the rezoning request submitted by K&C Holdings, LLC to rezone approximately .55 acres located on W. Williams Street; Lot 15 & Tract A, Angier, NC (Harnett PINs: 0674-50-8044.000; 0674-50-8090.000) from R-10 to R-6.

Motion: Commissioner Price

Vote: 4-0; unanimous

New Business

1. Advisory Board Introduction Interviews & Appointments

Advisory Board Candidates were interviewed as follows:

Joe Langley

Tom Taylor
Krystal Partelow
Ronnie Pleasant
Dennis Gilby

Each candidate had a five-minute question and answer session during an open session with the Town Board. During the interview process, it was determined by the Board of Commissioners that there are no conflicts that would create problems or prevent any candidate from fairly or impartially discharging the duties as an appointed member.

Interviews will be given to any additional candidate applications at the September Board meeting along with making nominations and appointments.

2. Project Status Updates (PD/Town Hall/Park, etc..)

Town Manager Elizabeth Krige updated the Board on several projects.

WWTP Capacity Purchase

This project is a priority. Current cost estimate from the Town Engineer is \$10,400,000. Total amount of funding from ARPA is \$7,818,750. Shortfall of \$2,581,250.

- Total amount of capacity after the purchase is 2.258 MGD.
- Original agreement 1.008 MGD. Currently send 634,000 gallons per day. The developments that have been approved but not yet built represent not yet tributary, meaning they will eventually go to the WWTP but no one is occupying the home yet. The not yet tributary amount is 875,000 gallons per day. After the additional capacity is purchased, the Town will have about 750,000 gallons of capacity left per day.

Staff Recommendation: Working with USDA to get funding for the shortfall. We may qualify for a partial grant. The Town could contract with McGill & Associates (or others) to get a state grant. The Board could consider setting aside a portion of capacity for industrial/commercial users.

Police Department

The RFQ has been released. A call with the Local Government Commission (LGC) has been scheduled to discuss the approval process from them. You may remember that most types of debt have to be approved by the LGC before the Town can borrow money.

- Annual debt service for \$5 million loan (30 years at 4% interest) = \$286,000
- Assuming next year's revenues stay the same, there is \$680,000 to pay toward debt service (one-time projects - \$600,000, end of obligation to the library - \$80,000)

The pre-submittal conference was held today with a number of firms in attendance.

Staff Recommendation: Continue to work with the LGC and identify financing/funding sources for the Police Department.

Facility at Police Range

Chief Thompson has been in touch with an engineer, we are waiting for the plans to be finalized. During the Board's last meeting, funds appropriated last year were re-appropriated for FY 24. The budget for this facility is \$153,844.

Town Hall

At this time, we are making do with what we've got.

Staff Recommendation: Evaluate current site and current facility. Compare the cost of renovation to new construction. A budget has not been set for this project.

Park

According to the Park Master Plan, cost to construct is \$13-19 million. Assuming the highest cost of \$19.4 with a 5% increase due to the estimate being a year old the total cost is \$20.4 million.

- Create a "phased" approach to construction. Site work cost estimates are being requested.
- Approach the County for partnership. The County has pocket parks in all the other municipalities.
- Debt at Jack Marley is paid off. The annual debt service was \$83,333.

Staff Recommendation: Explore all entrance options including Campbell Street and Guy Road. Schedule meetings with the Board, Parks & Recreation Director and elected officials (Penny, Burgin, and Nickel) to determine if funding from the legislature is available. Begin working on a PARTF Grant, the maximum amount of the grant is \$500,000 with a \$500,000 match. Submission will be Spring of 2024. Begin working on a Land and Water Conservation Fund grant, maximum amount is \$500,000; with a \$500,000 match. Request USDA funding for \$5 million.

Community Center

The estimated cost is about \$7 million. The Community Center will be located at Jack Marley Park and will take up part of a playing field. Once construction begins on this project, the park expansion at Campbell Street will need to begin.

