

SPENCER BOARD OF ALDERMEN MEETING
APRIL 12, 2011
7:00 P.M.

MEMBERS PRESENT: Mayor Jody Everhart
Mayor Pro-Tem Scott Benfield
Aldermen: Tracy Aitken
Delaine Fowler (arrived at 8:00 p.m.)
Jeff Morris
David Smith
Reid Walters

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 Benfield thanked the police department, fire department, and public works department for their work during the recent storms. Alderman Walters recognized Cyndi Atwell for her work at the Library.

STUDENT APPRECIATION AWARDS – Monthly awards went to Aaron Hancock, North Rowan Elementary School; Brandon Myers, North Rowan Middle School; and Kristin Harmon, North Rowan High School.

1. ADDITIONS / DELETIONS AND ADOPTION OF AGENDA

MOTION WAS MADE BY ALDERMAN MORRIS TO ADOPT THE AGENDA AS PRESENTED. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

2. APPROVAL OF MINUTES

MOTION WAS MADE BY ALDERMAN AITKEN TO APPROVE THE MINUTES OF THE REGULAR MONTHLY MEETING ON MARCH 8, 2011, THE JOINT MEETING WITH THE PLANNING BOARD ON MARCH 22, 2011, AND THE CALLED MEETING ON MARCH 22, 2011. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

3. PUBLIC HEARING – ORDINANCE 11-01 – PAWN SHOPS

Mayor Everhart opened the public hearing. Nick Bishop stated that the Business Association has tried to establish tourism oriented businesses downtown to attract visitors from the Museum. He feels Highway Business is suitable for pawn shops, but not Central Business. Debbie Barnhardt Basinger agreed. She feels pawn shops would cause safety problems and increase crime in the downtown area. Bob Oswald, Cara Reische, Mike Deal, Melissa Blount, and Anne Waters also spoke against allowing pawn shops in the Central Business District. Mayor Everhart closed the public hearing.

MOTION WAS MADE BY ALDERMAN BENFIELD TO SEND THE ORDINANCE AMENDMENT CONCERNING PAWN SHOPS BACK TO THE PLANNING BOARD FOR REVIEW. MOTION SECONDED BY ALDERMAN WALTERS AND CARRIED UNANIMOUSLY.

4. PUBLIC HEARING – REZONING: SNIDER STREET, R-011-001

Mayor Everhart opened the public hearing. Doug Harris (attorney for Hazel Snider) and Raymond Snider spoke in favor of the rezoning stating that Snider Street is too narrow for commercial traffic. Mayor Everhart closed the public hearing.

MOTION WAS MADE BY ALDERMAN MORRIS TO ADOPT REZONING R-011-001, SNIDER STREET AS RECOMMENDED BY THE PLANNING BOARD. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.

5. DEPARTMENTAL REPORTS were given by Police Chief Mike James, Fire Chief Gray Grubb, Public Works Director Jeff Bumgarner, Land Management Director Dustin Wilson, and Town Clerk Lisa Perdue. Dustin reported that the Urban Redevelopment Commission is still in place with by-laws, membership roster, and a blighted properties list.

6. TOWN MANAGER LARRY SMITH reported on major town projects. The Board agreed to hold a budget workshop on Monday, April 18 at 6:00 p.m. at Spencer Fire Department.

7. MAYORAL & COMMITTEE REPORTS – Mayor Everhart reported on his activities since the last Board meeting. (Alderman Fowler arrived at this point in the meeting.)

8. PUBLIC COMMENT

Melissa Blount, 412 Carolina, addressed the Board concerning the dog ordinance. She was cited for having eight dogs. She is an animal rescuer and her dogs stay inside. She cited court cases that she alleges state that it is unconstitutional to have laws limiting the number of dogs. Danny Wilson, Mike Deal, Barbara Kemper, Cara Reische, and Daniel Craig spoke in support of Ms. Blount. Bob Oswald asked town staff to look at Grant's Creek, stating it is in bad shape. Nick Bishop thanked First Responders for their assistance on a recent medical call. Robert Bennett reported that he had made a public records request for e-mails from Board members and Town staff. Staff has complied, but not all Board members.

