

**Town of Angier  
Board of Commissioners  
Tuesday, January 7, 2020, 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, January 7, 2020, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

**Members Present:** Mayor Bob Smith  
Mayor Pro-Tem Craig Honeycutt  
Commissioner Alan Coats  
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  
Police Chief Arthur Yarbrough  
Finance Director Hans Kalwitz  
Downtown Manager Christy Adkins  
Parks & Recreation Director Derek McLean  
Interim Library Director Katy Warren  
Town Attorney Dan Hartzog, Jr.

**Others Present:**

**Call to Order:** Mayor Smith presided, calling the Board of Commissioners meeting to order at 7:00 p.m.

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

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

**Approval of the January 7, 2020 meeting agenda:** The Town Board approved the agenda as presented.

**Board Action:** The Town Board unanimously approved the January 7, 2020 meeting agenda as presented.

**Motion:** Commissioner Hill

**Vote:** 4-0; unanimous

## **Presentation**

Mayor Smith presented a Proclamation to outgoing Planning Board Chairman, Everett Blake, III for his years of service to the Town.

## **Public Comments**

Everett Blake, III, 352 Gardner Road, spoke about Harnett County's school redistricting and how it could possibly affect the children in Angier due to overcrowding.

Rhonda Powell, 92 N. Dunn Street, spoke about her concerns with street parking during Town parades.

## **Public Hearings**

### **1. Annexation Petition**

Planning Director Sean Johnson stated an Annexation Petition was submitted by property owners Rebecca B. Everett, Aldos Cortez Barefoot, III, and James Eric Barefoot, who was requesting to annex 3 tracts of land approximately 74.034 acres total more or less; adjacent to Chalybeate Springs PIN #'s 0674-01-6434; 0674-11-5217; and 0674-11-1816. The Sufficiency of the Petition and results have been verified by the Clerk. Now the Town Board is eligible to consider whether to adopt Ordinance #ORD001-2020 to Extend the Corporate Limits of Town.

Mayor Smith opened the Public Hearing.

Seeing no one, Mayor Smith Closed the Public Hearing.

**Board Action:** The Town Board unanimously voted to adopt Ordinance #ORD001-2020 to extend the corporate limits of Town by annexing PIN#'s 0674-01-6434; 0674-11-5217; and 0674-11-1816.

**Motion:** Commissioner Coats

**Vote:** 4-0, unanimous

### **2. Rezoning Request**

Planning Director Sean Johnson stated a rezoning application was received for three parcels along Chalybeate Springs Road totaling approximately 72.12 acres (Harnett PINs: 0674-01-6434; 0674-11-5217; and 0674-11-1816) from RA-30 to R-6. The properties in question are on both the north and south side of Chalybeate Springs Road and are currently wooded and contain two single family homes. The property has access to Town of Angier sewer. Surrounding land uses include low density residential and agricultural uses.

Mr. Johnson explained that while the requested rezoning to R-6 is not consistent with suggested classifications shown on the Future Land Use Plan. However, the R-6 zoning

district would allow development on the property to utilize existing sewer infrastructure and facilitate the development of residential uses compatible with the area. Other examples of properties being rezoned to R-6 in areas not previously including R-6 zoning include: Coble Farms property on Rawls Church Road, Johnson's Landing subdivision, Kathryn's Retreat subdivision and Whetstone Phase II. Each of these properties have had single family developments approved in recent years. The rezoning would not have an unreasonable impact on the surrounding community, and will not harm the public health, safety, or general welfare. Staff recommends approval of the rezoning as well as the Planning Board at their December 10, 2019 meeting.

Mayor Smith opened the Public Hearing.

Beth Blackmon with the Timmons Group explained the request for R-6 zoning was to allow for smaller setbacks and to better utilize the buildable portion of the site due to several environmental features that will have to be avoided. Ms. Blackmon stated there will be stub out streets to adjacent properties as well as pocket parks and recreation areas.

Jay Colvin with the Timmons Group also stated that there are significant environmental features on the proposed site. He explained there are no plans for multi-family development; only single family detached. He then explained that he has met with NCDOT and the current plan is to have three separate access points to the proposed development with turn lanes installed on Chalybeate Springs Road.

**Board Action:** The Town Board unanimously voted to approve the Rezoning request of Harnett County PIN#'s 0674-01-6434; 0674-11-5217; and 0674-11-1816 from RA-30 to R-6.

