

SPENCER BOARD OF ALDERMEN MEETING
JUNE 14, 2011
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 Attorney Rivers Lawther. Mayor Everhart opened the meeting with prayer and the pledge of allegiance.

RECOGNITION – None.

STUDENT APPRECIATION AWARDS – Mayor Everhart presented an award to Michael Robinson, North Rowan High School. The presentation to the student from North Rowan Elementary was postponed to the July Board meeting.

1. ADDITIONS / DELETIONS AND ADOPTION OF AGENDA

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

2. APPROVAL OF MINUTES

MOTION WAS MADE BY ALDERMAN WALTERS TO APPROVE THE MINUTES OF THE REGULAR MONTHLY MEETING ON MAY 10, 2011 AND THE CALLED MEETING ON MAY 23, 2011. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

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

The proposed amendment would allow pawn shops by permit in the Highway Business district only, as recommended by the Planning Board.

Mayor Everhart opened the public hearing. Robert Bennett, 506 Oakwood, spoke in favor, stating he researched pawn shops and could find no information linking them to increased crime. He feels the downtown needs businesses. No one else spoke and the public hearing was closed.

MOTION WAS MADE BY ALDERMAN BENFIELD TO ADOPT ORDINANCE 11-01, PAWN SHOPS. MOTION SECONDED BY ALDERMAN WALTERS AND CARRIED BY A VOTE OF FIVE:

AYES: AITKEN, BENFIELD, MORRIS, SMITH, WALTERS

NAYS: FOWLER

4. PUBLIC HEARING – ORDINANCE 11-02 – SIGNAGE

The proposed amendment fulfills the retreat goal from the Board of Aldermen concerning minor works signage. Mayor Everhart opened the public hearing. No one spoke and the public hearing was closed.

MOTION WAS MADE BY ALDERMAN MORRIS TO ADOPT ORDINANCE 11-02, MINOR WORKS SIGNAGE, WITH ONE CHANGE: DELETION OF THE “NOTE” CONCERNING SIGNS THAT FALL OUTSIDE OF THE CRITERIA. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

5. PUBLIC HEARING – ORDINANCE 11-05 – CURB & GUTTER

The proposed amendment concerns curb and gutter requirements in parking areas, as recommended by the Planning Board. Mayor Everhart opened the public hearing. No one spoke and the public hearing was closed.

MOTION WAS MADE BY ALDERMAN BENFIELD TO ADOPT ORDINANCE 11-05, CONCERNING CURB AND GUTTER IN PARKING AREAS. MOTION SECONDED BY ALDERMAN FOWLER AND CARRIED UNANIMOUSLY.

6. COURTESY HEARING – CURBSIDE PICKUP / PRIVATIZATION

Howard Carter, 401 11th Street, is opposed to privatization. Toots Sparger, 610 8th Street, is opposed to curbside and privatization. Robert Bennett, 506 Oakwood, favors curbside but not privatization. Sherry Sides, 804 Carolina, is against privatization and curbside. Beth Nance, 749 4th Street, is against privatization. W. F. Owens, 504 1st Street, favors privatization. Barbara Compton, 304 Harrison, favors curbside, but not privatization. Jim Gobbel, 609 8th Street, is against privatization. Mayor Everhart closed the courtesy hearing. No action was taken until later in the meeting during budget discussion.

7. DEPARTMENTAL REPORTS were given by Police Chief Mike James, Fire Chief Gray Grubb (in writing), Public Works Director Jeff Bumgarner, and Town Clerk Lisa Perdue. Land Management Director Dustin Wilson announced an EPA Grant workshop to be held on Thursday, July 7, and requested public input for that meeting.

8. TOWN MANAGER LARRY SMITH reported on major town projects.

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

10. PUBLIC COMMENT – Robert Bennett, 506 Oakwood, favors keeping the tax rate steady. W. F. Owen, 504 1st Street, is opposed to any tax increase. Beth Nance, 749 4th Street, Meredith Williams, 12 Beauregard, and Alane Mills, 301 11th Street, spoke against cutting the hours of operation at Spencer Library.

NEW BUSINESS

11. REQUEST TO ADDRESS THE BOARD – CARL MARTIN, 108 11TH STREET

Mr. Martin addressed the Board concerning vehicles in violation that were towed from his property. Land Management Director Dustin Wilson explained that the certified notice was sent in February and the appeal period has passed. Mr. Martin was advised to meet with the Town Manager about his concerns.

12. REQUEST TO ADDRESS THE BOARD – NCIT

An e-mail request was sent regarding a Resolution in Support of the Recommended Feasibility Study for the Proposed North Carolina International Terminal at Southport.

**MOTION WAS MADE BY ALDERMAN MORRIS TO TABLE THIS ITEM INDEFINITELY AND TAKE NO ACTION. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED BY A VOTE OF FIVE:
AYES: AITKEN, BENFIELD, MORRIS, SMITH, WALTERS
NAYS: FOWLER**

13. FAÇADE GRANT REQUEST – LITTLE CHOO CHOO SHOP

MOTION WAS MADE BY ALDERMAN MORRIS TO GRANT PRELIMINARY APPROVAL FOR A FAÇADE GRANT REQUEST FROM LITTLE CHOO CHOO SHOP, 500 S SALISBURY AVENUE, IN THE AMOUNT OF \$447.50. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.

