

**Town of Angier  
Board of Commissioners  
Work Session  
Tuesday, October 15, 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, October 15, 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  
Town Engineer Bill Dreitzler  
Town Attorney Dan Hartzog Jr.

**Others Present:**

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

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

**Invocation:** Commissioner Smith offered the invocation.

**Approval of the October 15, 2019 meeting agenda:** The Town Board unanimously approved the agenda as presented.

**Board Action:** The Town Board unanimously approved the October 15, 2019 meeting agenda as presented.

**Motion:** Commissioner Hill

**Vote:** Unanimous, 4-0

## **Old Business**

### **A. Discussion of Amendment to Chapter 6 of the Angier Zoning Ordinance**

Planning Director Sean Johnson summarized to the Board the amendment that was adopted October 1st by the Board, and included several changes to Chapter 6 of the Unified Development Ordinance. He explained that Section 6.3.3 covers the Open Space dedication requirements for developers who propose subdivisions in Angier's jurisdiction. This dedication is at a ratio of 15% of the total area for developments less than 20 acres in size and 20% of the total development area for developments equal or greater than 20 acres. The recently approved amendment did not change this dedication amount. The main proposed change to this section of the ordinance reads "at least 50% of the acreage dedicated to meet these requirements must include active recreational facilities such as playgrounds, athletic fields or walking trails as determined by the administrator during preliminary plat or site plan review". This new language was recommended because Staff has found that the most common choice by developers is to label their required open space as a "nature preserve" or "agricultural preserve", which does not necessarily include any active recreational amenities. The amendment is intended to require more active recreational facilities within new subdivisions to better serve Angier's new residents and to lessen the impact of new growth on the Town's existing park.

Mr. Johnson then reviewed *Section 6.5 – Payment in Lieu of Dedication*

*A. If open space within a development is physically impractical due to unusual conditions then the town may accept a fee paid in lieu of dedication.*

*B. Fees collected in lieu of dedications and any proceeds from such transactions or sales shall be accounted for by the town, and the funds shall be used by the town for the purposes of acquiring and developing recreation, greenway and open space areas as shown on the land development plan or in the parks and recreation and greenway/bikeway master plans and for no other purposes. The depository for such funds may be the same as permitted other funds of the town, pending their expenditure in accordance with the terms of this Code; such funds may be invested as other funds of the town. The town may, at its discretion, add additional monies to the fund for the purposes of purchasing open space and recreational land to be used for recreational purposes.*

*C. Refunds shall not be granted to the developer should the project not be constructed after recording of final plat or if a reduction in density occurs.*

*D. Such payment in lieu of dedication shall be the product of the current assessed market value of 1/35 of an acre of the land to be subdivided (as established from time to time by the Angier Board of Commissioners in subsection E. below) multiplied by the number of total acres within the boundaries of the development.*

*E. Payment in lieu of open space dedication shall be made in the amount of \$600.00 per lot.*

Town Attorney Dan Hartzog Jr. stated that the statute reads any formula used must take into account the tax value of the property, it doesn't necessarily say a formula must be used, however if a formula is used the amount must be based on tax value.

Commissioner Hawley requested this item be suspended to allow for a round table discussion with developers prior to approval.

It was the consensus of the Board to have a follow up discussion regarding this item at the Board's next work session inviting developers for a special meeting for a round table discussion. Mr. Hartzog Jr. suggested posting a public notice to invite developers.

Jimmy Johnson, 350 Woodcroft Drive, requested clarification regarding several items including the payment in lieu of open space dedication and different types of open space designations. Sean Johnson explained that the \$600 per lot payment in lieu of open space option was available to a developer as an alternative to dedicating the required amount of open space within a subdivision. He stated that, if this option was selected, the developer would owe the Town the \$600 per lot fee in addition to the Parks & Recreation Development fee which is set at \$500 per lot.

It was the consensus of the Board to conduct a round table discussion with local developers at the next work session meeting and to move forward with a newly revised Open Space Chapter at their December or January meetings as necessary.

## **B. System Development Fee Ordinance**

Planning Director Sean Johnson reviewed Section 17-57 which was revised to be in compliance with the current System Development Fee statute.

### *Section 17-57 – System Development Fees*

*(a) Water and sewer System Development fees are established as authorized by NCGS 162A-203. These fees shall be based upon the size of the meter and shall be calculated based on a written analysis, as outlined in NCGS 162A-205, and set forth in the rate and fee schedule of the town. The Town shall update the system development fee analysis at least every five years. These fees shall be charged as follows:*

*In the case of a new development involving the subdivision of land, these fees are payable at the time of plat recordation. For all other new development, the fees are payable at the time of application for connection to the service or facilities.*

*(b) System Development Fees collected pursuant to this ordinance shall be used only for those purposes authorized by G.S. 162A-211.*

*(c) In addition to the System Development Fees, there shall be a regulatory fee and meter charge for connecting to the water and sewer system of the town. In the case of both residential and nonresidential development, these fees are payable prior to the issuance of the building permit.*

Town Attorney Dan Hartzog Jr. stated the language came from the statute, which needs to be updated in the Town's Code.

