

SPENCER BOARD OF ALDERMEN MEETING
MARCH 10, 2015
7:00 P.M.

MEMBERS PRESENT: Mayor Jody Everhart
Mayor Pro-Tem Jim Gobbel
Aldermen: Scott Benfield
Mike Boone
Kevin Jones
Jeff Morris
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 Town Manager, Town Clerk, Department Heads, and Centralina Council of Governments staff who attended the planning retreat. Alderman Benfield commended the public works department for cleanup efforts after the recent snow and ice events. Alderman Boone commended Alderman Morris and Fire Chief Baker for the program at Isenberg Elementary School.

STUDENT APPRECIATION AWARDS went to Inagi Rustin-Godfrey, North Rowan Elementary; Trinity Gladden, North Rowan Middle; and Max Clark, North Rowan High School.

1. ADDITIONS / DELETIONS AND ADOPTION OF AGENDA

MOTION WAS MADE BY ALDERMAN MORRIS TO ADD 9-A, PROPOSED RESOLUTION TO AUTHORIZE THE TOWN MANAGER TO NEGOTIATE POSSIBLE FIBRANT EXPANSION INTO SPENCER. MOTION SECONDED BY ALDERMAN GOBBEL AND CARRIED UNANIMOUSLY.

MOTION WAS MADE BY ALDERMAN MORRIS TO RESCHEDULE #3, COMMUNITY APPEARANCE COMMISSION, TO A LATER MEETING TO ALLOW REVIEW BY THE PLANNING BOARD. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.

MOTION WAS MADE BY ALDERMAN WALTERS TO ADD #15, SET OPEN HOUSE FOR STORMWATER MANAGEMENT UTILITY. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

MOTION WAS MADE BY ALDERMAN JONES TO ADOPT THE AGENDA AS AMENDED. MOTION SECONDED BY ALDERMAN GOBBEL AND CARRIED UNANIMOUSLY.

2. APPROVAL OF MINUTES

MOTION WAS MADE BY ALDERMAN JONES TO APPROVE THE MINUTES OF THE REGULAR MONTHLY MEETING ON FEBRUARY 10, 2015. MOTION SECONDED BY ALDERMAN WALTERS AND CARRIED UNANIMOUSLY.

3. PUBLIC HEARING – COMMUNITY APPEARANCE COMMISSION

(deleted from this agenda)

4. PUBLIC HEARING – STORMWATER MANAGEMENT UTILITY

Mayor Everhart opened the public hearing. Dan Patterson stated that repairs to the 4th Street area infrastructure have been needed for over 20 years, and suggested that water from Park Plaza could be routed down Yadkin Avenue to his property rather than down Fourth Street. Howard White, 501 Fourth Street, realizes there is a drainage problem but would like more information about the ordinance. Bob Oswald, 410 7th Street, thinks fees should vary according to the value of the houses. W. F. Owen would prefer informal hearings with dialogue with the Aldermen. Mayor Everhart closed the public hearing.

MOTION WAS MADE BY ALDERMAN MORRIS TO TAKE NO ACTION TONIGHT ON THIS ITEM. MOTION SECONDED BY ALDERMAN GOBBEL AND CARRIED UNANIMOUSLY.

5. DEPARTMENTAL REPORTS were given by Fire Chief Jay Baker, Police Chief Mike James, Public Works Director Joel Taylor, Land Management Director Kathryn Clifton, and Town Clerk Lisa Perdue.

MOTION WAS MADE BY ALDERMAN GOBBEL TO APPROPRIATE UP TO \$2000 FOR EMERGENCY BAY DOOR REPAIRS AT THE FIRE DEPARTMENT. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.

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

7. MAYOR EVERHART reported on meetings and activities he had attended.

8. PUBLIC COMMENT

Dan Patterson, Bob Oswald, and Tyler Weant addressed the Board concerning various issues.

Mike Tanck, Timewarner Cable, and Kent Winrich, City of Salisbury, reviewed their broadband services.

NEW BUSINESS

9. REQUEST TO ADDRESS THE BOARD – JOHN BLAKE

John Blake, 1505 South Rowan Avenue, asked the Board to reconsider the motion from 2011 concerning broadband service so that citizens would be provided a choice in the selection of broadband service.

