

TOWN OF BROADWAY
BOARD OF COMMISSIONERS
MEETING
MINUTES
MAY 23, 2016

A scheduled meeting of the Board of Commissioners was held on Monday, May 23, 2016 at 7:00 p.m. at the Council Chamber, 102 East Lake Drive, Broadway, North Carolina.

Board members present were Mayor Donald Andrews, Commissioners Tommy Beal, Woody Beale, Jim Davis, Lynne Green and Janet Harrington. Also, Town Attorney Jimmy Love, Town Manager Dustin Kornegay and Town Clerk Laura Duval were present.

The meeting was called to order by Mayor Andrews. A moment of silence was observed in memory of Attorney Dick Hoyle, who served as Town Counsel for 33 years. He will always be remembered for his dedicated service to Lee County and was a true Southern gentleman. The Mayor gave the invocation, which was followed by the Pledge of Allegiance.

Commissioner Green made the motion to accept the Agenda as presented. The motion was seconded by Commissioner Woody Beale. Motion carried unanimously.

Consent Agenda – Approval of April 25 Minutes, April Financial Statement and May 3 Budget Work Session Minutes. Mayor Pro Tem Beal made the motion to accept the Consent Agenda as submitted. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

A Public Hearing was held jointly with the Board of Commissioners and the Broadway Planning Board to consider text amendments to the UDO. David Montgomery, Senior Planner, presented the first text amendment pertaining to Wall Signs. This proposed amendment will allow an additional wall sign on properties within the NC, CBD, TND and PUD zoning districts that have off-street parking or an alley to the side or rear of a building. Article 11, Section 11.8.2 and Table 11-2 will be amended. Currently, properties that are on a corner or have a double frontage are allowed an additional wall sign. Those properties that have off-street parking with 50% of the people going into the building using that parking lot are allowed a wall sign. This change will allow interior lots, that cannot meet the 50% parking because they're not able to, an additional wall sign based on the criteria.

Mayor Andrews opened the Public Hearing for those wishing to speak in favor of or against the text amendment for Wall Signs. No one spoke in favor of or against the amendment. The Mayor closed the Public Hearing.

Marshall Downey presented an amendment adding the definition of a Yard Sale to the UDO. It will give planning staff and the Town greater control over how to define what a yard sale is. The definition gives the planning department permission to cite those who are running an illegal business. Mr. Downey reviewed the definition of a yard sale that is subject to eight conditions. A Yard Sale is defined as all general sales, open to the public, conducted for the purpose of disposing of used personal household items including, but not limited to, all sales entitled "garage," "yard," "attic," "porch," "patio," "rummage," or "moving sale." Yard sales shall be permitted as an accessory to any residential use on any property that contains a dwelling unit subject to the stated conditions.

The question was asked about determining whether someone has held a yard sale twice within 90 days. Mr. Downey explained that it is challenging, but planning staff monitor this by working with neighbors. Planning will issue a violation once the offense has been determined. It was asked if the sales at Seminole could be stopped. Since that location is in Harnett County, the planning department has no control over that area. The property belongs to DOT and it is illegal to have sales there. Mr. Downey explained someone wishing to have a yard sale at the Community Building for a benefit may get a temporary use permit. A yard sale held in a vacant lot requires permission from the property owner and is limited to a certain number of times per year.

Mayor Andrews opened the Public Hearing for those wishing to speak in favor of or against the text amendment for Yard Sale. No one spoke in favor or against the amendment. The Mayor closed the Public Hearing.

The Planning Board was dismissed so that they could reconvene at the Community Building to discuss the proposed text amendments. Mayor Andrews expressed his appreciation to the members of the Planning Board for their willingness to serve.

Town Manager Kornegay reviewed the budget message for fiscal year 2016-2017. As the cost to provide services rises, the Town has been able to maintain a steady tax rate. The Town Board is to be commended for that, but this year we will have to deviate from that trend. The General Fund budget will grow by 2.4% and the Town Manager is recommending a tax increase of \$.05, which will bring the tax rate up to \$.49 per \$100 of valuation. In this increase \$.04 will be earmarked for the Town Hall project and \$.01 will help maintain ongoing operational costs. With the tax increase the projected ad valorem tax revenue will come up to \$418,380. The sales tax revenue will remain similar to last fiscal year at \$126,231. In the Water & Sewer Fund projected revenue and expenditures remain similar to last fiscal year. The John Deere tractor has been paid off, and the Town is no longer reimbursing the General Fund so that frees up \$25,000, which is earmarked for the interior and exterior rehabilitation of the water tank. The debt service payment for the WWTP will be paid off in five years. That will allow

planning for potential water line replacements. Another portion of the clerk's salary has been moved to the Water/Sewer Fund, bringing 33.3% of her costs to that fund.

