

SPENCER BOARD OF ALDERMEN MEETING
SEPTEMBER 8, 2009
7:00 P.M.

MEMBERS PRESENT: Mayor Jody Everhart
Mayor Pro-Tem Jeff Morris
Aldermen: Scott Benfield
Nick Bishop
Donnie Hinson
David H. Smith
C. E. Spear

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 Community Appearance Commission for their work in the planters on Salisbury Avenue. Mayor Everhart thanked the Town Board, staff, and volunteers who participated in the Read to Your Child event, stating it was a successful joint venture with City of Salisbury, Rowan County, and other municipalities.

STUDENT APPRECIATION AWARD was presented to North Rowan Elementary student, Kenndrick Harper, Jr.

1. PUBLIC HEARING – REQUEST FOR PROPOSAL – 118 4TH STREET

Mayor Everhart opened the public hearing.

MOTION WAS MADE BY ALDERMAN MORRIS TO CONTINUE THE PUBLIC HEARING UNTIL THE NEXT REGULARLY SCHEDULED BOARD MEETING DUE TO A LEGAL INTERPRETATION QUESTION THAT JUST CAME UP THIS AFTERNOON IN ORDER TO GIVE OUR LEGAL COUNSEL SUFFICIENT TIME TO DO THE RESEARCH AND ADVISE THE BOARD IN ADVANCE OF THE CONTINUED PUBLIC HEARING. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.

OLD BUSINESS

2. APPROVAL OF MINUTES

MOTION WAS MADE BY ALDERMAN BENFIELD TO APPROVE THE MINUTES FROM AUGUST 11, 2009. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY.

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

4. DEPARTMENTAL REPORTS were given by Public Works Mechanic Jerry Hunsucker, Fire Dept. Lt. Don Sells, Land Management Director Dustin Wilson, and Town Clerk Lisa Perdue. Police Chief Robert Bennett reported that Master Police Officer Steve Bard had received his Advanced Law Enforcement Certification.

5. TOWN MANAGER LARRY SMITH reported on the status of major town projects.

MOTION WAS MADE BY ALDERMAN BENFIELD TO AUTHORIZE THE TOWN MANAGER TO SPEND UP TO \$2000 TO HIRE AN EXPERT TO PRIORITIZE THE LIBRARY NEEDS AND COSTS ASSOCIATED WITH THOSE NEEDS. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY.

NEW BUSINESS

6. OPEN COMMENT – None.

7. REQUEST TO EXTEND NOISE ORDINANCE – STEVE SCHENK

Steve Schenk, SDS Entertainment, has been hired to provide music for a wedding reception on September 25 on the Brandt property at 809 7th Street, and would like for the Board to extend the noise ordinance.

MOTION WAS MADE BY ALDERMAN BENFIELD TO EXTEND THE NOISE ORDINANCE FOR ONE HOUR (UNTIL MIDNIGHT) ON SEPTEMBER 25 FOR AN EVENT AT 809 7TH STREET. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

8. REQUEST TO USE LIBRARY PARK – MICHAEL YANG FOUNDATION

Lori Yang requested to use Library Park for the Voices of Hope fundraising event on Sunday, November 1st.

MOTION WAS MADE BY ALDERMAN MORRIS TO ALLOW USE OF LIBRARY PARK FOR THE VOICES OF HOPE EVENT ON NOVEMBER 1ST. MOTION SECONDED BY ALDERMAN SPEAR AND CARRIED UNANIMOUSLY.

9. PLANTER PROPOSAL – COMMUNITY APPEARANCE COMMISSION

Ed Robinette presented the CAC's recommendations for trees and shrubs to be placed in the planter boxes on Salisbury Avenue.

MOTION WAS MADE BY ALDERMAN MORRIS TO APPROVE UP TO \$7500 FOR MATERIALS AND LABOR FOR PLANTS AND IRRIGATION AS LISTED ON THE ATTACHMENT, TO BE COORDINATED WITH THE TOWN MANAGER. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.

10. ANNEXATION ORDINANCE

The ordinance concerns State property that is being voluntarily annexed.

MOTION WAS MADE BY ALDERMAN BISHOP TO ADOPT THE ATTACHED ANNEXATION ORDINANCE CONCERNING MAP 047, PARCEL 012. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.

11. RESOLUTION – ABC DESIGNATION

MOTION WAS MADE BY ALDERMAN BISHOP TO APPROVE THE ATTACHED RESOLUTION DESIGNATING AN OFFICIAL, CHIEF OF POLICE OF SPENCER, TO MAKE RECOMMENDATIONS ON ABC PERMIT APPLICATIONS. MOTION SECONDED BY ALDERMAN HINSON. MOTION WAS AMENDED TO NAME THE JOB TITLE, BUT NOT THE SPECIFIC INDIVIDUAL. AMENDED MOTION CARRIED UNANIMOUSLY.

12. PROPERTY LIENS

MOTION WAS MADE BY ALDERMAN BENFIELD TO APPROVE PROPERTY LIENS AGAINST 420 S IREDELL, \$243.50; AND 307 N YADKIN, \$368.50. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY.

MOTION WAS MADE BY ALDERMAN SMITH TO EXCUSE ALDERMAN MORRIS FROM DELIBERATIONS ON 600 EIGHTH DUE TO A CONFLICT. MOTION SECONDED BY ALDERMAN HINSON AND CARRIED UNANIMOUSLY. (Alderman Morris left the Board room.)

MOTION WAS MADE BY ALDERMAN BISHOP TO APPROVE THE PROPERTY LIEN AGAINST 600 EIGHTH STREET FOR \$243.50. MOTION

SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY BY ALL PRESENT. (Alderman Morris returned to the Board room.)

13. FAÇADE GRANT POLICY

MOTION WAS MADE BY ALDERMAN MORRIS TO APPROVE THE FAÇADE GRANT POLICY AMENDMENT. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED BY A VOTE OF FIVE:

AYES: BISHOP, HINSON, MORRIS, SMITH, SPEAR

NAYS: BENFIELD

14. PURCHASE AUTHORIZATION – PUBLIC WORKS MOWER

Four quotes have been obtained for the purchase of a replacement zero-turn mower. The lowest quote was from Outdoor Power Equipment.

MOTION WAS MADE BY ALDERMAN MORRIS TO APPROVE THE PURCHASE OF THE SPECIFIED ZERO-TURN MOWER FROM OUTDOOR POWER EQUIPMENT AT A PRICE OF \$6,723 PLUS APPLICABLE SALES TAX. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.

15. OTHER BUSINESS

MOTION WAS MADE BY ALDERMAN HINSON TO CHANGE THE TOWN MANAGER'S EVALUATION FROM NOVEMBER TO OCTOBER. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.
(Alderman Spear's abstention counts as an affirmative vote.)

With no further business, Mayor Everhart adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Lisa B. Perdue
Clerk to the Board