

SPENCER BOARD OF ALDERMEN MEETING  
NOVEMBER 10, 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

MEMBERS ABSENT: Alderman: 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 thanked the volunteer committees for their work, especially Hometown Holidays. Mayor Everhart thanked the Public Works Department for putting up the holiday decorations and the flags this week. Alderman Bishop thanked Town staff for their hard work with Hometown Holidays and Spencer Partnership. Alderman Hinson recognized local boxer, Dominic Williams, for winning his first professional fight at a recent boxing championship in Charlotte.

STUDENT APPRECIATION AWARD was presented to North Rowan Elementary student, Kerry Campion.

1. PUBLIC HEARING – ORDINANCE 09-05 – IB DISTRICT

Mayor Everhart opened the public hearing. No one spoke and the public hearing was closed.

During discussion, the Board recommended changing the maximum building height under Dimensional Requirements from 50 feet to 125 feet, made two minor changes in the language in 155.073 20(c), added “storage trailers” to 155.074 (B), and added Bus Stations as a Conditional Use.

**MOTION WAS MADE BY ALDERMAN MORRIS TO ADOPT ORDINANCE 09-05, INTERSTATE BUSINESS DISTRICT, AS AMENDED, STATING THAT THE PROPOSED AMENDMENT IS CONSISTENT WITH SPENCER’S LAND USE PLAN AND ITS VISION TO IMPROVE ITS COMMERCIAL DISTRICT AND FACILITATE COMMERCIAL OPPORTUNITIES AS WELL AS WITH ITS POLICIES, GOALS, AND OBJECTIVES FOR IMPROVEMENT OF ESTABLISHED PRACTICES, AND IS ALSO CONSISTENT WITH THE LAND USE PLAN’S OBJECTIVES TO PROTECT EXISTING NEIGHBORHOODS AND WILL RESULT IN DEVELOPMENT THAT IS CONSISTENT WITH THE**

**FUTURE LAND USE MAP. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY.**

OLD BUSINESS

2. APPROVAL OF MINUTES

**MOTION WAS MADE BY ALDERMAN BISHOP TO APPROVE THE MINUTES FROM OCTOBER 13, 2009. MOTION SECONDED BY ALDERMAN HINSON AND CARRIED UNANIMOUSLY.**

3. MAYORAL & COMMITTEE REPORTS

Recreation Committee Chairman David Smith reported that the issue of animal waste in the parks would be addressed in the newsletter; no receptacles or stands will be purchase at this time. Regarding Andrew Hallett's request for maintenance of the schools' nature trails, the Recreation Committee agreed that the Town could donate mulch for the trails, but will not accept the responsibility of maintenance of the trails. Mayor Everhart reported on recent meetings he has attended.

4. DEPARTMENTAL REPORTS – Police Chief Robert Bennett announced his retirement effective April 30, 2010, stating his last working day would be March 19. Departmental reports were also given by Interim Fire Chief Stacy Baker, Public Works Director Jeff Bumgarner, Land Management Director Dustin Wilson, and Town Clerk Lisa Perdue.

5. TOWN MANAGER LARRY SMITH reported on the status of major town projects. The Board asked for verification of the warranty on the roof at the fire department, which is leaking again.

NEW BUSINESS

6. OPEN COMMENT – None.

7. FAÇADE GRANT APPLICATION – TRACY AITKEN

Tracy Aitken has submitted a façade grant application for Kidz Books & More, 506 S Salisbury Avenue. She spent a total of \$739.51, making her eligible for a grant of \$369.75. There was considerable discussion among Board members about whether the purchase and installation of a new sign constitutes a façade improvement.

**MOTION WAS MADE BY ALDERMAN MORRIS TO APPROVE A FAÇADE GRANT OF \$369.75 TO KIDZ BOOKS & MORE, 506 S SALISBURY AVENUE.**

**MOTION SECONDED BY ALDERMAN HINSON AND CARRIED UNANIMOUSLY.**

**MOTION WAS MADE BY ALDERMAN BENFIELD TO SEND THE FAÇADE GRANT POLICY TO THE FINANCE COMMITTEE FOR RESTRUCTURING AND DEFINITION AND SUSPEND PAYMENT FOR ANY SIGNAGE IN THE INTERIM UNTIL THE POLICY IS REVIEWED. MOTION SECONDED BY ALDERMAN BISHOP AND CARRIED UNANIMOUSLY.**

**8. REQUEST TO ADDRESS THE BOARD – HOMETOWN HOLIDAYS**

Jim Gobel addressed the Board concerning plans for the tree lighting ceremony on December 4. Hometown Holidays Committee will decorate the tree, but will need to sign a waiver releasing the Town from any liability.

**MOTION WAS MADE BY ALDERMAN BENFIELD TO MOVE THE LOCATION OF THE SPRUCE TO THE CAROLINA AVENUE SIDE OF LIBRARY PARK, AUTHORIZE TOWN STAFF TO PLANT THE TREE AND OVERSEE THE ELECTRICAL (HIRE AND PAY THE CONTRACTOR), AND WAIVE THE RESERVATION FEE FOR USE OF LIBRARY PARK FOR THE ENTIRE HOLIDAY SEASON (FROM DECEMBER 4 THROUGH JANUARY 8, 2010). MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.**

**9. PROPERTY LIENS**

**MOTION WAS MADE BY ALDERMAN BISHOP TO APPROVE LIENS AS FOLLOWS: 129 FIFTH STREET, \$956.00; 409 S ROWAN AVENUE, \$243.50; 417 N ROWAN AVENUE EXTENSION, \$243.50; AND 812 FIFTH STREET, \$243.50. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

**10. OTHER BUSINESS**

The Board discussed the purchase of Christmas lights for Town Hall and the fire department. Town Manager Smith advised the availability of funds in the Contingencies line item.

**MOTION WAS MADE BY ALDERMAN MORRIS TO AUTHORIZE STAFF TO INVEST UP TO \$3700 TO PURCHASE CLASS “C” L.E.D. CHRISTMAS LIGHTING FOR TOWN HALL AND SPENCER FIRE DEPARTMENT, AND IN ORDER TO BE GOOD STEWARDS, INVESTIGATE THE POSSIBILITY OF DEFRAYING SOME OF THE COST WITH HELP FROM THE FIRE**

**DEPARTMENT AUXILIARY. MOTION SECONDED BY ALDERMAN SMITH AND CARRIED UNANIMOUSLY.**

Mayor Everhart advised Board members that for Spencer to withdraw membership from Centralina Council of Governments, a resolution would need to be adopted, giving six months' notice of the withdrawal.

**MOTION WAS MADE BY ALDERMAN MORRIS TO DIRECT THE TOWN MANAGER TO PREPARE A RESOLUTION FOR THE DECEMBER BOARD MEETING TO WITHDRAW MEMBERSHIP FROM CENTRALINA COUNCIL OF GOVERNMENTS AND PURSUE THE POSSIBILITY OF AFFILIATION WITH TRIAD COUNCIL OF GOVERNMENTS. MOTION SECONDED BY ALDERMAN BENFIELD AND CARRIED UNANIMOUSLY.**

With no further business, Mayor Everhart adjourned the meeting at 8:27 p.m.

Respectfully submitted,

Lisa B. Perdue  
Clerk to the Board