Expenditures by category: Personnel accounts for 44% of total expenditures. A 2% COLA has been budgeted as well as a 10% increase in health insurance. Operating expenditures account for 45% of the budget. Capital Outlay has an increase, which is almost double last year at 10% largely due to the Town Hall project.

Town Manager Kornegay reviewed the Annual Budget Ordinance. Total General Fund Budget is \$843,439. Total Utility Fund is \$368,500 for a Total Budget of \$1,211,939. A breakdown of General Fund Expenditures was given: Governing Body - \$10,865, Administration - \$112,878, Finance - \$111,407, Maintenance - \$135,271, Police - \$278,265 and Special Appropriations - \$194,753. All of the rates will remain the same except for the \$.05 tax increase.

Mayor Andrews opened the Public Hearing for those wishing to speak in favor of or against the proposed budget for fiscal year 2016-2017. No one spoke in favor of or against the proposed budget. The Mayor closed the Public Hearing.

Two terms on the Broadway Planning Board are expiring June 30. Betsy Kelly and Sue Tipton have indicated that they are willing to serve another term on the Planning Board if the Town Board so desires. Mayor Pro Tem Beal made the motion to re-appoint Betsy Kelly and Sue Tipton to the Planning Board. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

Town Manager Kornegay gave a report from the Planning Board on their recommendations for Sandwich Board Signs and Microbreweries. The Planning Board unanimously recommended the approval of Option #2 on Microbreweries and the amendment pertaining to Sandwich Board Signs. Commissioner Woody Beale made the motion to adopt the recommendations of the Planning Board pertaining to Sandwich Board Signs and Microbreweries. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

The Town Board has discussed the Town Hall project since September of 2015. Two information meetings were held for the public with Town Hall presentations given. A question and answer session was held for the public at the April 25 meeting. At the Budget Work Session held on May 3, Mayor Andrews asked the Town Board to carefully consider all options for the Town Hall project and make a decision at the regular May meeting. The Mayor stated there are only three options for the Town Hall project. Demolish the existing Town Hall and rebuild at the same location, build a new building on the vacant lot at the corner of West Harrington and North Main Street or do nothing. All other options have been considered and are not viable solutions. There are stipulations on the Community Building deed and a conservation easement on the Council Chamber. Renovation of the existing Town Hall is too costly and would require ADA compliance throughout the building, which would result in the loss of space. The next step in the process is to spend roughly \$32,000 on detailed drawings. Mayor Andrews requested discussion and direction from the Town Board about moving forward with the project.

There was much in-depth discussion about relocation options and costs, demolition costs, disruption of service and Town operations, potential loss of Community Building revenue for a year, safety of staff and citizens, vacant buildings and other concerns. Commissioner Davis made the motion to proceed with building a new Town Hall/Police Department on the vacant lot at the corner of West Harrington Avenue and North Main Street adjacent to the Community Building. The motion was seconded by Mayor Pro Tem Beal. Motion carried by a vote of four to one, with Commissioner Harrington casting the dissenting vote.

Town Manager Kornegay presented three budget ordinances for adoption, so the Town can proceed with having detailed drawings prepared for the new Town Hall/Police Department. The Capital Project Ordinance will create an account to pay expenditures for the Town Hall project. Commissioner Davis made the motion to adopt the Capital Project Ordinance creating a capital project account in the budget. The motion was seconded by Commissioner Green. Motion carried unanimously.

Mayor Pro Tem Beal made the motion to adopt an amendment appropriating \$50,000 from Fund Balance to fund the capital project. The motion was seconded by Commissioner Davis. Motion carried unanimously.

Commissioner Green made the motion to adopt a reimbursement resolution to reimburse General Fund \$50,000 once the USDA loan is approved. The motion was seconded by Commissioner Harrington. Motion carried unanimously.

Under Manager's Report, Town Manager Kornegay advised that there is a need for a seasonal worker for part-time work during the summer. This person will be hired to assist with grass cutting and light maintenance. He will work approximately 10 hours per week at a rate of \$15 per hour on an as needed basis. The Board authorized the Town Manager to hire a temporary part-time worker.

