

SPENCER BOARD OF ALDERMEN MEETING  
NOVEMBER 9, 2010  
7:00 P.M.

MEMBERS PRESENT: Mayor Jody Everhart  
Mayor Pro-Tem Scott Benfield  
Aldermen: Tracy Aitken  
Delaine Fowler  
Jeff Morris  
David Smith  
Reid Walters

Also present were Town Manager Larry Smith and Town Attorney Rivers Lawther. Mayor Everhart opened the meeting with prayer and the pledge of allegiance.

RECOGNITION – Mayor Everhart recognized the North Rowan High School football team for winning the conference championship, and also recognized Raymond Coltrain, Rowan County Commissioner, who was present in the audience. Alderman Benfield thanked Spencer Police Department for their quick response and professionalism on a recent call concerning trespassing.

STUDENT APPRECIATION AWARDS were presented to Caleb Williams, North Rowan Elementary; Kenyaun Coney, North Rowan Middle; and Diamond Lovell, North Rowan High School.

1. ADDITIONS / DELETIONS AND ADOPTION OF AGENDA

**MOTION WAS MADE BY ALDERMAN WALTERS TO REMOVE #13, FACILITIES ASSESSMENT & SPACE NEEDS PLAN, FROM TONIGHT'S AGENDA AND DEFER THAT ISSUE UNTIL THE PLANNING RETREAT. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.**

Mayor Everhart advised the Board that the proposed lien against 501 Oakwood needs to be removed from Item #12. Those charges have been paid.

**MOTION WAS MADE BY ALDERMAN FOWLER TO ADD TO THE AGENDA: 13A) DEFINE CRITERIA FOR THE OPENING OF THE LIBRARY TO THE PUBLIC; AND 13B) IF THAT CRITERIA IS MET, ADDRESS THE OPENING OF THE LIBRARY FOR A TOWN SPONSORED EVENT DURING SPENCER TOUR OF HOMES WITH THE HELP OF A DOCENT PROVIDED BY HOMETOWN HOLIDAYS OR COMMUNITY APPEARANCE COMMISSION. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.**

**MOTION WAS MADE BY ALDERMAN MORRIS TO ADOPT THE AGENDA AS AMENDED. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.**

2. APPROVAL OF MINUTES

**MOTION WAS MADE BY ALDERMAN WALTERS TO APPROVE THE MINUTES OF THE CALLED MEETING ON OCTOBER 4, 2010 AND THE REGULAR MONTHLY MEETING ON OCTOBER 12, 2010. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.**

3. DEPARTMENTAL REPORTS

Public Works Director Jeff Bumgarner reported that he did receive two other bids for the sidewalk repairs and Shelton was still the low bidder. He showed the Board a sample of a Christmas flag proposed by Hometown Holidays to be hung in place of the American flags on Salisbury Avenue. **MOTION WAS MADE BY ALDERMAN BENFIELD TO APPROVE HANGING THE HOLIDAY FLAGS AS PROPOSED. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.**

Police Chief Mike James highlighted the addition of foot patrol residential and foot patrols in schools to his monthly report. Monthly reports were also given by Assistant Fire Chief Stacy Baker, Land Management Director Dustin Wilson, and Town Clerk Lisa Perdue.

4. TOWN MANAGER LARRY SMITH updated the Board on major town projects.

**MOTION WAS MADE BY ALDERMAN MORRIS TO APPROVE THE USE OF A TEMPORARY PART TIME SUBSTITUTE LIBRARIAN AS NEEDED. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

5. MAYORAL & COMMITTEE REPORTS – The consensus of the Board was to set tentative dates for the planning retreat as January 21-22, 2011, Friday night and Saturday.

6. PUBLIC COMMENT – Howard Doby expressed concern with crime in Spencer. Bob Oswald will attend a presentation on the Small Town Main Street program in Shelby on January 26.

Dawn Holshouser, on behalf of the North Rowan Booster Club, reviewed plans for a bonfire on Thursday, November 11, from 6-8 p.m. in Park Plaza to honor North's conference championship. The boosters would like to have community involvement and are asking for public works employees to clean up the debris after the event.