9A. PROPOSAL – NEGOTIATION WITH FIBRANT - SERVICE TO SPENCER

MOTION WAS MADE BY ALDERMAN MORRIS TO AUTHORIZE THE TOWN MANAGER TO BEGIN NEGOTIATIONS WITH SALISBURY REGARDING POSSIBLE EXPANSION OF FIBRANT INTO ALL OF THE TOWN OF SPENCER WITH THE FOLLOWING GOALS: 1) DELAY ANY INSTALLATION REQUESTS UNTIL AGREEMENT IS REACHED, 2) AGREEMENT THAT THE ENTERPRISE WILL BE MADE AVAILABLE TO ALL HOUSEHOLDS BY A DATE CERTAIN, 3) NO COST TO TOWN OF SPENCER FOR INSTALLATIONS OR REPAIRS OCCASIONED BY INSTALLATIONS OR MAINTENANCE, 4) AGREEMENT THAT ALL COSTS, FEES AND BILLING PRACTICES WILL APPLY EQUALLY TO SPENCER HOUSEHOLDS AS THEY DO TO SALISBURY HOUSEHOLDS, AND 5) POLE CONNECTIONS, RENTALS, ETC. WOULD BE CALCULATED SO AS TO FAIRLY COMPENSATE THE TOWN OF SPENCER FOR MAINTENANCE, REPLACEMENT, WITHOUT SEEKING A NET PROFIT FROM FIBRANT / SALISBURY. RESULTS OF NEGOTIATION WILL BE BROUGHT TO THE BOARD FOR REVIEW AND POSSIBLE APPROVAL WHEN AVAILABLE. MOTION SECONDED BY ALDERMAN GOBBEL AND CARRIED UNANIMOUSLY.

10. ORDINANCE 15-01 – HPC BY-LAWS AMENDMENT

MOTION WAS MADE BY ALDERMAN BENFIELD TO APPROVE THE HISTORIC PRESERVATION COMMISSION BY-LAWS AMENDMENT, CONCERNING OFFICERS AND DUTIES, AS PRESENTED. MOTION SECONDED BY ALDERMAN JONES AND CARRIED UNANIMOUSLY.

11. ORDINANCE 15-02 – HPC BY-LAWS AMENDMENT

MOTION WAS MADE BY ALDERMAN MORRIS TO DECLINE THE AMENDMENT TO HPC BY-LAWS CONCERNING “CHANGE OF BY-LAWS”. MOTION SECONDED BY ALDERMAN GOBBEL AND CARRIED UNANIMOUSLY.

12. ORDINANCE 15-03 – COMMERCIAL DUMPSTERS

MOTION WAS MADE BY ALDERMAN GOBBEL TO APPROVE ORDINANCE 15-03, COMMERCIAL DUMPSTERS IN RESIDENTIAL DISTRICTS. MOTION SECONDED BY ALDERMAN BOONE AND CARRIED UNANIMOUSLY.

13. STREET PAVING PROPOSAL

MOTION WAS MADE BY ALDERMAN BENFIELD TO APPROVE THE STREET PAVING PRIORITY LIST AS PRESENTED: 1) N. YADKIN FROM JEFFERSON TO CAIN, 2) WHITEHEAD FROM JEFFERSON TO FORESTDALE, AND 3) SECOND STREET FROM WHITEHEAD TO CHARLES, AND PROCEED WITH THE BID PROCESS. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

14. COMMITTEE APPOINTMENT – HISTORIC PRESERVATION COMMISSION

MOTION WAS MADE BY ALDERMAN GOBBEL TO APPOINT SALLY GREER, 812 4TH STREET, TO THE HISTORIC PRESERVATION COMMISSION. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

15. SET OPEN HOUSE FOR STORMWATER MANAGEMENT UTILITY

The Board would like information to look over at the proposed informal meeting. Cost estimates would not be available without a study by engineers. The consensus of the Board was to wait until next month's Board meeting to set a date for the open house.

Respectfully submitted,

Lisa B. Perdue, CMC
Clerk to the Board