500,000 Gallon Elevated Water Storage Tank

- Project is under design
- Project Schedule: Bid and Design Package Submittal Sept. 1, 2023
Bid and Design Package Approval January 1, 2024
Advertise, Bid, Submit Bid info, ATA May 1, 2024
Execute construction contract June 1, 2024

Final Certification and Closeout December 1, 2025

****Funds must be spent by December 31, 2026**

- Estimated project cost \$3,313,500, not including legal fees or land acquisition
- Amount of funding from State \$3,313,500

3. Town Affiliation with Angier Cemetery

Ms. Krige stated that Commissioner Coats was asked by community members about the Board appointing trustees to the Angier Cemetery Board. After researching, it was found where a request was made for the Town to take over maintenance of the cemetery but could not find any evidence that the Town did so. Also, there has been no record indicating that members have been appointed by the Board of Commissioners to the Angier Cemetery Board.

It was the consensus of the Board to authorize the Town Manager to send a letter to the Cemetery Committee members informing them of our findings and that the Town is not responsible for financials or the appointing of committee members.

4. Speeding in Downtown Areas

Ms. Krige stated that there has been concern in regards to speeding in the downtown areas. Public Works Director Jimmy Cook and the Town Manager met with NCDOT to bring this concern to their attention. Chief Thompson will be stationing extra patrol cars just before the business district in town. An update for the speed limit signs will be prepared for the September 5th meeting.

5. Flooding near Neill's Pointe Subdivision

Ms. Krige stated that several complaints have been received regarding flooding in the Neill's Pointe Subdivision along with some photographs. Where there has been erosion there's been failure of a silt fence. Mr. Cook has been in communication with the developer and is aware of the issues that need to be corrected. The stormwater ponds are under their engineer's review, then it will come to the Town's engineer and then go to NC DEQ (Division of Environmental Quality) that will be signed off by a state engineer. At this time, the stormwater ponds are incomplete and there's also a matter of private property blockages in their creeks both upstream and downstream which will impede the flow. Unfortunately, that is the responsibility of the property owner and not the Town. Ms. Krige shared NC DEQ's phone number to the public 910-433-3300.

Commissioner Kazakavage asked who would then be responsible if private property was clear to which the Town Attorney responded that if the water issue is due to the developer's actions it would be their responsibility; however, the town ultimately oversees stormwater so if it has to do with the adequacy of the town system it may be the town's responsibility.

Ms. Krige added that the Town could conduct a hydraulic study; however, the areas that are affected are outside of the Town's jurisdiction. That may be something the county is responsible for.

Town Engineer Bill Dreitzler stated that the way construction standards are written, it's required that post-development discharge on a 10-year storm event be equal to or less than the pre-development. Developments like Neill's Pointe have multiple stormwater ponds so they capture the water they hold and then they release it at a rate that's equal to a 10-year storm event or less than pre-development. Due to part of the town being in a watershed overlay district there are even more stringent rules in terms of stormwater management.

6. Flooding at NC-210 and Park Street

Mr. Dreitzler stated that he Jimmy Cook met with Ray Pleasant, Ashley Gilliam and W.L. Hargis on 7-26-23 to discuss flooding that occurred on their respective properties along Hwy 210 following a significant July 14, 2023 rain event. The property owners shared photos of the flooding impacts. It is his understanding that the referenced storm was an approximately 3-inch rain event in a 1-hour time frame, which is significant. Temporary flooding occurred in multiple areas within Harnett County following this event. As is typical with a heavy rainfall in a short period of time, flooding occurred and then receded within hours after the storm. The main concern from the property owners was that the flood level was higher and therefore more expansive on their lots post installation of the new sidewalk than was observed prior to the sidewalk installation. The sidewalk project included an upgrade in diameter to pipe that drains the impacted area from Hwy 210 to the open ditch in West Lillington. The pipe size upgrade was designed to help mitigate the flooding that has occurred in this area over the years; however, it was also understood it would not eliminate the flooding situation. With regards to Ray Pleasant's building and the Farm Bureau building, prior to the sidewalk installation there was a ditch section along Hwy 210. The hydraulic design for the sidewalk project indicated that these parcels would drain into the upgraded underground pipe system. Hydraulic modeling will be needed to evaluate whether the sidewalk is impacting drainage or if the flooding that occurred was predictable based on the level of the storm event. To summarize his recommendations discussed with the property owners, please consider:

