

TOWN OF BROADWAY
BOARD OF COMMISSIONERS
MEETING MINUTES

JULY 24, 2017

A scheduled meeting of the Board of Commissioners was held on Monday, July 24, 2017 at 6:00 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. Mayor Pro Tem Beal gave the invocation, which was followed by the Pledge of Allegiance.

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

Consent Agenda – Approval of June 26 Minutes and June Financial Statement. Mayor Pro Tem Beal made the motion to accept the Consent Agenda as submitted. Motion was seconded by Commissioner Harrington. The motion carried unanimously.

Amy McNeill, Zoning Administrator, presented a text amendment to the UDO to allow Beekeeping in the Central Business District (CBD) zoned areas. Ms. McNeill advised that Jim Rosensteel submitted an application for a zoning text amendment to allow beekeeping within the CBD zoned areas on both the ground level and on rooftops. CBD zoned areas are located within the Town of Broadway downtown area, the Downtown Sanford area and the old Jonesboro downtown area. Mr. Rosensteel gave a presentation to the Joint Planning Commission (JPC) in December with additional follow-up information and a proposed text amendment being provided by planning staff in June. The JPC recommended that this text amendment be forwarded to the three jurisdictions for public hearings and consideration of adoption. If adopted, the use must comply with all applicable codes and regulations.

Ms. McNeill reviewed eight development standards that urban beekeeping must meet: dimensional standards for beehives, height of the hive, lot size, water source, flyway barriers, roof installations, aggressiveness and zoning clearance permit. A map was distributed showing the CBD areas of downtown Broadway for reference. The City of Sanford has already approved this text amendment.

Mayor Andrews opened the Public Hearing for those wishing to speak in favor of or against the text amendment that will allow Urban Beekeeping in the CBD. Ms.

McNeill answered a few questions. The Planning Department will monitor Urban Beekeeping. A beehive must be placed 10 feet from the property line. The Planning Board can recommend that notification signs be posted near the hives so that people will be aware that they are near. No one spoke in favor of or against the text amendment to allow Urban Beekeeping in the CBD. The Mayor closed the Public Hearing.

The membership of the Lee County Planning Board and the Board of Adjustment (BOA) currently share the same persons. The proposed text amendment to the UDO would divide the membership of the two boards. Since this amendment was drafted, the members of the Planning Board have changed, and the current members no longer want to split the board. They have indicated they are willing to serve on both boards. Planning staff recommend that the Board of Commissioners vote to deny the recommendation of this text amendment. Both the Lee County Planning Board and the Sanford Planning Board voted to deny the recommendation of this Planning Board/BOA text amendment.

Mayor Andrews opened the Public Hearing for those wishing to speak in favor of or against the text amendment dividing the membership of the Lee County Planning Board and the BOA. No one spoke in favor of or against this text amendment. The Mayor closed the Public Hearing. The Planning Board was excused to meet and consider the UDO text amendments presented.

Mayor Andrews advised that the Town Board had reviewed the five RFQ's submitted for the water relocation project. The Board used a scoring matrix in their review. All five firms appear to be qualified to do the work. Town Manager Kornegay stated that all five would be capable of handling the engineering for the water relocation project. Based on the parameters put forth in the request, Mr. Kornegay recommended the project be awarded to Withers-Ravenel. Commissioner Davis made the motion to accept the Town Manager's recommendation to award the project to Withers-Ravenel. Motion was seconded by Commissioner Harrington. The motion carried unanimously.

The Town Board discussed the junk/abandoned vehicle ordinance. Counsel Love advised that the current ordinance is legally sufficient and can be enforced. It is in agreement with the general statute and other nearby towns use the same ordinance. As Section 93.04 now reads: The Junked Motor Vehicle. As authorized and defined in G.S. 160A-303.2, the term means a vehicle that does not display a current license plate lawfully upon that vehicle and that: (1) is partially dismantled or wrecked; or (2) cannot be self-propelled or moved in the manner in which it originally was intended to move; or, (3) is more than five years old and appears to be worth less than \$100. The Town Board agreed to enforce the ordinance as written.