NEW BUSINESS

9. RECYCLING – ANALYSIS OF PROGRAMS AND OPTIONS

Kathryn Jolly, Director of Rowan County Department of Environmental Management, reviewed her analysis of recycling information and options for the Town of Spencer. Spencer's recycling numbers are up. Most municipalities have drop-off programs like Spencer. Recycling contractors might not pick up all banned items. A curbside program would cost much more and not get as many recyclables.

10. REQUEST FOR IN-KIND DONATION – SPENCER COUNCIL OF CHURCHES

Calvary Lutheran, on behalf of the Spencer Council of Churches, has applied for an in-kind donation to waive the deposit and reservation fee for the use of Library Park on Thursday, May 5, the National Day of Prayer.

MOTION WAS MADE BY ALDERMAN MORRIS TO GRANT THE REQUEST TO WAIVE THE FEES FOR THE USE OF LIBRARY PARK ON THURSDAY, MAY 5 FOR A PRAYER SERVICE. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.

11. REQUEST TO ADDRESS THE BOARD – DONNA MILLER

Ms. Miller withdrew her request prior to the meeting and was not present.

12. RESOLUTION – NCTM FUNDING

Spencer was recently informed that the State is cutting the funding for our security contract with the NC Transportation Museum. The proposed resolution and letter from Police Chief James stressing the importance of continuing the contract will be sent to legislators and state contacts. Alderman Morris proposed changes to one sentence in the letter.

MOTION WAS MADE BY ALDERMAN MORRIS TO ADOPT RESOLUTION 11-03 CONCERNING FUNDING FOR SECURITY AT THE NC TRANSPORTATION MUSEUM AND THE ACCOMPANYING LETTER AS AMENDED. MOTION SECONDED BY ALDERMAN FOWLER AND CARRIED UNANIMOUSLY.

13. HISTORIC DISTRICT WALKING TOUR

MOTION WAS MADE BY ALDERMAN BENFIELD TO APPROVE THE HISTORIC DISTRICT WALKING TOUR BROCHURE AS AMENDED – USE THE HISTORIC NAME OF HOUSES ONLY AND NOT CURRENT OWNER OR RESIDENT. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.

MOTION WAS MADE BY ALDERMAN MORRIS THAT APPROVAL OF ANY FUTURE REVISIONS TO THE BROCHURE BE DELEGATED TO TOWN STAFF. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.

14. DOG ORDINANCE

Alderman Morris stated that the current ordinance places a limit on the number of dogs in a pen or shelter, but not on the number of dogs inside a residence. He feels there should be a limitation when houses are so close together as in Spencer. Morris stated animal rescue is admirable but not appropriate in a residential neighborhood.

**MOTION WAS MADE BY ALDERMAN MORRIS TO ASK LAND MANAGEMENT TO REFER THE DOG ORDINANCE TO THE PLANNING BOARD FOR FURTHER STUDY AND POSSIBLE RECOMMENDATION TO THE BOARD OF ALDERMEN AT A FUTURE DATE. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED BY A VOTE OF FIVE:
AYES: AITKEN, BENFIELD, FOWLER, MORRIS, WALTERS
NAYS: SMITH**

Mayor Everhart reminded Board members of Town Hall Day on Wednesday, May 4, and the Rowan Municipal Association meeting on May 12.

15. WORKSHOP – LIBRARY

(Alderman Aitken was not present for this portion of the meeting.)

Alderman Walters distributed copies of suggested rules for rental of the Library and surrounding property. The Board brainstormed potential use of the Library building. Ideas that were mentioned included: grant funding for after school programs, invest in computers and a wireless router, apply for the Norfolk Southern Foundation grant and possibly the Robertson Foundation grant, receptions after hours, potential indemnity if alcohol is allowed, and a potential mid-week farmers market in the summer. Town Manager Smith reported that he is studying a possible events committee.

With no further business, Mayor Everhart adjourned the meeting at 9:30 p.m.

Respectfully submitted,

Lisa B. Perdue, CMC
Clerk to the Board