

SPENCER BOARD OF ALDERMEN MEETING
OCTOBER 13, 2009
7:00 P.M.

MEMBERS PRESENT: Mayor Jody Everhart
Mayor Pro-Tem Jeff Morris
Aldermen: Scott Benfield
Nick Bishop
Donnie Hinson
David H. Smith
C. E. Spear

Also present were Town Manager Larry Smith and Attorney Rivers Lawther.

Mayor Everhart opened the meeting with prayer and the pledge of allegiance.

RECOGNITION – Alderman Morris thanked Jim Foltz, Spencer Business Association, Spencer Partnership, Hometown Holidays, Town Boards, Community Appearance, and the candidates present in the audience for their service to the Town of Spencer.

STUDENT APPRECIATION AWARD was presented to North Rowan Elementary student, Harley Laurens.

1. PUBLIC HEARING (CONTINUED) – 118 FOURTH STREET

The public hearing to consider a proposal for purchase of the Old Fire Department at 118 Fourth Street was continued from September 8th. Mayor Everhart opened the public hearing. No one spoke from the audience. Mayor Everhart closed the public hearing, stating that the only responsive bid had been withdrawn.

MOTION WAS MADE BY ALDERMAN MORRIS TO DIRECT A STRAIGHT-OUT SALE OF THE PROPERTY AND APPLY THE PROCEEDS TO THE LIBRARY RENOVATIONS. ANY NEW PURCHASER WOULD BE REQUIRED TO MAINTAIN THE BUILDING, GET HPC APPROVAL FOR ANY EXTERIOR ALTERATIONS, AND COMPLY WITH ALL TOWN ORDINANCES. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.

2. PUBLIC HEARING – ORDINANCE 09-04 – FRONT-YARD PARKING

Mayor Everhart opened the public hearing. No one spoke and the public hearing was closed.

MOTION WAS MADE BY ALDERMAN MORRIS TO DEFER ANY ACTION ON THIS PROPOSED ORDINANCE UNTIL AN IMPLEMENTATION PLAN CAN BE WORKED OUT BY TOWN STAFF. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.

Board members also discussed enforcement and penalty for the proposed ordinance, and setting a maximum size of the front yard that could be graveled for parking.

OLD BUSINESS

3. APPROVAL OF MINUTES

MOTION WAS MADE BY ALDERMAN BENFIELD TO APPROVE THE MINUTES FROM SEPTEMBER 8, 2009. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY.

4. MAYORAL & COMMITTEE REPORTS – Mayor Everhart reported on his activities since the last Board meeting.

5. DEPARTMENTAL REPORTS were given by Police Chief Robert Bennett, Fire Captain Gray Grubb, Land Management Director Dustin Wilson, and Town Clerk Lisa Perdue.

MOTION WAS MADE BY ALDERMAN MORRIS THAT BEGINNING NEXT MONTH, THE LAND MANAGEMENT MONTHLY REPORT ADD A CATEGORY FOR PERMIT INQUIRIES THAT ARE RECEIVED ORALLY, WHETHER THEY'RE APPROVED OR NOT --- ANY ORAL REQUEST THAT'S MADE, WHETHER BY PHONE OR IN PERSON OF BUSINESSES OR BROKERS THAT MIGHT BE SEEKING USES OF BUILDINGS WHETHER THEY APPLY FOR AN ACTUAL PERMIT OR NOT, AND THE NATURE OF THAT REQUEST SO WE CAN GAUGE WHAT THE MARKET DEMAND IS FOR DOWNTOWN SPACE. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

6. TOWN MANAGER LARRY SMITH introduced new Public Works Director Jeff Bumgarner, and reported they are reviewing the applications for Labor Foreman.

NEW BUSINESS

7. OPEN COMMENT

Andrew Hallett gave a powerpoint presentation on his North Rowan graduation / Eagle Scout project. His plans include repairs to the NRHS cross country trail and the nature trails at NRES and NRMS. His request is for the Town of Spencer to lead a stakeholder group to maintain the trails after his project is complete.

MOTION WAS MADE BY ALDERMAN SMITH DIRECTING THE RECREATION COMMITTEE TO REVIEW THE INFORMATION PRESENTED AND REPORT BACK TO THE BOARD. MOTION SECONDED BY ALDERMAN HINSON AND CARRIED UNANIMOUSLY.

Kenneth Walters asked questions of the Board concerning the plans for the Library and the sale of the old Fire Department.

8. REQUEST TO ADDRESS THE BOARD – TRACY AITKEN – SPENCER PARTNERSHIP

Tracy Aitken, Chairman of Spencer Partnership, reported that the Partnership has elected officers, established sub-committees, and adopted Hometown Holidays as one of their committees. Their plans are in alliance with Spencer's Land Use Plan.