**Motion:** Commissioner Hawley

**Vote:** 4-0, unanimous

### 3. Annexation Petition

Planning Director Sean Johnson stated an Annexation Petition was submitted by property owner Aneta Paval, who was requesting to annex a 1 acre tract of land; located at 8365 S. NC 55 Hwy (Wake PIN # 0675-50-6834). The Sufficiency of the Petition and results have been verified by the Clerk. Now the Town Board is eligible to consider whether to adopt Ordinance #ORD002-2020 to Extend the Corporate Limits of Town.

Mayor Smith opened the Public Hearing.

Betty Emerson, adjacent landowner, wanted more information about the plans of the applicant for the proposed property.

Mayor Smith explained the Town is not permitted to ask the applicant that information.

Aneta Paval, applicant, stated the parcel will no longer be landlocked and wants to improve the property.



Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board unanimously voted to adopt Ordinance #ORD002-2020 to extend the corporate limits of Town by annexing Wake County PIN# 0675-50-6834.

**Motion:** Commissioner Hill

**Vote:** 4-0, unanimous

#### 4. Rezoning Request

Planning Director Sean Johnson stated a rezoning application was received for the 1 acre property at 8365 S. NC 55 Hwy (Wake PIN: 0675-50-6834) to rezone it from Wake County R-30 to Angier General Commercial. The property is currently wooded and contains two abandoned barn structures. Surrounding land uses include low and medium density residential uses, service uses and retail uses. Public water and sewer services are available.

Mr. Johnson explained the requested rezoning to General Commercial is consistent with suggested classifications shown on adjacent properties on the Future Land Use Plan. The requested rezoning district would allow for uses of the property similar to those uses surrounding it. The rezoning would not have an unreasonable impact on the surrounding community, and will not harm the public health, safety, or general welfare. Staff recommends approval of the rezoning as well as the Planning Board at their December 10, 2019 meeting.

Mayor Smith opened the Public Hearing.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board unanimously voted to approve the Rezoning request of Wake County PIN# 0675-50-6834 from R-30 to General Commercial.

**Motion:** Commissioner Hawley

**Vote:** 4-0, unanimous

#### 5. Annexation Petition

Planning Director Sean Johnson stated an Annexation Petition was submitted by property owners Ted and Sue Honeycutt, who was requesting to annex 3 tracts of land approximately 86.96 acres total more or less; adjacent to NC Highway 210 N. (Harnett PIN#'s 0673-38-2518; 0673-19-8126; and 0673-27-3950). The Sufficiency of the Petition and results have been verified by the Clerk. Now the Town Board is eligible to consider whether to adopt Ordinance #ORD003-2020 to Extend the Corporate Limits of Town. There has been a Planned Development approved by the Board of Adjustment on the properties in question.

Mayor Smith opened the Public Hearing.

Dave Ballentine with the Timmons Group, stated the Planned Development is proposing 106 Town homes and 148 single family units. Turn lanes coming into the development are also proposed.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board unanimously voted to adopt Ordinance #ORD003-2020 to extend the corporate limits of Town by Harnett County PIN#'s 0673-38-2518; 0673-19-8126; and 0673-27-3950.

**Motion:** Commissioner Hawley

**Vote:** 4-0, unanimous

## **6. Text Amendment – Open Space Requirements**

Planning Director Sean Johnson stated that staff and the Planning Board have carefully reviewed the most recent version of amendments to Chapter 6 of the Ordinance related to Open Space requirements for new development. The draft under consideration will set a limit on the size of a property to 20 or more acres before triggering open space dedication in new developments, will set a maximum open space dedication of 10 acres with 5 acres of active recreational space, will establish the payment in-lieu of open space option at \$600 per lot/unit, and will establish the Parks and Recreation Development fee at \$500 per lot/unit. If approved, an amendment to the 2019-2020 Rate & Fee Schedule will also need to be adopted to reflect the above mentioned changes. The Planning Board recommended approval of these amendments at their December 10, 2019 meeting.

Mayor Smith opened the Public Hearing.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board unanimously voted to approve text amendment as presented.

**Motion:** Commissioner Hill

**Vote:** 4-0, unanimous

**Board Action:** The Town Board unanimously voted to approve the \$600 payment in lieu of Open Space fee to be included in the Rate & Fee Schedule.

