



Board of Aldermen Regular Meeting
Agenda Packet
December 14, 2021





AGENDA
Spencer Board of Aldermen
Pre-Agenda Meeting
5:30 p.m.

DATE:
December 9, 2021

1. CALL TO ORDER – MAYOR JONATHAN WILLIAMS

2. INVOCATION & PLEDGE OF ALLEGIANCE

PUBLIC HEARING Board to conduct a Legislative Hearing to obtain public comment(s) on Conditional Rezoning Case #CZ-21-001. The owner of the property located at 200 SOUTH SALISBURY AVENUE (ROWAN COUNTY PARCEL ID # 032 164) has authorized the tenant of the property, Michael King, to submit to the Town a Rezoning Application (Petition to Amend the Official Zoning Map) to rezone the property from C-29 (US HWY 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service business. *Those who wish to address the Board of Aldermen are required to provide their name, address, and topic to be addressed. The Board will only listen and not respond. A speaker will be allowed 3 minutes to speak.*

3. REVIEW OF DECEMBER 14, 2021, AGENDA

1. CALL TO ORDER – MAYOR JONATHAN WILLIAMS

2. INVOCATION & PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES:

*November 4, 2021, Pre-Agenda Meeting Minutes
November 9, 2021, Regular Meeting Minutes
(Attachment 1)*

4. ORGANIZATION AND PROCEDURE OF MAYOR AND BOARD OF ALDERMEN

- a. OATH OF OFFICE ADMINISTERED TO MAYOR & MEMBERS OF THE BOARD OF ALDERMEN**
- b. ESTABLISHMENT OF TIME AND PLACE FOR THE BOARD'S REGULAR MEETINGS IN 2022 (Attachment 2)**
- c. ELECTION OF MAYOR PRO-TEM FOR 2022 & 2023**

5. ADDITIONS/ DELETIONS AND ADOPTION OF AGENDA

6. OTHER APPOINTMENTS-

- a. NCDOT MPO & TAC/TCC REPRESENTATIVES-**
- b. CENTRALINA COG-**

7. RECOGNITIONS

8. **PUBLIC COMMENT** *This agenda item is included to allow input to the Board of Aldermen from any citizen who wishes to address the Board without requesting to be on the agenda. Those who wish to address the Board of Aldermen are required to provide their name, address, and topic to be addressed. The Board will only listen and not respond but may decide to place a topic on a future agenda. A speaker will be allowed 3 minutes to speak.*
9. **CONSENT AGENDA** *(The Consent Agenda is the first order of business. Items listed are believed to be non-controversial and are administrative in nature. There will be no separate discussion of the items unless an Alderman request or a citizen request and is granted permission to speak. The item(s) then will be removed from the Consent Agenda and considered individually. Otherwise, all items will be enacted by one motion).*
10. **BOARD TO CONSIDER ADOPTING AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP AND REZONE THE PROPERTY AT 200 S. SALISBURY AVE FROM PRIMARY GENERAL USE DISTRICT C-29 (US HIGHWAY 29 COMMERCIAL) TO CONDITIONAL ZONING DISTRICT VSR(CZ-21-001) (VEHICLE SERVICE/REPAIR, CONDITIONAL)- (Attachment 3)**
11. **CONSIDER APPOINTING JESSICA KLAUS (301 4TH ST) TO SPENCER PLANNING BOARD/ BOARD OF ADJUSTMENT 3-YR TERM EXPIRING 12/31/2024- (Attachment 4)**
12. **CONSIDER APPOINTING TIM WITKOWSKI (400 STEEPLECHASE TRL) TO SPENCER PLANNING BOARD/ BOARD OF ADJUSTMENT 3-YR TERM EXPIRING 12/31/2024- (Attachment 5)**
13. **CONSIDER RE-APPOINTING NANCY BOYD (400 3RD ST) TO SPENCER HISTORIC PRESERVATION COMMISSION 4YR- TERM EXPIRING 12/31/2025– (Attachment 6)**
14. **CONSIDER RE-APPOINTING LESLIE ANN TALBOTT (308 N. SALISBURY AVE) TO SPENCER HISTORIC PRESERVATION COMMISSION 4YR- TERM EXPIRING 12/31/2025 – (Attachment 7)**
15. **CONSIDER AUTHORIZING STAFF TO APPLY FOR T-MOBILE HOMETOWN GRANT FOR 8TH STREET PARK- (Attachment 8)**
16. **DEPARTMENTAL REPORTS – (Attachment 9)**
 - a. Planning
 - b. Code Enforcement
 - c. Police
 - d. Fire
 - e. Public Works
 - f. Finance
 - g. Library
17. **TOWN MANAGER REPORT – (Attachment 10)**
18. **CONSIDER RECEIVING PROPERTY LIENS – (Attachment 11)**
19. **CONSIDER BUDGET AMENDMENT ORDINANCE 21-023- (Attachment 12)**