The contract with Utility Services is ready for the water tank maintenance. Town Manager Kornegay will give the contract to Attorney Love for his review. Interior rehab will be done first. The tank will be drained, but there is enough pressure without a backup.

Under Commissioner Comments, Commissioner Woody Beale expressed some concerns. The shutters on the garage window need to be replaced. The barn quilt, donated by the Woman's Club, is not visible on the Tiny Tots building and needs to be moved to the side of the Community Building between the two windows. The exterior light at the Council Chamber needs to be checked to ensure the photo cell is working properly. The spillway on Watson Lake needs to be sprayed. Commissioner Beale thanked the two county commissioners, Kirk Smith and Tim Sloan, for attending the meeting.

Commissioner Harrington expressed thanks to her fellow commissioners for the hard work, thought and prayer they put into making the decision for the Town Hall project. She is glad the Town Board can now move forward and work together.

Mayor Pro Tem Beal stated that he is glad the Town Board came together on the Town Hall project and can move forward with it. He requested permission to miss the June Board Meeting because it falls on his wedding anniversary. The Mayor Pro Tem inquired if the police department's radar is calibrated on a regular basis. Town Manager Kornegay is confident that Chief Hinnant has the radar calibrated regularly as required through Fleet Connect . They send it to Seth Strayer, of Greensboro, who is FCC qualified. Mr. Strayer then sends paperwork to Chief Hinnant as verification.

Commissioner Green stated that she is relieved the Town Board has made a decision and can move forward and do their best to be good stewards with what they have been entrusted. Commissioner Green is very grateful to work with a board that always ends up together.

Commissioner Davis voiced concerns about having only one licensed operator for the WWTP, water collection system, sewer collection system and distribution system. He feels that another person should be trained and licensed. Mr. Davis would like to see this addressed as soon as possible.

Under Mayor Comments, Mayor Andrews reported that the festival was \$445 in the red. There was enough in reserves to take care of the shortfall.

The Joint Planning Commission met recently. Road planning recommendations were sent to the TARPO meeting last Thursday. Most of the plans were for regional projects. At the July meeting the focus will be on division projects. The top items to put on the 2021 DOT project list were: sidewalks on Fields Drive from Carthage Street to Horner Blvd., finish sidewalks on Woodland Avenue from Evergreen Street to Globe Street, synchronized streets on US 1 from White Hill Road to Pendergrass Road, a couple of airport projects – hangars & aprons, sidewalks along Main Street from Mansfield Drive to the 100 block of S. Main Street in Broadway, complete street project from US 1 to the railroad overcross, road diet on Carthage Street from Chatham Street to Wicker Street, and the widening of Tramway Road from US 1 to Lemon Springs Road. The Mayor reminded everyone that Broadway Road will not be paved until 2019. The survey crew is working now then the next step will be purchasing right of way. Once that is completed, utilities must be moved before the paving begins.

Mayor Andrews reported that Joy Thrash and Bob Joyce attended a trade show in Germany. SAGA has been working with Sen. Rabin, Sen. Reives and Sen. Salmon about an occupancy tax in Sanford to fund a visitors/welcome center.

A Memorial Day Ceremony will be held Monday, May 30 at the NCVM in Broadway at 10:30 a.m. It will be hosted by American Legion Post 237 out of Sanford. Don Shriner, President of the Lee County Veterans Council, advised Mayor Andrews that every Memorial Day and Veterans Day Ceremony has been scheduled for the NCVM through Memorial Day of 2021. The Mayor thinks that is fantastic because the turnout is great every year.

The Mayor, Sheriff and Police Chief received complaints from a citizen about speeding as drivers go out of Town towards Sanford. Chief Hinnant has beefed up radar along Main Street. The sheriff's department placed a digital speed sign there. Speed limit signs cannot be added in Town because they are posted at every entry point. The speed limit is 35 mph throughout Town unless otherwise posted. A good faith effort has been made to try to address speeding.

Mayor Andrews thanked the Town Board for their efforts on making the decision about the Town Hall project. He knows it was not an easy decision because it is a big decision. The Town Hall issue has been discussed for two or three years. In September the Board started discussing the project in detail. The Mayor stated it is good the Board can have discussion and still leave as friends and colleagues. Their decision tonight is just a beginning step; there is still a lot of work to be done.

With no further business to come before the Board, Commissioner Woody Beale made the motion to adjourn the meeting. The motion was seconded by Commissioner Harrington. Motion carried unanimously to adjourn.

Donald F. Andrews
Mayor

Laura K. Duval
Town Clerk