1. Discussion of the 2022 Flood Mitigation Study for the Southwest Quadrant of Angier and the areas expected to flood during specific rain events based on the modeling.
2. The Study results led to three specific drainage system improvement projects to mitigate the flooding, MM#1, MM#2 and MM#3. The total cost of these measures is estimated to be approximately \$3.3 million.
3. MM#3 is in the design phase. This project is the upgrade in culvert size at South Broad and Hidden Acres Estates (the most downstream mitigation measure).
4. MM#1 and MM#2 have an estimated cost of \$2.5M and funding sources

are being sought.

5. The timeframe to have these last 2 mitigation measures designed and installed is likely 2 to 4 years depending on the ability to secure funding.
6. Discussion with the property owners that he would meet with the consultant that prepared the 2022 Study and determine if we can modify the model using the July 14, 2023 rain event. If we can calibrate the model to accurately predict the flooding that occurred, we can evaluate potential short-term measures that may reduce the flood levels and therefore reduce the overall impacts. After reaching out to Gradient, they provided him the following memorandum outlining tasks and cost to achieve the model modifications. Please consider:



Town of Angier Supplemental Flood Study

On July 14, 2023, the Town of Angier experienced flooding along West Depot Street due to an approximate 3-inches of rainfall within a 1-hour period. The Town would like to gather the data from this rainfall event, conduct a hydrologic and hydraulic (H&H) model of the existing system to determine if the results of the model match the flooding experienced.

Further, the Town would like to determine if there are any short-term solutions to reduce this flooding prior to the implementation of MM#1 and MM#2 from the Southwest Angier - Drainage Basin Study Report of March 2022 were implemented. Additionally, the Town would like to see the results of this storm if Mitigation Measure #2 (MM#2) were implemented.

Gradient proposes the following tasks and fees to complete this work:

Task 1: Research storm data available on 7/14 storm event (gages and NOAA data).
Compile and manipulate data to usable format.
Estimated Fee: \$850.00

Task 2: Update model with 7/14 storm event
Estimated Fee: \$350.00

Task 3: Model potential solutions to mitigate flooding at property general area/locations (Farm Bureau, Hargis Retail, etc.).
Estimated Fee: \$1,200.00

Task 4: Develop brief Technical Memo with explanations, exhibits to summarize findings (includes 1 meeting to discuss).
Estimated Fee: \$850.00

Total Estimated Fee: \$3,250

It should be noted the drainage infrastructure recently installed along West Depot Street was considered in the above referenced flood study. These improvements, which were proposed at the time of the study, were incorporated as Existing Conditions 2 in the H&H model. This model indicated, due to the limited depth of the West Depot Street improvements and the limitations of the downstream system, there was little, if any, reduction in the flooding depths in the subject area. We anticipate the results of this supplemental flood study will indicate the same.

Ms. Krige stated Golden Leaf offers a grant for stormwater mitigation and will look into pursuing that.

Board Action: The Town Board unanimously voted to proceed with Gradient conducting a supplemental flood study along W. Depot Street and provide any short-term solutions to reduce this flooding prior to MM#1 and MM#2 from the Southwest Angier Drainage Basin Study Report in the amount of \$3,250.

Motion: Mayor Pro-tem Hawley

Vote: 4-0; unanimous

7. MIT Interlocal Agreement with North Carolina League of Municipalities

Ms. Krige explained this agreement allows the Town to purchase vision and dental insurance through the North Carolina League of Municipalities insurance pool. The agreement speaks about the rules of the insurance pool and that is to protect other participants of the pool.

