

TOWN OF BROADWAY  
BOARD OF COMMISSIONERS  
MEETING MINUTES  
OCTOBER 23, 2023

A scheduled meeting of the Board of Commissioners was held on Monday, October 23, at 6:00 p.m. in the Council Chamber, 103 N. Main Street, Broadway, North Carolina.

Board members present were Mayor Donald Andrews, Commissioners Tommy Beal, April Collins, Lynne Green, and Teresa Kelly. Also, Town Counsel Jimmy Love, Town Manager John Godfrey, and Town Clerk Laura Duval were present. Due to illness, Commissioner Paschal was unable to attend the meeting.

The meeting was called to order by Mayor Andrews. Commissioner Green gave the invocation, which was followed by the Pledge of Allegiance.

Mayor Andrews requested an addition to the agenda. A closed session per G.S. 143-318.11(a)(3) will be held to maintain attorney - client privilege. Commissioner Kelly made the motion to accept the Agenda as amended. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Consent Agenda – September 25 Board Meeting Minutes and September financial statements. Commissioner Kelly made the motion to accept the consent agenda as submitted. The motion was seconded by Commissioner Collins. Motion carried unanimously.

New Business – David Montgomery, with Community Planning and Development, presented the recommendations of the Planning Board regarding Food Truck Parks. After the joint public hearing was held at the September Board Meeting, the Planning Board met and recommended approval of the proposed UDO text amendment to add “Food Truck Park” as a new land use with development standards by a unanimous vote and were agreeable to including all of the following options:

- Permanent building(s) that accommodate more than just permanent restrooms
- Beer garden
- Vendor space for retail goods/wares/merchandise
- Farmer’s market
- On-site commissary kitchen
- Electrical/water/sanitary sewer connections
- Limited dry storage area(s) that are screened from public view

Commissioner Paschal had contacted Mayor Andrews and Mayor Pro Tem Beal and requested an explanation of a beer garden. Mr. Montgomery stated a beer garden

must meet ALE laws and other stipulations that would allow the serving of beer in an enclosed atmosphere indoors or outdoors. It would be an accessory structure to the actual food truck park similar to a farmer's market and could be enclosed. The Town Board could strike beer garden from the options and approve food truck parks. Commissioner Collins asked if anyone had expressed interest in having a food truck park in Broadway since the last meeting. Mr. Montgomery advised there has been one inquiry within the City of Sanford. The City and County have already approved this text amendment as written. Mayor Pro Tem Beal advised he and Commissioner Paschal are not in favor of a beer garden in Broadway. Mayor Pro Tem Beal made the motion to approve the UDO text amendment adding "Food Truck Park" as a new land use without the beer garden as an accessory. The motion was seconded by Commissioner Green. There was discussion regarding the option of a beer garden. Mayor Pro Tem Beal doesn't want to risk having a beer garden in Broadway where something bad could happen. With no further discussion, Mayor Andrews called for a vote. Motion failed with a vote of 1 to 3. Mayor Pro Tem Beal voted in the affirmative, and Commissioners Green, Collins, and Kelly voted in the negative.

Commissioner Kelly made the motion to approve the UDO text amendment adding "Food Truck Park" as a new land use with development standards including all of the options as recommended by the Planning Board. The motion was seconded by Commissioner Green. Motion carried with a vote of 3 to 1. Commissioners Collins, Green, and Kelly voted in the affirmative, and Mayor Pro Tem Beal voted in the negative.

Mr. Montgomery advised the Planning Board approved the rezoning amendment for North Main Street from R-20 to C-1 to allow the development of a retail store. The Planning Board voted 6 to 1 recommending approval. The member casting the dissenting vote expressed their concern over another dollar store (indicated by the applicant) since there was already a dollar store within the vicinity of the proposed rezoning.

Commissioner Green made the motion that the zoning map amendment is consistent with the Plan SanLee long-range plan designation of Village Center because it lists small business services, professional offices, retail stores, personal services, and entertainment as proposed uses. The motion was seconded by Commissioner Kelly. Motion carried unanimously.

Commissioner Kelly made a motion to approve the proposed zoning map amendment because it is reasonable and in the public interest given that the site is located along Main Street, and there are already commercially zoned properties developed with businesses in this area. Also, the site appears to have access to public water and sewer. The motion was seconded by Commissioner Collins.

Commissioner Kelly expressed her disappointment in another dollar store coming to Broadway within 500 feet of an existing dollar store. Mayor Andrews said no one had ever come to him and said Broadway needs another discount variety store. He has heard requests for an auto parts store, a pharmacy, a florist, a coffee shop, or a sandwich shop. Commissioner Kelly is in favor of more commercial in the downtown

area and believes property owners have a right to develop their property, but she wished they should do something that would complement the Town. Mayor Andrews agreed it would be nice to have retail that would meet a need not currently served. Mayor Andrews called the vote. Motion carried unanimously.

