

SPENCER BOARD OF ALDERMEN MEETING
JULY 13, 2010
7:00 P.M.

MEMBERS PRESENT: Mayor Jody Everhart
Aldermen: Tracy Aitken
Delaine Fowler
Jeff Morris
Reid Walters

MEMBERS ABSENT: Mayor Pro-Tem Scott Benfield

Also present were Town Manager Larry Smith and Town Attorney Rivers Lawther. Mayor Everhart opened the meeting with prayer and the pledge of allegiance.

RECOGNITION – Mayor Everhart made reference to a recent Letter to the Editor in the Salisbury Post applauding public works employees for the fine work they do.

1. ADDITIONS / DELETIONS TO AGENDA

Alderman Morris would like #16 Discussion – Internet Sweepstakes Cafes added to tonight's agenda. Mayor Everhart would like to expand #12 to include asking for volunteers to help with the Read to Your Child event.

MOTION WAS MADE BY ALDERMAN MORRIS TO ACCEPT THE TWO PROPOSED ADDITIONS TO THE AGENDA. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.

2. ADOPTION OF AGENDA

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

3. APPROVAL OF MINUTES

MOTION WAS MADE BY ALDERMAN WALTERS TO APPROVE THE MINUTES FROM MAY 17, JUNE 8, AND JUNE 30, 2010. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.

4. PUBLIC HEARING – ORDINANCE AMENDMENT 10-09 (LIST OF USES)

Land Management Director Dustin Wilson and Planning Board representative, Robert Nance, explained the amendment which changes several uses which required conditional use permits to simple permits, which can be issued by staff.

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

MOTION WAS MADE BY ALDERMAN AITKEN TO ADOPT ORDINANCE AMENDMENT 10-09, CONCERNING LIST OF USES BY DISTRICT. MOTION SECONDED BY ALDERMAN WALTERS AND CARRIED UNANIMOUSLY.

5. DEPARTMENTAL REPORTS were given by Public Works Director Jeff Bumgarner, Asst. Fire Chief Stacy Baker, Police Sgt. Wayne Comer, Land Management Director Dustin Wilson, Intern Grant Writer Faron Brazis, and Town Clerk Lisa Perdue.

MOTION WAS MADE BY ALDERMAN MORRIS TO AUTHORIZE PROCEEDING WITH THE NTPF (NATIONAL TRUST PRESERVATION FUNDS) GRANT APPLICABLE TO THE ALLMAN PROPERTY AT 127 FIFTH STREET. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.

6. TOWN MANAGER LARRY SMITH reviewed major town projects and progress on goals from the planning retreat. Copies of the Model Code of Ethics were distributed to Board members and will be placed on the agenda for the September meeting. A courtesy hearing on recycling will be held at the September meeting, with an announcement in the August newsletter. Intern Faron Brazis discussed requirements for the application to be a Fit Community, and will e-mail further details to Board members.

7. MAYORAL & COMMITTEE REPORTS – Mayor Jody Everhart attended a Robert Partee ceremony at the Museum. Mr. Partee bought land in the late 1800's which later became the Southern Railway property. His portrait will remain in Town Hall.

8. PUBLIC COMMENT – Gwen Bradley, Henry Alexander, and George Brown addressed the Board concerning the fees for the Internet Sweepstakes business at 410 S Salisbury Avenue.

NEW BUSINESS

9. REQUEST TO ADDRESS THE BOARD – SPENCER FIRE DEPT. AUXILIARY

Janice Sells, President of the Spencer Fire Department Auxiliary, requested permission to close the two northbound lanes of Salisbury Avenue from 11th Street to Newton Street on August 28th beginning at 10 a.m. for approximately 45 minutes for a parade for their 2nd annual fundraiser to be held at the NC Transportation Museum. She also requested in-kind support of the event by any additional police officers as needed to help with traffic.

MOTION WAS MADE BY ALDERMAN MORRIS TO ACCEPT THE PROPOSAL AS PRESENTED AND ALSO CLOSE THE STREET AS

REQUESTED. MOTION SECONDED BY ALDERMAN FOWLER AND CARRIED UNANIMOUSLY.