**MOTION WAS MADE BY ALDERMAN MORRIS TO ADD BONFIRE CLEANUP REQUEST TO TONIGHT'S AGENDA AS #9A. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.**

NEW BUSINESS

7. REQUEST FOR IN-KIND DONATION – SPENCER PARTNERSHIP, INC.

**MOTION WAS MADE BY ALDERMAN MORRIS TO GRANT THE REQUEST TO WAIVE THE FEES FOR THE USE OF LIBRARY PARK ON DECEMBER 3 FOR THE COMMUNITY CHRISTMAS TREE LIGHTING CEREMONY. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.**

8. REQUEST FOR IN-KIND DONATION – CALVARY LUTHERAN CHURCH

**MOTION WAS MADE BY ALDERMAN BENFIELD TO GRANT THE REQUEST TO WAIVE THE FEES FOR THE USE OF LIBRARY PARK ON NOVEMBER 21 FOR AN ECUMENICAL THANKSGIVING WORSHIP SERVICE. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.**

9A. ORDINANCE AMENDMENT 10-12 – OPEN BURNING

Alderman Fowler suggested deleting the requirement for Board of Aldermen approval under Section B) Prohibited Burning in Public Places. **MOTION WAS MADE BY ALDERMAN FOWLER TO ADOPT ORDINANCE AMENDMENT 10-12, CONCERNING OPEN BURNING, AS AMENDED. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.**

9B. BONFIRE CLEANUP REQUEST

Attorney Lawther advised that since the parking lot is a public vehicular area, the owner's permission would be required for any cleanup by Town staff. **MOTION WAS MADE BY ALDERMAN MORRIS TO LEAVE THE DECISION ABOUT BONFIRE CLEANUP TO THE DISCRETION OF THE TOWN MANAGER. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.**

10. COMMITTEE APPOINTMENT – PLANNING BOARD

**MOTION WAS MADE BY ALDERMAN FOWLER TO APPOINT DAVID LAMANN, 210 S ROWAN AVENUE, TO SERVE A THREE-YEAR TERM ON**

**THE SPENCER PLANNING BOARD. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.**

11. PROPERTY LIEN – ADAIR – 600 EIGHTH STREET

**MOTION WAS MADE BY ALDERMAN AITKEN TO EXCUSE ALDERMAN MORRIS FROM VOTING. MOTION SECONDED BY ALDERMAN FOWLER AND CARRIED UNANIMOUSLY.**

**MOTION WAS MADE BY ALDERMAN FOWLER TO APPROVE A LIEN AGAINST 600 EIGHTH STREET FOR \$243.50. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY BY THE FIVE VOTING MEMBERS PRESENT.**

**MOTION WAS MADE BY ALDERMAN AITKEN TO ALLOW ALDERMAN MORRIS TO RETURN. MOTION SECONDED BY ALDERMAN FOWLER AND CARRIED UNANIMOUSLY.**

12. PROPERTY LIENS

**MOTION WAS MADE BY ALDERMAN MORRIS TO APPROVE LIENS AS FOLLOWS: 600 S SPENCER AVENUE, \$243.50 AND 602 S SPENCER AVENUE, \$243.50. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.**

13A. CRITERIA FOR OPENING LIBRARY TO PUBLIC

Staff will have the Library ready to open for regular Library hours on Monday, November 22, 2010. All boxes will be emptied and removed from the areas open to the public.

**MOTION WAS MADE BY ALDERMAN MORRIS TO ASK STAFF TO BRING A REPORT TO THE JANUARY BOARD MEETING REGARDING LIBRARY USE CRITERIA, SPECIFICALLY ADDRESSING EVENT USAGE OF THE LIBRARY ITSELF AND THE SURROUNDING PARK INCLUDING LIABILITY ISSUES, RENTAL FEES, WAIVERS OF RENTAL FEES, AND INDEMNITY OF THE TOWN. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

13B. OPENING OF LIBRARY FOR SPENCER TOUR OF HOMES

**MOTION WAS MADE BY ALDERMAN FOWLER TO OPEN THE LIBRARY AS A TOWN SPONSORED EVENT DURING THE SPENCER TOUR OF**

**HOMES FOR A WALK-THROUGH TOUR WITH DOCENTS PROVIDED BY HOMETOWN HOLIDAYS AND COMMUNITY APPEARANCE COMMISSION. MOTION SECONDED BY ALDERMAN WALTERS AND CARRIED UNANIMOUSLY.**

14. CLOSED SESSION – TOWN MANAGER’S EVALUATION

After a five minute recess, **MOTION WAS MADE BY ALDERMAN MORRIS TO GO INTO A CLOSED SESSION FOR THE PURPOSE OF THE TOWN MANAGER’S PERFORMANCE EVALUATION. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.**

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Following the closed session, **MOTION WAS MADE BY ALDERMAN MORRIS THAT THE BOARD EXPRESS THEIR COLLECTIVE SUPPORT OF THE PERFORMANCE OF THE TOWN MANAGER BY GIVING HIM A 3% MERIT INCREASE AND A ONE-TIME BONUS IN THE AMOUNT OF \$5000. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED BY A VOTE OF FOUR:  
AYES: AITKEN, BENFIELD, MORRIS, SMITH  
NAYS: FOWLER, WALTERS**

With no further business, Mayor Everhart adjourned the meeting at 10:25 p.m.

Respectfully submitted,

Lisa B. Perdue, CMC  
Clerk to the Board