- 20. CONSIDER RESOLUTION 21-029 FOR SURPLUS OF CHIEF JAMES FIREARM & BADGE- (Attachment 13)***
- 21. CONSIDER RESOLUTION 21-030 SPECIFYING TOWN MANAGER AUTHORITY RELATED TO CONTRACTING, BIDDING, SURPLUS PROPERTY, & SETTLING CLAIMS- (Attachment 14)***
- 22. CONSIDER AUTHORIZING TOWN MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT- (Attachment 15)***
- 23. CONSIDER AUTHORIZING TOWN MANAGER TO ACCEPT \$10,000 GRANT AWARD FROM THE SALISBURY ROWAN COMMUNITY FOUNDATION FOR THE YADKIN RIVER TRAILHEAD PROJECT- (Attachment 16)***
- 24. CONSIDER AMENDING FINANCIAL AUDIT CONTRACT AGREEMENT– (Attachment 17)***
- 25. REQUESTS & COMMENTS BY THE MAYOR AND BOARD MEMBERS***
- 26. EXECUTIVE SESSION PER NC GENERAL STATUTE 143-318.11 (IF NEEDED)***
- 27. ADJOURNMENT***
- 4. EXECUTIVE SESSION PER NC GENERAL STATUTE 143-318.11 (IF NEEDED)**
- 5. ADJOURNMENT**

AGENDA ITEM

Council Meeting Date: 12/09/2021
(Pre-Agenda Meeting)

Agenda Item No: TBD	INSERT AGENDA ITEM HERE
Issue under Consideration:	Board to conduct a Legislative Hearing to obtain public comment(s) on Conditional Rezoning Case # CZ-21-001 (200 South Salisbury Avenue).
Current Status:	The owner of the property located at 200 SOUTH SALISBURY AVENUE (ROWAN COUNTY PARCEL ID # 032 164) has authorized the tenant of the property, Michael King, to submit to the Town a Rezoning Application (Petition to Amend the Official Zoning Map) to rezone the property from C-29 (US HWY 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service business.
Points to Consider:	The Legislative Hearing will take place at the pre-agenda meeting on December 9. The Board will not make a final decision on the rezoning petition until the regular meeting on December 14. The purpose of the hearing is simply to solicit additional public comment for consideration. <u>See Staff Memorandum for additional information.</u>
Financial Impact:	N/A
Options:	N/A
Recommendations:	N/A
Department:	PLANNING & DEVELOPMENT SERVICES

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____
Against: _____

Passes: _____
Fails: _____

Staff Memorandum for Legislative Hearing
(Dec. 9th Pre-Agenda Meeting)



Date: December 1, 2021
To: Peter Franzese, Town Manager; Mayor & Board of Aldermen
From: Kyle Harris, Planning & Zoning Administrator
Re: **Conditional Rezoning Application (Case # CZ-21-001)**
Legislative Hearing (Pre-Agenda Meeting)
See attached Exhibits

At your pre-agenda meeting on Thursday, December 9, the Board of Aldermen will conduct a Legislative Hearing on Conditional Rezoning Application # CZ-21-001 (200 South Salisbury Avenue). **The main question in this case is whether it is appropriate to allow a vehicle service/repair business to operate in such close proximity to a historic residential area, given potential adverse impacts to surrounding properties.** The purpose of the hearing is to receive additional public comment(s) on the proposed rezoning. The Board will *not* take any Action at this time. You will be asked to take Action at your regular meeting on December 14 (to *Approve, Deny, or Table* the proposed rezoning). Staff will provide a brief summary of the case ahead of the Legislative Hearing but will not provide a comprehensive presentation until the regular meeting on December 14. Staff will be available for questions before and after the hearing.