Mr. Johnson reviewed Section 17-61

*Section 17-61 – Payment of Tap Fee, Master Meter Required.*

*(a) No water or sewer connection shall be made for any premises without first paying the tap fees as listed on the current rate & fee schedule, which can be changed from time to time by the Board of Commissioners. For the purposes of this section, tap fees shall include all applicable regulatory fees, system development fees, and meter fees.*

*(b) Tap fees are calculated for each water and sewer tap and are based on the size of the water or sewer tap. For residential and nonresidential developments with 10 or more units on a single property, a single master meter must be installed to serve the entire development. The size of the master meter and sewer tap required to serve the development shall be approved by the Public Works Director. For developments with less than 10 units on a single property, the property owner may choose to install individual meters serving each unit.*

*(c) When a master meter is installed, water and sewer bills will be rendered to the owner of the property. These bills will include a flat rate fee for water and sewer to be calculated using the flat rate shown in the current Rate & Fee Schedule multiplied by the number of units served by the master meter.*

Mr. Johnson compiled and reviewed a jurisdictional comparison of individual meters vs. master meters.

- Fuquay-Varina – Every house or building abutting any water main and requiring a water connection shall be separately and independently connected, except as provided for in subsection (c); A common water meter and/or water connection will be permitted to serve more than one building or unit in the following categories: Group Housing Developments, Unit-Ownership (condominium developments), Multifamily developments, Hotels, Motels, Hospitals, Warehouses, Industrial Buildings, Schools, Churches, Multi-story Nonresidential Buildings, Flex Space, and Homes for the Ill or Aged
- Harnett County – Each building shall have a separate meter except when used to serve two or more meters for the same dwelling, commercial or industrial buildings, a separate cut-off shall be provided for each meter. However, there shall be an exception to the requirement for separate water meters in the case of groups of mobile homes or apartment developments under single ownership. In the case of said groups of mobile homes or apartment developments of more than ten units, one meter shall be used for the entire project unless additional meters are deemed necessary by the proper HCDPU authority.
- Raleigh – A separate water meter and water and/or sewer connection is required for each lot at the time of connection with water and/or sewer service. A common water connection, sewer connection and/or meter will be permitted to serve more than one building of the following categories: Group Living Developments, Townhouse Developments, Unit-ownership, Overnight Lodging, Hospitals, Warehouses, Industrial Buildings, Schools, Manufactured Home Developments, Shopping Centers, and places of worship.

It was the consensus of the Board to add this Town Code amendment to the November Consent Agenda for adoption.

### **C. Unified Development Ordinance – Park & Recreation Development Fee**

This item was discussed at an earlier time and will be on the next work session agenda.

### **D. E. Williams Street/N. Hickory Street**

Much discussion was had about the pros and cons of reopening E. Williams Street and N. Hickory Street. Mr. Vincent suggested the Board hold off until the Comprehensive Master Plan for the park has been completed prior to a decision, as the results of the plan may include a recommendation.

It was a 3-1 consensus for the streets to remain closed and wait for the Master Plan results. In favor: Commissioner Hill, Commissioner Smith, Mayor Pro-Tem Honeycutt. Opposed: Commissioner Hawley.

### **E. 210 Hwy Sidewalk Project – (Walgreens to Fish Drive)**

Town Engineer Bill Dreitzler stated the Hwy 210 Sidewalk project has been making great progress. There are three major items that needed to be completed for construction obligation; 1) Environmental approvals; 2) Right-of-Way; 3) 100% approved plans. Environmental approval has been received and plans have been submitted to staff for review and will have a meeting to discuss final details next week; right-of-way acquisitions have been received by five property owners out of thirteen. The goal is to request construction authorization from NCDOT prior to the end of the year.

## **New Business**

### **1. Storm Water Drainage Master Plan**

Town Engineer Bill Dreitzler reminded the Board of the presentation he gave at their June 2017 meeting looking at what would be required for a large scale overall storm water master plan. At that time, there was 3.7 miles of ditches which are our main water courses in Town and the plan would consider what it would take to control those water courses. If the Town were to take control of those drainage corridors, the cost for easement acquisition at \$1.75/Sq. Ft. would be approximately \$675,500 and it would cost around \$750,000 total with infrastructure mapping. This project was introduced as a four phase plan. Mr. Dreitzler explained that the Town has more minor flooding issues that can be handled through code enforcement, as there has not been any reported physical damage. He then recommended that the Town consider regular maintenance of the main water course located beside Angier Elementary School and behind the Woodcroft subdivision.

### **2. Water Meters - Discussion will be had at the November Work Session**

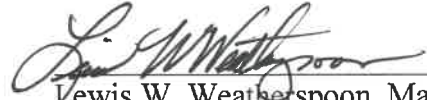
### **3. HB 387 Broadband Services**

Mayor Weatherspoon explained that HB387 has included Harnett County for Broadband services. However, municipalities cannot participate to partner with a provider at this time.

**Adjournment:** There being no further business, the Town Board voted unanimously to adjourn the meeting at 8:17pm.

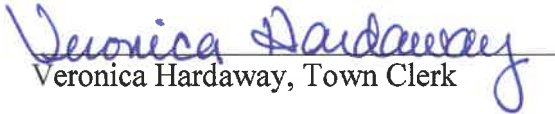
**Motion:** Commissioner Smith

**Vote:** Unanimous, 4-0



Lewis W. Weatherspoon, Mayor

Attest:



Veronica Hardaway, Town Clerk

