

SPENCER BOARD OF ALDERMEN MEETING
JULY 12, 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 – Alderman Fowler congratulated Land Management Director Dustin Wilson on the recent birth of his daughter, and also commended the police department for the recent drug bust.

STUDENT APPRECIATION AWARD – Hunter Smith was present to receive the award from North Rowan Elementary for the month of June.

1. ADDITIONS / DELETIONS AND ADOPTION OF AGENDA

MOTION WAS MADE BY ALDERMAN MORRIS TO ADD DISCUSSION OF THE EPA SUSTAINABLE COMMUNITY INFORMATION AS ITEM #13. MOTION SECONDED BY ALDERMAN BENFIELD. Aldermen Walters and Fowler stated they would like to wait until all information is available and have time to review. **THE MOTION AND SECOND WERE WITHDRAWN.**

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

2. APPROVAL OF MINUTES

MOTION WAS MADE BY ALDERMAN WALTERS TO APPROVE THE MINUTES OF THE REGULAR MONTHLY MEETING ON JUNE 14, 2011. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.

3. PUBLIC HEARING – 11-06 – MULTIPLE PERMITTED USES

MOTION WAS MADE BY ALDERMAN SMITH TO CONTINUE THE PUBLIC HEARING FOR ORDINANCE AMENDMENT 11-06 – MULTIPLE PERMITTED

USES TILL THE AUGUST 9 BOARD OF ALDERMEN MEETING. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED BY A VOTE OF FIVE: AYES: AITKEN, BENFIELD, FOWLER, SMITH, WALTERS NAYS: MORRIS

4. DEPARTMENTAL REPORTS were given by Police Chief Mike James, Fire Department Lt. Jeremy Carter, and Town Clerk Lisa Perdue. Public Works Director Jeff Bumgarner reported that preparations are underway for curbside solid waste collection to begin September 1. Land Management Director Dustin Wilson asked for feedback to give the Planning Board concerning the need for pool covers at unoccupied homes. Discussion included declaration as a nuisance and placement of a lien, and/or a fine for every day out of compliance. Alderman Morris suggested posting no trespassing signs on abandoned property and placing an inexpensive cover over the pools. Several Board members also questioned items for sale at the Collector's Flea Market, 1303 South Salisbury Avenue. Wilson explained that he was aware of this concern and had confirmed that the business is in compliance with all of our ordinances.

MOTION WAS MADE BY ALDERMAN MORRIS TO ASK LAND MANAGEMENT TO EXPLORE STRENGTHENING THE ADULT ESTABLISHMENT ORDINANCE SO THAT WE DON'T END UP WITH ADULT SECTIONS IN BUSINESSES OUTSIDE OF THE INDUSTRIAL ZONED AREAS OF TOWN. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.

5. TOWN MANAGER LARRY SMITH reported on major town projects, stating that bids for roll-out carts came in under the estimated amount in the budget. A potential funding opportunity has been identified through DOT for bike and pedestrian projects, but would require Board authorization to proceed.

MOTION WAS MADE BY ALDERMAN MORRIS THAT FOR THE BIKE AND PEDESTRIAN PROJECT BETWEEN THE DOWNTOWN AND THE RIVER AND FOR SEEKING THIS GRANT THAT WE LIMIT IT TO EXISTING PUBLIC RIGHTS OF WAY AND PUBLICLY OWNED PROPERTY. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED BY A VOTE OF FOUR:

AYES: BENFIELD, MORRIS, SMITH, WALTERS

NAYS: AITKEN, FOWLER

MOTION WAS MADE BY ALDERMAN MORRIS TO FORECLOSE ANY POSSIBLE EQUESTRIAN PURPOSES FOR THE USE OF THESE TRAILS. MOTION SECONDED BY ALDERMAN FOWLER AND CARRIED BY A VOTE OF FOUR:

AYES: FOWLER, MORRIS, SMITH, WALTERS

NAYS: AITKEN, BENFIELD

6. MAYOR EVERHART reported on the EPA Technical Assistance for Sustainable Communities meeting and plans to distribute copies of the information to the Board of Aldermen.

7. PUBLIC COMMENT

Robert Bennett, 506 Oakwood, and Jim Gobel, 609 8th, addressed the Board.

UNFINISHED BUSINESS

8. ORDINANCE AMENDMENT 11-03 – SOLID WASTE ORDINANCE

The proposed amendment is to implement the change to curbside garbage pickup. The Board discussed offering a second roll-out cart if requested, but the fee would be increased. Exemption to the roll-out procedure will require a note from a physician.

MOTION WAS MADE BY ALDERMAN BENFIELD TO ADOPT ORDINANCE AMENDMENT 11-03 CONCERNING CURBSIDE COLLECTION WITH ONE ADDITION IN SECTION 50.05 (D): “ONE 95 GALLON CONTAINER WILL BE PROVIDED BY THE TOWN. IF AN EXTRA 95 GALLON CONTAINER IS NEEDED THE RESIDENT WILL BE RESPONSIBLE FOR PURCHASING A SECOND CONTAINER FROM THE TOWN AND WILL BE BILLED AT THE TOWN’S COST”. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

NEW BUSINESS

9. COMMITTEE APPOINTMENT – COMMUNITY APPEARANCE

MOTION WAS MADE BY ALDERMAN FOWLER TO APPOINT ALEASHIA BRANDON, 503 OAKWOOD, TO SERVE ON THE COMMUNITY APPEARANCE COMMISSION. MOTION SECONDED BY ALDERMAN WALTERS AND CARRIED UNANIMOUSLY.

10. REQUEST TO ADDRESS THE BOARD – CENTRALINA COG

Bill Duston gave a presentation on two grant programs and their five study area corridors. He would like the Board to approve a Proposed Memorandum of Understanding for CONNECT Consortium Membership In Support of the Sustainable Communities Regional Planning Program. Following discussion,

MOTION WAS MADE BY ALDERMAN MORRIS THAT SPENCER NOT JOIN THE CONNECT SUSTAINABLE COMMUNITIES REGIONAL PLANNING

PROGRAM. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

11. PROPERTY LIENS

Land Management Director Dustin Wilson reported that 814 Fifth Street had been paid and should be removed from the proceedings.

MOTION WAS MADE BY ALDERMAN BENFIELD TO APPROVE LIENS AS FOLLOWS: 1300 LEE STREET, \$249.00; 300 N YADKIN, \$306.00; 314 N YADKIN, \$243.00; 600 S SPENCER, \$243.00; 816 5th STREET, \$181.00; 301 N SALISBURY, \$243.00; 209 11th STREET, \$271.00; AND 1003 3rd STREET, \$243.00. MOTION SECONDED BY ALDERMAN FOWLER AND CARRIED UNANIMOUSLY.

12. BUDGET AMENDMENT – FY 2010/11 END OF YEAR

MOTION WAS MADE BY ALDERMAN FOWLER TO APPROVE BUDGET AMENDMENT 2011-08. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

With no further business, Mayor Everhart adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Lisa B. Perdue, CMC
Clerk to the Board