Board Action: The Town Board unanimously voted to approve the MIT Interlocal Agreement with the North Carolina League of Municipalities.

Motion: Commissioner Coats

Vote: 4-0; unanimous

8. Board of Commissioner Representation on RFQ Committee

Ms. Krige explained it was advised by USDA to have one or two Town Board members on the RFQ selection committee. Currently the selection committee consists of the Town Manager, Jimmy Cook, Chief Thompson, and possibly Hans Kalwitz depending on where we are with the audit. The selection is based on scoring criteria that was released with the RFQ. Submittals will be received on August 31st and reviews will be conducted in early September to present findings at the September workshop. Mayor Pro-tem Hawley and Commissioner Kazakavage volunteered to be on the selection committee.

Board Action: The Town Board unanimously voted to approve Mayor Pro-tem Hawley and Commissioner Kazakavage to the RFQ selection committee for the Police Station.

Motion: Commissioner Coats

Vote: 4-0; unanimous

9. Placement of Propane Tanks on Town Property

Ms. Krige stated it was brought to the Town's attention that there may have been a dispute between property owners behind Ed's Restaurant that new propane tanks had to be ordered

and installed because the old tanks were located on someone else's property. The new tanks were about to be installed on Town property between Ed's and Legacy Design. The Town wants to support local businesses as much as possible; however, tanks shouldn't be placed in that area without other considerations and without the Board's input. There is a potential that local businesses can receive natural gas. Mr. Krige brought this to the Board to grant a utility easement with formal documentation.

Senator Burgin stated that it came to his attention a few days ago regarding the situation with where the propane tanks were going. He thinks there was some confusion about the property lines. Property owners of those buildings, own all the way back to the 10ft easement. There will be a bigger problem if property owners install fences in the back of their buildings.

Jim Gardner with the Propane Store has been in an advisory role for the owners of Brick & Mortar Grill to come up with a plan on where to install the new propane tanks. It would simply be installing the tanks and digging a trench that would resolve the problem.

Mr. Cook stated the new tanks are proposed to go in the alleyway between the two buildings with a fence around it. The placement of the tanks will not impede the courtyard area.

Board Action: The Town Board unanimously voted to grant a Utility Agreement in increments of five-years to place propane tanks and run the line on Town property between Ed's Restaurant and Legacy Design along with screening to be constructed of a white vinyl fence. The Board gave temporary authorization to place the tanks prior to September's Board meeting. The Board also gave authorization to the Town Manager to work out the details and ratify at the next Board meeting.

Motion: Mayor Pro-tem Hawley

Vote: 4-0; unanimous

Board Action: The Town Board unanimously voted to go into Closed Session pursuant to NCGS 143-318.11 (a)(3) to consult with the Town Attorney at approximately 8:36pm.

Motion: Mayor Pro-tem Hawley

Vote: 4-0; unanimous

Board Action: The Town Board unanimously voted to reconvene in open session at approximately 9:06pm.

Motion: Mayor Pro-tem Hawley

Vote: 4-0; unanimous

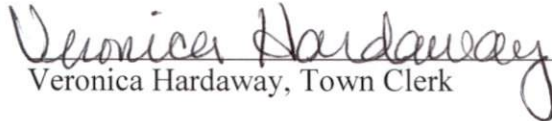
Adjournment: There being no further business, the Town Board voted unanimously to adjourn the meeting at 9:06pm.

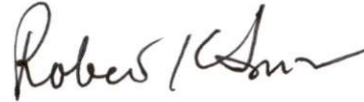
Adjournment: There being no further business, the Town Board voted unanimously to adjourn the meeting at 9:06pm.

Motion: Mayor Pro-tem Hawley

Vote: Unanimous, 4-0

Attest:


Veronica Hardaway, Town Clerk



Robert K. Smith, Mayor

