

**Town of Angier
Board of Commissioners
Work Session
Tuesday, November 19, 2019, 6:30 P.M.
Angier Municipal Building
28 North Raleigh Street
Minutes**

The Town of Angier convened during a regularly scheduled Board of Commissioners Workshop Session meeting Tuesday, November 19, 2019, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

Members Present: Mayor Lewis W. Weatherspoon
Mayor Pro-Tem Craig Honeycutt
Commissioner Loru Boyer Hawley
Commissioner Bob Smith
Commissioner Mike Hill

Staff Present: Town Manager Gerry Vincent
Town Clerk Veronica Hardaway
Police Chief Arthur Yarbrough
Downtown Manager Christy Adkins
Finance Director Hans Kalwitz
Planning Director Sean Johnson
Public Works Director Jimmy Cook
Town Attorney Dan Hartzog Jr.

Others Present:

Call to Order: Mayor Weatherspoon presided, calling the Board of Commissioners Work Session meeting to order at 6:31 p.m.

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

Invocation: Commissioner Smith offered the invocation.

Approval of the November 19, 2019 meeting agenda: The Town Board unanimously approved the agenda with the following amendment: Remove New Business Item #1 Water Meters.

Board Action: The Town Board unanimously approved the November 19, 2019 meeting agenda as amended.

Motion: Commissioner Hawley

Vote: Unanimous, 4-0

Old Business

1. Review Amendment to Chapter 6 of the Angier Zoning Ordinance

Planning Director Sean Johnson presented an overview of the changes to the Open Space Requirements found in Chapter 6 of the Ordinance that was approved October 1, 2019 by the Board of Commissioners. In addition to the Open Space requirements, the Town Board and staff have previously discussed adding language to implement the Parks & Recreation Development Fee. This fee was proposed as Section 6.7 of the Ordinance, but was removed at the recommendation of the Town Attorney prior to adoption of the rest of Chapter 6 at the October meeting. Since then, Mr. Hartzog has given staff approval to remove any formula used to calculate the Parks & Rec Fee as well as the payment-in-lieu of open space amount.

Mr. Johnson then proposed additional recommendations for consideration based on feedback received by the Board after the adoption of the amendments on October 1st. These recommendations included the following changes:

- 1) The required dedication of open space shall be limited to a maximum of 10 acres. A developer can dedicate more than 10 acres, but it would not be required;
- 2) At least 50% of the acreage dedicated to meet these requirements, or 5 acres, whichever is less, must include active recreational facilities;
- 3) All reasonable efforts should be made by the developer to ensure wetlands and floodplain areas are reserved in open space specified as a Nature Preserve;
- 4) Remove the last lines in Section 6.3.4 (F) & (G), that states "no more than 50% of the acreage dedicated to meet the minimum open space requirements shall be an agricultural preserve/nature preserve.";
- 5) Amend Section 6.5 by removing the formula to justify the flat rate amount of \$600, and adding language which refers to the current Rate and Fee Schedule to allow flexibility of the Board to evaluate this flat rate annually.

Mr. Johnson explained that NCGS 160A-372 authorizes municipalities in NC to charge a fee for the future development and acquisition of park land and improvement of existing park facilities. Town Attorney Dan Hartzog Jr. stated the funds collected would need to be used in an area that would benefit those paying the fees.

Ty Cobb, 2412 Sheriff Johnson Road, Lillington, inquired if any of the open space requirements being discussed would apply to previously approved projects. He also expressed his concern for smaller properties in terms of open space dedication required, as there are more limitations already due to size.

Mr. Hartzog, Jr. stated the recently adopted amendments would only apply to those projects submitted after October 1, 2019.

Jimmy Johnson, 350 Woodcroft Drive, suggested the Board strongly consider the Chapter 6 amendments prior to approval. He requested the Planning Department give specific examples of various tracts of land showing open space dedication required and fees that would go along with it.

Everett Blake, III, 352 Gardner Road, requested the Board to research exactly how the collected funds can be spent as it may only apply to the acquisition of land not equipment or improvements.

Mr. Hartzog, Jr. stated the statute specifically states the funds can be used for the acquisition or development of recreational land or facilities.

Mayor Weatherspoon requested to provide recommendations by the Town Board and developers in attendance. Those Board's comments/concerns were as follows:

1. Concern about small developments – limited acreage
2. Suggested breaking down the open space dedication required into three brackets making a minimum total acreage in the development prior to requiring open space
3. Staff providing a spreadsheet showing specific examples of various size tracts between 1 – 50 acres displaying the accompanying total fees due
4. Placing a higher floor suggesting the total acreage of a tract be 20 acres before open space dedication is required

Donald Gregory, 62 McIver Street, encouraged the Town Board to look at other town developments to see whether those parks are being utilized. It has been his experience that not many people take advantage of those areas.

Mr. Cobb requested the Board to consider a reward feature for the developer not just a punishment feature to encourage developers to have open space.

Derek Gregory, Gregory Inc., expressed his opposition with the fees and felt it was extortion and "thievery".

Mayor Weatherspoon voiced his opinion in going back to the way the Ordinance was intended to be a \$500 fee for Parks & Recreation improvements and do away with the additional fees.

It was the consensus of the Board to continue with adding the \$500 per lot Parks and Recreation Development fee and to raise the total acreage of a tract be 20 acres before open space dedication is required. They agreed to place the Chapter 6 amendments on the December Planning Board agenda for further discussion and the Planning Board's recommendation.

New Business

1. Personnel Policy Revisions

Town Manager Gerry Vincent stated the Town's Personnel Policy has been revised and updated and is ready for approval once the Town Attorney agrees.

It was the consensus of the Board to include the revised Personnel Policy pending approval by Town Attorney.

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 8:01pm.

Motion: Commissioner Smith

Vote: 4-0; unanimous

Board Action: The Town Board unanimously voted reconvene at approximately 8:09pm.

Motion: Commissioner Hawley

Vote: 4-0; unanimous

Board Action: The Town Board unanimously voted to go into Closed Session pursuant to NCGS 143-318.11 (a) (6) to discuss a personnel matter at approximately 8:09pm.

Motion: Commissioner Smith

Vote: 4-0; unanimous

Board Action: The Town Board unanimously voted to reconvene at approximately 8:12pm.

Motion: Commissioner Hawley

Vote: 4-0; unanimous

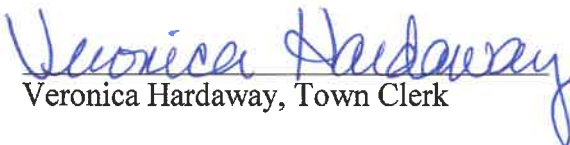
Adjournment: There being no further business, the Town Board voted unanimously to adjourn the meeting at 8:12pm.

Motion: Commissioner Hawley

Vote: Unanimous, 4-0


Lewis W. Weatherspoon, Mayor

Attest:


Veronica Hardaway, Town Clerk