9. REQUEST TO ADDRESS THE BOARD – HOMETOWN HOLIDAYS

Beth Nance, Hometown Holidays chairman, reported that the Committee would like to donate \$702 to purchase 13 new seasonal (winter) banners for downtown. She would also like to add small advertisements to the banners concerning the Hometown Holidays events and donations.

MOTION WAS MADE BY ALDERMAN BENFIELD TO ALLOW HOMETOWN HOLIDAYS TO PURCHASE THE BANNERS AS PROPOSED TO BE INSTALLED BY THE PUBLIC WORKS DEPARTMENT. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

10. LIBRARY PRESENTATION

The consensus of the Board was to allow Ramsay, Burgin, Smith, Architects, Inc. to proceed with a building structural evaluation for the Library for \$2000. If costs exceed \$2000, the Board can schedule a called meeting or deliberate at their next regular monthly meeting.

11. APPOINTMENT – ROWAN WORKS BOARD

MOTION WAS MADE BY ALDERMAN BISHOP TO APPOINT DR. CAROL S. SPALDING TO FILL THE UNEXPIRED TERM OF PHIL KIRK ON THE ROWAN WORKS BOARD THROUGH DECEMBER 31, 2009 AND ALSO THE NEW TERM, BEGINNING JANUARY 1, 2010 AND ENDING DECEMBER 31, 2013. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

12. PROPERTY LIENS

MOTION WAS MADE BY ALDERMAN BENFIELD TO EXCUSE ALDERMAN MORRIS FROM DELIBERATIONS ON THIS AGENDA ITEM DUE TO A CONFLICT. MOTION SECONDED BY ALDERMAN HINSON AND CARRIED UNANIMOUSLY. (Alderman Morris left the Board room.)

MOTION WAS MADE BY ALDERMAN BISHOP TO APPROVE LIENS AS FOLLOWS: 600 EIGHTH STREET, \$337.50; 605 S CAROLINA AVENUE, \$181.00; AND 307 N YADKIN AVENUE, \$296.00. MOTION SECONDED BY ALDERMAN HINSON AND CARRIED UNANIMOUSLY BY ALL THOSE IN ATTENDANCE. (Alderman Morris returned to the Board room.)

13. OTHER BUSINESS

MOTION WAS MADE BY ALDERMAN BENFIELD TO ACCEPT A DONATION OF A 7 TO 8 FOOT LIVE NORWAY SPRUCE CHRISTMAS TREE, AND APPROPRIATE \$1000 TO INSTALL ELECTRICITY TO LIGHT THE TREE. During discussion, Alderman Benfield explained that the tree was being donated by Bill Godley to be planted at Library Park, and Howard Everhart will oversee the electrical to make sure it's done by a licensed contractor and inspected properly.
MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

Mayor Everhart asked about the Interstate Business zoning district, to which Land Management Director Dustin Wilson replied that the courtesy hearing will be held at this month's Planning Board meeting.

Alderman Hinson has received complaints regarding animal waste at Library Park.

MOTION WAS MADE BY ALDERMAN HINSON DIRECTING THE RECREATION COMMITTEE TO STUDY THE ISSUE OF ANIMAL WASTE IN LIBRARY PARK AND REPORT BACK TO THE BOARD. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY.

14. WORKSHOP – FINANCIAL AUDIT QUESTIONNAIRE

MOTION WAS MADE BY ALDERMAN BISHOP TO RECESS INTO A WORKSHOP TO COMPLETE A FINANCIAL AUDIT QUESTIONNAIRE. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

15. CLOSED SESSION – TOWN MANAGER'S EVALUATION

MOTION WAS MADE BY ALDERMAN BISHOP TO RECESS INTO CLOSED SESSION TO CONDUCT THE TOWN MANAGER'S PERFORMANCE EVALUATION. MOTION SECONDED BY ALDERMAN HINSON AND CARRIED UNANIMOUSLY.

Following the closed session, **MOTION WAS MADE BY ALDERMAN BENFIELD TO PUT \$2000 IN THE TRAINING LINE ITEM IN THE PUBLIC WORKS BUDGET. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

MOTION WAS MADE BY ALDERMAN MORRIS TO GIVE DIRECTION TO THE TOWN MANAGER AND MAYOR TO PROMOTE IN WHATEVER MANNER CAN BE DONE AND EXPEDITE THE INTERSTATE BUSINESS DISTRICT AS A TOP PRIORITY FOR THE TOWN OF SPENCER. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY.

With no further business, Mayor Everhart adjourned the meeting at 11:28 p.m.

Respectfully submitted,

Lisa B. Perdue
Clerk to the Board