10. NON PROFIT FUNDING REQUEST – NCTM FOUNDATION

MOTION WAS MADE BY ALDERMAN WALTERS TO GRANT THE NON-PROFIT FUNDING REQUEST FROM THE NCTM FOUNDATION FOR \$250. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

11. PURCHASE AUTHORIZATION – IN-CAR CAMERAS

MOTION WAS MADE BY ALDERMAN AITKEN TO AUTHORIZE THE PURCHASE OF TWO IN-CAR-CAMERA SYSTEMS FOR A TOTAL AMOUNT OF \$10,581.05. MOTION SECONDED BY ALDERMAN FOWLER AND CARRIED UNANIMOUSLY.

12. PROCLAMATION – READ TO YOUR CHILD

MOTION WAS MADE BY ALDERMAN MORRIS TO ADOPT THE PROCLAMATION DESIGNATING JULY 14 TO AUGUST 11, 2010 AS READ TO YOUR CHILD DAYS, AND ALLOCATE UP TO \$500 TOWARD THE EVENT IN SPENCER ON JULY 28. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.

13. GRANT APPLICATION – PLAYGROUND EQUIPMENT

The proposed application for new playground equipment at the ballpark is for a \$5000 grant from BCBS of NC, leaving a balance of \$4,365 to be paid by Town funds (total cost of equipment is \$9,365).

MOTION WAS MADE BY ALDERMAN WALTERS TO AUTHORIZE STAFF TO PURSUE THE GRANT APPLICATION AS PRESENTED TOWARD NEW PLAYGROUND EQUIPMENT AT THE EIGHTH STREET BALLPARK. MOTION SECONDED BY ALDERMAN MORRIS AND CARRIED UNANIMOUSLY.

14. PROPERTY LIENS

MOTION WAS MADE BY ALDERMAN WALTERS TO APPROVE LIENS AS FOLLOWS: 303 S ROWAN, \$306.00; 409 S ROWAN, \$306.00; 204 S IREDELL, \$306.00; 406 S ROWAN, \$242.50; 816 FIFTH, \$493.50; 114 17TH, \$242.50; 129 11TH, \$368.00; 707 S CAROLINA, \$306.00; AND 700 5TH, \$242.50, AND RECUSE

ALDERMAN MORRIS FOLLOWING THIS VOTE. MOTION SECONDED BY ALDERMAN FOWLER AND CARRIED UNANIMOUSLY.

MOTION WAS MADE BY ALDERMAN FOWLER TO APPROVE THE LIEN AGAINST 600 EIGHTH STREET FOR \$242.50. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY BY THOSE IN ATTENDANCE.

MOTION WAS MADE BY ALDERMAN FOWLER TO ALLOW ALDERMAN MORRIS TO RETURN TO THE MEETING. MOTION SECONDED BY ALDERMAN WALTERS AND CARRIED UNANIMOUSLY.

15. BOARD OF ALDERMEN VACANCY

MOTION WAS MADE BY ALDERMAN MORRIS TO APPOINT THE NEXT HIGHEST “VOTE-GETTER”, C. E. SPEAR, TO FILL THE SEAT LEFT VACANT BY ALDERMAN HINSON’S RESIGNATION ON JUNE 30. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.

16. DISCUSSION – INTERNET SWEEPSTAKES CAFES

The proposed House bill will ban Internet Sweepstakes businesses, effective December 1. Alderman Morris suggests that Spencer revise the ordinance to 1) pro-rate the fee for the remainder of the year if the ban is passed, 2) allow the fee to be paid in monthly installments, and 3) allow the businesses to remain open for internet access, but without the gaming.

MOTION WAS MADE BY ALDERMAN MORRIS TO ASK STAFF TO PROCEED WITH PRORATING THE FEE, ALLOWING MONTHLY PAYMENTS, AND PREPARE TO BE ABLE, AFTER THE LAW PASSES, TO LEVY A PRIVILEGE FEE ON THE BUSINESS ITSELF TO ALLOW INTERNET ACCESS FOR LEGITIMATE PURPOSES, BUT WITHOUT THE GAMING. MOTION SECONDED BY ALDERMAN AITKEN AND CARRIED UNANIMOUSLY.

With no further business, Mayor Everhart adjourned the meeting.

Respectfully submitted,

Lisa B. Perdue, CMC
Clerk to the Board