14. RESOLUTION – ONE CENT OPTION SALES TAX

Resolution 11-04 would support the placement of an additional one-percent local option sales tax on the November ballot through a referendum.

MOTION WAS MADE BY ALDERMAN MORRIS TO TABLE THE RESOLUTION IN SUPPORT OF A ONE-PERCENT LOCAL OPTION SALES

TAX INDEFINITELY. MOTION SECONDED BY ALDERMAN FOWLER AND CARRIED UNANIMOUSLY.

15. CONTINUED DISCUSSION – LAND MANAGEMENT SERVICES

Proposals to provide land management services were received from Benchmark, N-Focus, and Centralina COG. The consensus of the Board was that since no savings would be realized for the same level of services, there is no need for further discussion and no action was taken.

16. UPDATE – FIBRANT

MOTION WAS MADE BY ALDERMAN MORRIS THAT ANY CONTRACTUAL DEALINGS BETWEEN THE TOWN OF SPENCER AND THE MUNICIPAL ENTERPRISE KNOWN AS FIBRANT BE DEFERRED UNTIL VOTED UPON BY THE CITIZENS OF SPENCER. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED BY A VOTE OF FIVE:

AYES: AITKEN, BENFIELD, MORRIS, SMITH, WALTERS

NAYS: FOWLER

17. PROPERTY LIENS

MOTION WAS MADE BY ALDERMAN WALTERS TO APPROVE PROPERTY LIENS AS FOLLOWS: 1020 N SALISBURY, \$243.50; 600 S SPENCER, \$243.50; 119 N YADKIN, \$243.50; 400 N YADKIN, \$356.00; 314 N YADKIN, \$381.00; 700 S YADKIN, \$243.50; 1300 LEE STREET, \$381.00; AND 503 SEVENTH, \$243.50.

18. PUBLIC HEARING – FY 2011/12 BUDGET

Mayor Everhart opened the public hearing. Howard Carter, 401 11th, and W. F. Owens, 504 1st, spoke in opposition to a tax increase. Sherry Sides, 804 Carolina, thanked the Town for offering mulch delivery. Robert Bennett, 506 Oakwood, doesn't want core services to be cut, favors "revenue neutral", and would like the AP Clerk, P. D. Administrative Assistant, and Code Enforcement Officer positions to remain the same. No one else spoke and Mayor Everhart closed the public hearing.

Alderman Walters distributed a handout and proposed that the Town purchase roll out carts with money taken from fund balance instead of charging the previously discussed \$3 monthly surcharge to customers. The Town would provide curbside service in-house.

MOTION WAS MADE BY ALDERMAN AITKEN TO ESTABLISH IN-HOUSE CURBSIDE PICKUP WITH TOWN PURCHASE OF CARTS AS PROPOSED AS

SOON AS FEASIBLE. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

MOTION WAS MADE BY ALDERMAN MORRIS TO REINSTATE THE LIBRARY CUTS (MAINTAINING THE CURRENT OPERATING SCHEDULE) WITH AN IMMEDIATE MORATORIUM ON WAIVING THE LIBRARY PARK FEES. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

MOTION WAS MADE BY ALDERMAN WALTERS TO ELIMINATE ANY FURLOUGHS BY USING FUND BALANCE. MOTION SECONDED BY ALDERMAN MORRIS AND DEFEATED BY A VOTE OF FOUR WITH MAYOR EVERHART BREAKING THE TIE:

AYES: BENFIELD, MORRIS, WALTERS

NAYS: AITKEN, FOWLER, SMITH, EVERHART

MOTION WAS MADE BY ALDERMAN FOWLER TO RESTRUCTURE THE LAND MANAGEMENT DEPARTMENT TO DELEGATE CODE ENFORCEMENT DUTIES TO THE LAND MANAGEMENT DIRECTOR TO AVOID FURLOUGHS THIS FISCAL YEAR. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED BY A VOTE OF FOUR:

AYES: FOWLER, MORRIS, SMITH, WALTERS

NAYS: AITKEN, BENFIELD

MOTION WAS MADE BY ALDERMAN FOWLER TO BUDGET FOR THE PURCHASE OF TURNOUT GEAR FROM FUND BALANCE. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

MOTION WAS MADE BY ALDERMAN MORRIS TO ADOPT THE BUDGET AS AMENDED AND SET THE TAX RATE AT 62.8 CENTS PER \$100 VALUATION. MOTION SECONDED BY ALDERMAN FOWLER AND CARRIED BY A VOTE OF FIVE:

AYES: AITKEN, FOWLER, MORRIS, SMITH, WALTERS

NAYS: BENFIELD

With no further business, Mayor Everhart adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Lisa B. Perdue, CMC
Clerk to the Board