

SPENCER BOARD OF ALDERMEN MEETING
FEBRUARY 12, 2008
7:00 P.M.

MEMBERS PRESENT: Mayor Jody Everhart
Mayor Pro-Tem Jeff Morris
Aldermen: Nick Bishop
Donnie Hinson
C. E. Spear
Ken Womble

MEMBERS ABSENT: Alderman: Scott Benfield

RECOGNITION – Mayor Everhart read a proposed Resolution Proclaiming February as Black History Month. **MOTION WAS MADE BY ALDERMAN WOMBLE TO ADOPT THE RESOLUTION AS PROPOSED. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.** Mayor Everhart presented a copy of the resolution to Ken Geathers, Planner for the Town of East Spencer.

1. PUBLIC HEARING – ORDINANCE AMENDMENT 08-01

Mayor Everhart opened the public hearing. No one spoke in favor or against and the public hearing was closed. The amendment concerns residential homes in a Highway Business district. Alderman Bishop explained that the original idea of the existing ordinance was to phase out residential use and stipulate business use only if the house had been abandoned over six months. The proposed ordinance would also allow a new structure to be built for residential purposes, but does apply to single family dwellings only.

MOTION WAS MADE BY ALDERMAN MORRIS TO APPROVE ORDINANCE AMENDMENT 08-01 CONCERNING SINGLE FAMILY DWELLINGS IN THE HIGHWAY BUSINESS DISTRICT, AS SUBMITTED BY THE PLANNING BOARD. MOTION SECONDED BY ALDERMAN HINSON AND CARRIED BY A VOTE OF FOUR:
AYES: HINSON, MORRIS, SPEAR, WOMBLE
NAYS: BISHOP

2. PUBLIC HEARING – WHEDBEE ANNEXATION

Mayor Everhart opened the public hearing. Rod Whedbee, petitioner, thanked Town staff for their assistance with the annexation process. No one else spoke and the public hearing was closed.

MOTION WAS MADE BY ALDERMAN WOMBLE TO APPROVE THE ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF SPENCER, CONCERNING THE WHEDBEE PROPERTY, TAX MAP 48, PARCEL 93. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

OLD BUSINESS

3. APPROVAL OF MINUTES

MOTION WAS MADE BY ALDERMAN BISHOP TO APPROVE THE MINUTES OF JANUARY 8, 2008. MOTION SECONDED BY ALDERMAN SPEAR AND CARRIED UNANIMOUSLY.

4. MAYORAL & COMMITTEE REPORTS

Committee chairmen reported on the activities of their respective committees since the last Board meeting.

5. DEPARTMENTAL REPORTS were given by Fire Chief Jay Baker, Police Chief Robert Bennett, Public Works Director Barry Pruett, and Town Clerk Lisa Perdue. Land Management Director Dustin Wilson announced that the information gathered from the Land Use meetings is available for the public to review from February 28 to March 13, with a public input session to be held on March 13 from 5 to 8 p.m.

6. TOWN MANAGER LARRY SMITH reported on major town projects and events.

NEW BUSINESS

7. OPEN COMMENT

Margaret Waddell updated the Board on cruise-in activities.

8. REQUEST TO ADDRESS THE BOARD – RUSTY MONROE

Rusty Monroe, of the Center for Municipal Solutions, addressed the Board concerning his work as a cellular tower consultant. His company helps communities regulate sites and locations for cell towers. Payment is through an escrow deposit paid by the applicants. His company can also provide a model ordinance, customized to the individual needs of the community. Applications require a \$6000 deposit.

MOTION WAS MADE BY ALDERMAN BISHOP TO REFER THIS AGENDA ITEM TO THE FINANCE/PERSONNEL COMMITTEE AND THE PLANNING

BOARD FOR REVIEW. MOTION SECONDED BY ALDERMAN HINSON.

Following further discussion, **MOTION WAS DEFEATED BY A VOTE OF THREE:**

AYES: BISHOP, HINSON

NAYS: MORRIS, SPEAR, WOMBLE

9. REQUEST TO ADDRESS THE BOARD – OUR PLACE CAFÉ

MOTION WAS MADE BY ALDERMAN MORRIS TO ACCEPT THE REQUEST FROM OUR PLACE CAFÉ FOR A TEMPORARY FENCE SUBJECT TO THE FOLLOWING CONDITIONS: 1) MUST BE TEMPORARY IN NATURE; 2) MUST BE TAKEN INSIDE DURING NON-OPERATING HOURS; 3) MUST BE NO PARKING SPACE OR AREA IMMEDIATELY ABUTTING IT; 4) MUST BE NO RESTRICTION OF THE FREE FLOW OF PEDESTRIAN TRAFFIC; 5) MUST EXTEND NO FURTHER THAN TO BE IN LINE WITH THE TOWN PLANTERS; 6) MUST BE WEIGHTED OR ADEQUATELY SECURED WHEN IN PLACE TO PREVENT BEING BLOWN INTO THE RIGHT OF WAY; 7) ANY VIOLATION OF THESE CONDITIONS, OR A DETERMINATION BY THE STREET COMMITTEE THAT THE FENCING IS UNSAFE, WILL RESULT IN THE PERMISSION BEING REVOKED; AND 8) OUR PLACE CAFÉ INDEMNIFIES THE TOWN OF ANY CLAIMS OF INJURY OR DAMAGE CAUSED BY THE PLACEMENT OF THE FENCE. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY.

10. PURCHASE AUTHORIZATION – SEGWAY

SunTrust has offered to donate \$3000 toward the purchase of a Segway for the police department. Donations are being sought for the balance of the approximate \$6000 cost. The Segway will be used at the High School and special events. Finance/Personnel recommends approve of the purchase.

MOTION WAS MADE BY ALDERMAN BISHOP TO AUTHORIZE THE PURCHASE OF A SEGWAY FOR THE POLICE DEPARTMENT AT AN ESTIMATED COST OF \$6000 LESS THE REIMBURSEMENTS RECEIVED THROUGH DONATIONS. MOTION SECONDED BY ALDERMAN SPEAR AND CARRIED UNANIMOUSLY.

11. COMMITTEE APPOINTMENT – LAND USE PLAN COMMITTEE

MOTION WAS MADE BY ALDERMAN BISHOP TO APPOINT JATANA PATTERSON TO SERVE ON THE LAND USE PLAN STEERING COMMITTEE. MOTION SECONDED BY ALDERMAN WOMBLE AND CARRIED UNANIMOUSLY.

12. BUDGET AMENDMENT

PAGE -4- BD. MINUTES 2/12/08

MOTION WAS MADE BY ALDERMAN BISHOP TO APPROVE BUDGET AMENDMENT 2008-04. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

13. AUDIT CONTRACT

MOTION WAS MADE BY ALDERMAN BISHOP TO APPROVE THE AUDIT CONTRACT WITH ALLRED AND CARRICK FOR \$7,500 FOR THE 2007/08 FISCAL YEAR. MOTION SECONDED BY ALDERMAN WOMBLE AND CARRIED UNANIMOUSLY.

14. OTHER BUSINESS

Mayor Everhart recognized Coleman Wilson, of Boy Scout Troop 349, who was present in the audience.

Respectfully submitted,

Lisa B. Perdue
Clerk to the Board