Bobby Sharpe, owner of Pop Heaven, presented a design of the mural that he and his wife, Dawn, would like to have painted on the side of their building. They spoke with Liz Whitmore, who was in charge of Sanford murals, and she suggested they contact Christy who painted several of their murals. The mural design Mr. Sharpe shared with the Town Board consists of hot air balloons with the caption Broadway. The only change they want to make to the design is the addition of their dogs. They plan to have a photo op consisting of a 3-D basket underneath one of the painted hot air balloons. They hope to start the mural next spring and are very excited about it. Mr. Sharpe stated they have placed a map on the wall inside their store pinpointing where their customers live. They have shipped products from Alaska to Hawaii and from New York to Florida. Almost all 50 states are covered. Customers drive from 40 miles away to shop at Pop Heaven. The Sharpes hope the mural will bring even more people to Broadway.

Commissioner Collins commended the Sharpes for being ambassadors for the Town. She has heard so many positive comments about the store and about the Sharpes. Commissioner Collins is glad they decided to fulfill their dream in Broadway. The Town Board stated they all like the mural design presented.

A Memo of Understanding between NCDOT and the Rural Planning Organization for Lee, Chatham, Moore, and Orange counties was presented for approval. The organization was once called the Triangle Area RPO, but the name will be changed to the Central Pines RPO. The MOU has been updated to reflect the name change with a few other minor updates. Commissioner Kelly made the motion to adopt the MOU for the Rural Planning Organization name change and other updates. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

The Mayor presented a Resolution in Support of Operation Green Light for approval. The Town Board adopted this resolution last year. It recognizes veterans in their transition from active duty to civilian life. The resolution asks homeowners and businesses to place a green light at their front doors from November 6 to November 11, 2023. Commissioner Kelly made the motion to adopt the Operation Green Light Resolution. The motion was seconded by Commissioner Collins. Motion carried unanimously.

A budget amendment was presented for approval for completion of the EB-5870 sidewalk project. At the 2023-24 budget time the project had not been committed, so it wasn't included in the budget. The proposed amendment appropriates \$96,000 for that expenditure. Commissioner Kelly made the motion to adopt the budget amendment appropriating \$96,000 for the EB-5870 Sidewalk Project. The motion was seconded by Commissioner Green. Motion carried unanimously.

Town Manager Godfrey reported he and Chief Gunter took the 2018 Dodge Charger to VLO Signs in Sanford to get the Broadway Police graphics detailed on the cruiser. Everyone seems pleased with the graphics.

On September 28, the final inspection meeting for the EB-5870 Sidewalk Project was held at Town Hall with the contractor and NCDOT representatives. The Town signed off on the project.

The Disabled Veterans Monument Dedication was held on October 1. Many were in attendance, and it was a beautiful day for a nice service.

Emergency Management completed the annual inspection of Town Hall. No deficiencies were noted.

Public Works Tech, Jacob Melvin, attended the Lead/Copper Service Lines Inventory training in Aberdeen, NC.

Public Works staff, Town Clerk Duval, Mayor Andrews, and Town Manager Godfrey met with Bobby Cavanaugh, of NCRWA, at Town Hall. Discussions were held to determine steps needed to complete the Lead/Copper Service Lines Inventory required by the Federal and State Government. Deadline for results is October 2024. Service lines that meet time frame criteria will need to be inspected to determine if lead or copper lines are present.

Bruce Naegelen with NC Dept. of Commerce stopped by Town Hall to introduce himself on 10/17/23. He is the Community Economic Development Planner for the North Central Region.

Police Officers Matthew Stone and Devan Gross attended annual training during the week of October 16. Public Works Tech, Jacob Melvin, also attended week long training at the NCRWA training facility in Sanford. The class was for Wastewater Grade II certification. His exam is upcoming.

Town staff continue to work hard each and every day to ensure we provide the most efficient service to Broadway. Mr. Godfrey expressed it continues to be a pleasure to be a part of this team.

Commissioner Comments – Commissioner Green commended Town Manager Godfrey on his report. She thanked him and his hard working staff for all they do.

Commissioner Collins inquired about the radar sign data. The initial report has been obtained, but the Town Manager and Police Chief are reviewing the data to determine how it should be presented. Commissioner Collins mentioned that citizens seem excited about the sign because it is deterring speeding.

The Mayor entertained a motion to go into closed session per G.S. 143-318.11(a)(3) to preserve attorney - client privilege. Commissioner Kelly made the

motion to go into closed session. The motion was seconded by Commissioner Green. Motion carried unanimously.

After returning to regular session, there was no further business to come before the Town Board. Commissioner Green made the motion to adjourn the meeting. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously to adjourn.

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Donald F. Andrews  
Mayor

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Laura K. Duval, Town Clerk