Town Counsel advised the weed ordinance can be improved by changing it to read the vacant lot must be shrubbed down to a certain height rather than being shrubbed down by certain dates. Mr. Love also recommended changing the term vacant lot to vacant parcel of land. The Town Board will decide on the minimum height requirement at the August meeting. A public hearing must be held before officially

changing the ordinance. Town Counsel agreed to review other cases and bring his findings to the next meeting.

Manager's Report – Town Manager Kornegay reported the permits for the Town Hall project have cleared. Today he spoke with Richard Oldham, of Sanford Contractors, and construction should begin next week. The water and sewer taps should be ready this week.

Mr. Kornegay gave an update on some of the code enforcement issues that have been addressed. The business on Main Street has started cutting their lot. The property owner on Thelma Sloan Drive appears to be making progress. The junk vehicle has been moved, and he has painted his garage. The house on Main Street has sprayed the weeds in the front yards. The Town Manager has written a letter to a property owner on Hickory Avenue about removing excessive trash from the property. He has also had a conversation with an East Harrington resident whose yard has gotten out of control, and he hopes to see progress there as well.

Mayor Andrews mentioned that the bulk barns on North Main Street have been moved and the white barn will be burned down in the fall.

The Town Manager advised that the playground has been painted and new swings (chains and seats) have been ordered.

Mr. Kornegay has not come up with a definite solution for the Christmas lights on the water tank. He has spoken with some people and will have that in place by Christmas since it is an important issue for the Town.

The Town Manager spoke with DOT about cutting the brush away from the Broadway School sign on Swann Station Road. They have cut some of it, but he will remind them about cutting the right of way.

It was brought to Mr. Kornegay's attention that additional street lights are needed on East Harrington Avenue further away from downtown. Well-being checks for the elderly during the extreme heat was also mentioned to him. The sheriff's department has this program in place. Commissioner Green feels that Broadway is able to identify those in need of this service and would like to see it implemented.

Duke Energy has agreed to the Town's request for additional downtown street lighting. They wanted to postpone the additions until the road widening project is completed. However, the Town Manager requested they proceed to install the lights from Milton Avenue to the caution light since that area is not affected by the road widening.

Commissioner Comments – Commissioner Harrington thanked the Town Manager for following up on the Town Board's concerns.

Mayor Pro Tem Beal echoed appreciation to Mr. Kornegay for handling the code enforcement issues.

Commissioner Green commended the company who did the road striping in Edgewater Estates. Her neighbors are very pleased with the lined streets.

Mayor Comments – National Night Out will be held on Tuesday, August 1 at 6:00 p.m. Crossroads Ministries is hosting the event again this year. Representatives from the Lee County Sheriff’s Department, Cape Fear Fire Department and Broadway Police Department will attend. Mayor Andrews encouraged the commissioners to attend this community event.

The local library has new hours: Tuesdays and Thursdays 2:00 – 6:00 p.m. and Wednesdays and Fridays 10:00 a.m. – 2:00 p.m.

Mayor Andrews attended the last UDO meeting. The 2020 land use plan was discussed and is being updated. At the next meeting the layout of the parcels and how they are zoned will be presented. It is a good tool for the Planning Department and developers going forward. When the Moncure site comes to fruition with a big industry, Avents Ferry, Popular Springs and Buckhorn Roads may experience a lot of residential development. This growth will be beneficial to Lee County, the City of Sanford and the Town of Broadway.

The Mayor discussed the issue of invocations due to the court proceedings in the Rowan County case. Counsel Love gave his opinion that the Town Board handles the invocation appropriately. No one is asked to stand, nor participate and an evangelistic type prayer is not prayed. Under the current North Carolina law, the Town Board may proceed as usual.

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

Donald F. Andrews
Mayor

Laura K. Duval
Town Clerk