**Motion:** Commissioner Hawley

**Vote:** 4-0, unanimous

## **7. Text Amendment – Sign Regulations**

Planning Director Sean Johnson stated that staff and the Planning Board have carefully reviewed a comprehensive amendment to Chapter 10 of the Ordinance related to Angier's sign regulations. Among these amendments are changes to the maximum sizes of



permanent signs, allowing full LED/changeable copy signs, limiting the types of signs in the Central Business District, requiring maintenance and upkeep of existing signs and re-establishing the amortization of nonconforming signs. The Planning Board recommended approval of these amendments at their December 10, 2019 meeting.

Mr. Johnson recommended removing Sections 10.2.7 and 10.6.3 of the Ordinance, amortization of nonconforming signs, to protect the nonconforming status of existing signs and only enforce the new sign regulations for signs proposed going forward.

Mayor Smith opened the Public Hearing.

Town Attorney Dan Hartzog, Jr. recommended the Town Board adopt the suggested text amendments, however he also recommended the Board revisit political sign requirements at a later date. He mentioned a N.C. Supreme Court ruling addressing the constitutionality of sign regulations based on sign content.

Brian Hawley, 49 Kerrylane Drive, questioned how decisions would remain consistent if the Town's Administrator (Planning Director) were to ever change hands.

Jr. Price, 619 N Dunn Street, mentioned that the Planning Board has reviewed these amendments extensively and recommended the Board approve of the text amendments as presented.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board unanimously voted to approve the amended Sign Regulations Ordinance with the exception of Section 10.2.7 and Section 10.6.3. These two sections were to be removed from Chapter 10 of the Ordinance.

**Motion:** Commissioner Coats

**Vote:** 4-0, unanimous

### **Consent Agenda**

- 1. Approval of Minutes**
  - a. December 3, 2019 – Regular Meeting
  
- 2. Angier Chamber of Commerce Memorandum of Understanding**
  - a. Consideration and approval of an MOU between Angier Chamber of Commerce and the Town of Angier.
  
- 3. Disconnect Fee Change**
  - a. Consideration and approval of a \$50 flat rate fee for any disconnect.

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

**Motion:** Commissioner Hill  
**Vote:** 4-0, unanimous

### **Old Business**

#### **1. Advisory Board Appointments**

Nominations were made to appoint members to the ABC, Planning, and Library boards.

**Board Action:** The Town Board unanimously voted to appoint the following members:

**ABC Board** – Jerry Hockaday; Steve Adams

**Planning Board** – Jr. Price, Christina Kazakavage, and Chris Hughes

**Library Board** – Sharron AuriGemma, and Sheveil Harmon

**Motion:** Commissioner Coats  
**Vote:** 4-0, unanimous

**Board Action:** The Town Board unanimously voted to re-advertise for the vacancies remaining on the Planning and Library Boards.

**Motion:** Commissioner Coats  
**Vote:** 4-0, unanimous

### **New Business**

#### **1. Resolution #R001-2020 – Consideration and approval of Resolution #R001-2020 for Intent to Close Alleyway located at 166 N. Raleigh Street and to set February 4, 2020 as the Public Hearing Date.**

Planning Director Sean Johnson stated the Planning Department received a request to close the alleyway behind the property at 166 N. Raleigh Street. This alleyway extends north from W. Smithfield Street to the northern boundary of the parcel at 166 N. Raleigh Street. The alleyway in question is ten feet wide, and the abandonment will result in those persons owning parcels of land adjacent to the alley receiving the title of the land to the centerline. The Town Attorney has recommended the Town follow the public alleyway closure procedures outlined in GS 160A-299 in order to close the alleyway and divide the land among adjacent property owners.

#### **2. Resolution #R002-2020 – Consideration and approval of Resolution #R002-2020 for Intent to Close Alleyway located at 366 N. Broad Street E. and to set February 4, 2020 as the Public Hearing Date.**

Planning Director Sean Johnson stated the Planning Department received a request to close the alleyway adjacent to 366 N. Broad Street E. This alleyway extends north of E. Wimberly Street and between N. Broad Street E and N. Dunn Street E. The alleyway in question is ten feet wide, and the abandonment will result in those persons owning parcels



of land adjacent to the alley receiving the title of the land to the centerline. The Town Attorney has recommended the Town follow the public alleyway closure procedures outlined in GS 160A-299 in order to close the alleyway and divide the land among adjacent property owners.

