

SPENCER BOARD OF ALDERMEN MEETING  
AUGUST 13, 2013  
7:00 P.M.

MEMBERS PRESENT: Mayor Jody Everhart  
Mayor Pro-Tem Jim Gobbel  
Aldermen: Scott Benfield  
Kevin Jones  
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 Morris recognized the residents who come to the meeting and “hold us accountable”, and also the Alderman candidates present in the audience.

1. ADDITIONS / DELETIONS AND ADOPTION OF AGENDA

**MOTION WAS MADE BY ALDERMAN WALTERS TO ADD #12, CLOSED SESSION, UNDER G.S. 143-318.11, TOWN MANAGER PERFORMANCE. MOTION SECONDED BY ALDERMAN GOBBEL AND CARRIED BY A VOTE OF FIVE:  
AYES: BENFIELD, GOBBEL, JONES, SMITH, WALTERS  
NAYS: MORRIS**

**MOTION WAS MADE BY ALDERMAN BENFIELD TO ADOPT THE AGENDA AS AMENDED. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

2. APPROVAL OF MINUTES

**MOTION WAS MADE BY ALDERMAN WALTERS TO APPROVE THE MINUTES OF JULY 9, 2013. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.**

3. DEPARTMENTAL REPORTS were given by Police Chief Mike James, Assistant Fire Chief Terry Smith, Public Works Director Joel Taylor, Land Management Director Price Wagoner, and Town Clerk Lisa Perdue.

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

**MOTION WAS MADE BY ALDERMAN MORRIS TO AUTHORIZE UP TO \$8000 FOR REPAIRS TO THE 2004 INTERNATIONAL GARBAGE PACKER. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

5. MAYORAL & DELEGATE REPORTS

Aldermen Morris and Walters attended a Wilcox bridge meeting. There was consensus from the Board for the staff to pursue more information concerning this project. Mayor Everhart reported on several meetings and events he had attended.

6. PUBLIC COMMENT

Bob Oswald, 410 7<sup>th</sup> Street, encouraged Board and staff to continue to pursue the mailboxes in the historic district. Mike Boone, 410 S Spencer, is concerned with folks walking in the street and would like the police department to check into that issue.

NEW BUSINESS

7. ORDINANCE AMENDMENT 13-03 – GARBAGE STORAGE AND COLLECTION

Land Management Director Price Wagoner explained that the penalty change is to allow civil tickets by code enforcement staff.

**MOTION WAS MADE BY ALDERMAN MORRIS TO APPROVE ORDINANCE AMENDMENT 13-03, DEALING WITH GARBAGE STORAGE AND COLLECTION. MOTION SECONDED BY ALDERMAN SMITH. Following discussion, MOTION AND SECOND WERE WITHDRAWN.**

Individual concerns raised during discussion included the amount of the fine, the need for cans to be on the street on Sunday night for Monday pickup, and the location of cans in the yard.

**MOTION WAS MADE BY ALDERMAN BENFIELD TO TABLE THE AMENDMENT UNTIL NEXT MONTH'S MEETING FOR STAFF TO REVIEW. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.**

8. ORDINANCE AMENDMENT 13-04 – BEGGING, PANHANDLING

**MOTION WAS MADE BY ALDERMAN MORRIS TO APPROVE ORDINANCE AMENDMENT 13-04, DEALING WITH BEGGING, PANHANDLING, OR SOLICITING CONTRIBUTIONS. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

9. INTERNET CAFÉ ORDINANCE – SCHEDULE OF FEES AMENDMENT

**MOTION WAS MADE BY ALDERMAN MORRIS TO AMEND THE FY 13-14 SCHEDULE OF FEES REGARDING OCCUPATIONAL LICENSING OF INTERNET CAFES TO BE \$1,000 / YEAR PLUS \$500 / MACHINE, RETROACTIVELY**

**EFFECTIVE AS OF JULY 1, 2013. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.**

10. CAROLINA THREAD TRAIL FUNDING

**MOTION WAS MADE BY ALDERMAN MORRIS TO AUTHORIZE A LOCAL MATCH OF UP TO \$500 FOR SPENCER'S PARTICIPATION IN THE CAROLINA THREAD TRAIL PLANNING STUDY, WHILE RE-AFFIRMING OUR BOARD'S COMMITMENT TO NOT USE EMINENT DOMAIN OR THE THREAT OF EMINENT DOMAIN TO COERCE OWNERS OF PROPERTY TO GIVE UP ANY RIGHTS TO THEIR LAND. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

11. DISCUSSION – RFQ – FACILITIES NEEDS / PARKS & RECREATION ASSESSMENT

Town Manager Larry Smith explained that the Board could choose to declare an exemption to the RFQ to exclude parks and recreation, since Site Solutions is already working on Spencer Woods. Then the RFQ would only be for the Building Needs Assessment.

**MOTION WAS MADE BY ALDERMAN BENFIELD TO SEPARATE THE BUILDING NEEDS FROM THE RECREATION NEEDS, PROCEED WITH THE RFQ FOR BUILDINGS, AND ALLOW THE TOWN MANAGER TO NEGOTIATE WITH SITE SOLUTIONS FOR PARKS AND RECREATION AS SPECIFIED ON THE ATTACHED RESOLUTION. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.**

12. CLOSED SESSION – TOWN MANAGER PERFORMANCE

**MOTION WAS MADE BY ALDERMAN WALTERS TO GO INTO CLOSED SESSION UNDER G.S. 143-318.11 FOR TOWN MANAGER PERFORMANCE. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.**

Following the closed session, no action was taken. Alderman Morris thanked the Town Manager for doing a good job. The meeting was adjourned at 10:01 p.m.

Respectfully submitted,

Lisa B. Perdue, CMC  
Clerk to the Board

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