**Board Action:** The Town Board unanimously voted to adopt Resolution #'s R001-2020 & R002-2020 to set the Public Hearing Date of February 4, 2020 for two proposed alleyway closings.

**Motion:** Commissioner Hawley

**Vote:** Unanimous, 4-0

**3. Budget Amendment #4 – Consideration and approval of Budget Amendment #4 for the adjustment of General Fund receiving two distributions of insurance proceeds and Water & Sewer generating revenue necessary for additional spending as well as distribution from the BB&T Escrow Account.**

Town Manager Gerry Vincent explained that Budget Amendment #4 pertains to the General Fund receiving two distributions of insurance proceeds and the Water & Sewer Fund generating revenue necessary for additional spending as well as distribution from the BB&T account. In order to allow departments to spend revenue that has been received, an increase to the anticipated budget amount of Insurance Refunds by \$19,519 and allocating \$1,168 to Street and Sanitation Vehicle Maintenance along with allocating 18,351 to Police Vehicle Maintenance. The Water/Sewer Fund has received \$244,335 from the BB&T Escrow Account with the intention of necessary infrastructure spending. Therefore, increasing the anticipated amount of Transfer from Elevated Tank and increasing the allowable spending to the Capital Outlay expenditure line. The Water Meter Revenue line has surpassed the anticipated amount, translating to new homes being built beyond expectation. With additional building of new homes also comes expense. Allowable spending will be increased to \$15,000 to be proactive when requests are made for new meters.

**Board Action:** The Town Board unanimously voted to approve Budget Amendment #4.

**Motion:** Commissioner Hawley

**Vote:** Unanimous, 4-0

**4. American Legion Memorandum of Understanding – Consideration and approval of an MOU between the American Legion and the Town of Angier.**

**Board Action:** The Town Board unanimously voted to remove this item and place it on the January Work Session agenda.

**Motion:** Commissioner Hawley

**Vote:** Unanimous, 4-0



## Manager's Report

- Department Reports (Informational Items included in Agenda packets)

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

1. Annual Board Retreat in March
  - a. Discuss Location
  - b. Number of days, half days
  - c. Topics to discuss
2. Staff is in discussions regarding a 238 +/- lot subdivisions off of Kennebec Road in Wake County that would require review of the Town's CIP for a Northern Regional Wastewater Pump Station. At this point, the scope, costs, and/or partnerships are unknown.
3. Town's new website will go live February 1<sup>st</sup>. The company hosting the website is Civic Plus.
4. Reminders:
  - a. Martin Luther King Jr. Holiday is January 20<sup>th</sup>
  - b. Board monthly workshop is January 21<sup>st</sup>
5. Budget memorandums are anticipated to be handed out to Department Directors around mid-January for discussion purposes at the Annual Board Retreat.
6. Attended the CAMPO Technical Coordinating Committee Meeting January 2<sup>nd</sup>. The Town's funding request of approximately \$356,680 for the NC 210 sidewalk project goes before the CAMPO Executive Board later in February for approval.
7. As we proceed with the Jack Marley Park Comprehensive Plan Update, a survey will soon be distributed through various channels to give residents an opportunity to be engaged in the process. The results of the survey will help us better understand the Town's focus for improvements at the Park.
8. At the January 21<sup>st</sup> Board Workshop, we will discuss grant writing opportunities for downtown improvements, concert series for 2020, economic development, utilities, police, etc.

## Mayor & Town Board Reports

Mayor Smith proposed doing a six month trial of livestreaming Town Board meetings with Facebook Live.

**Board Action:** The Town Board unanimously voted to livestream Town Board meetings with Facebook Live for a six month trial beginning in March.

**Motion:** Mayor Pro-Tem Honeycutt

**Vote:** Unanimous, 4-0

**Staff Reports**

Finance Director Hans Kalwitz reviewed the Finance Report.

**Adjournment:** Being no further business, the Town Board voted unanimously to adjourn the meeting at 9:22pm.

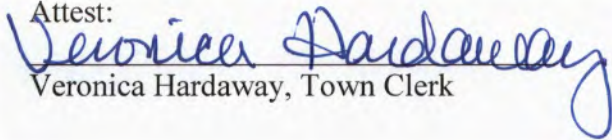
**Motion:** Commissioner Hawley

**Vote:** Unanimous, 4-0



Robert K. Smith, Mayor

Attest:



Veronica Hardaway, Town Clerk