The purpose of the present Memorandum is to provide a brief summary of the case (Section I). I then follow with details on public notification and special efforts taken to accommodate wide-ranging public input (Section II). Subsequently, I summarize public comments received to date (Section III), including the results of the initial neighborhood meeting and the follow-up courtesy hearing. I conclude this memo with an overview of the evaluative standards the Board may use to review the rezoning application and take final Action on December 14 (Section IV). I provide these criteria as a helpful frame of reference as you consider the public's input.

I. Brief Summary of Rezoning Petition

To summarize, Mike King (Authorized Applicant) has submitted to the Town a Rezoning Application (Petition to Amend the Official Zoning Map) to Conditionally Rezone the property at 200 South Salisbury Avenue (Rowan County Parcel ID # 032 164) from C-29 (US HWY 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service business. The subject property is currently zoned C-29 (US HWY 29 Commercial), for which "automobile repair services" is not a permitted land use. The applicant proposes to rezone the

Staff Memorandum for Legislative Hearing
(Dec. 9th Pre-Agenda Meeting)

subject property to VSR (Vehicle Service & Repair), which would allow the tenant to lawfully operate an automotive service and repair business.

As part of the Conditional Zoning process, Mr. King has offered several “conditions”, or limitations, on the use and development of the property to ensure it is compatible with the surrounding area. These proposed conditions include screening/fencing around all automobile work and storage areas, limitations on the hours of operation, limitations on how and where vehicles are stored on the property, and other site improvements.

Mr. King is *currently* operating an auto repair business at the property. As stated above, the subject property is currently zoned C-29 (US HWY 29 Commercial), for which “automobile repair services” is *not* a permitted land use. If the rezoning is denied, Mr. King will no longer be lawfully permitted to operate his business at the property. If the rezoning is approved, he will be required to abide by the conditions that he and the Town have mutually agreed upon. If he fails to abide by the agreed upon standards, the property will automatically revert back to its previous zoning classification, meaning the business will no longer be permitted to operate.

Complete details on the case are included in my Staff Memorandum prepared for the December 14th Regular Meeting, provided as a separate agenda item.

II. Public Notification (*see attached Exhibits for more information.*)

- **Exhibit 1**: Public Notice (Mailed) – Legislative Hearing (w/ expanded mailing list)
- **Exhibit 2**: Posted Sign at Subject Property – Legislative Hearing Notice
- **Exhibit 3**: Public Notice (Mailed) – Planning Board – Courtesy Public Hearing
- **Exhibit 4**: Public Notice (Mailed) – Neighborhood Meeting

The Town has provided a number of opportunities for public input on the rezoning, including a neighborhood meeting held on November 3rd, a courtesy hearing held before the Planning Board on November 8th, and now a final Legislative Hearing. In addition to these hearings, through mailed notices I provided my contact information and invited all interested parties to ask any questions they had about the rezoning and/or to submit written statements in favor or opposition of the rezoning.

Staff mailed multiple notices to neighborhood property owners. For the November 3rd neighborhood meeting, forty (40) notices were mailed to owners of all adjacent properties and to property owners in the general area. N.C. State Statute only requires that the Town notify immediately abutting property owners, so the Town went above and beyond the minimum requirement.

Additionally, the Planning Board held a courtesy hearing at its November 8th meeting. A public hearing was not required by ordinance, but my goal was to offer as many opportunities as possible

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for public input. Notice of this hearing was provided to everyone who attended the neighborhood meeting and was mailed to adjacent property owners.

Finally, for the Legislative Hearing, forty (40) notices were mailed to owners of all adjacent properties and to property owners in the general area. Again, the Town went above and beyond the minimum requirement for notification. Additionally, notice of the Legislative Hearing was published in the Salisbury Post once a week for two (2) successful calendar weeks, and was posted on a sign placed prominently in front of the subject property. I am confident that the Town has met and exceeded the requirement for public notification.

III. Summary of Public Comments (*see attached Exhibits for more information.*)

- **Exhibit 5:** Neighborhood Meeting – Report
 - Sub-exhibit A: Mailing List
 - Sub-exhibit B: Public Notice
 - Sub-exhibit C: Neighborhood Meeting Minutes
 - Sub-exhibit D: Meeting Attendance Roster
- **Exhibit 6:** Neighborhood Meeting – PPT Presentation
- **Exhibit 7:** Neighborhood Meeting – Handout
- **Exhibit 8:** Planning Board Meeting – Minutes

To date, public input has been mixed evenly. Instead of offering a summary of input which risks obscuring the commenters' nuanced sentiments, I have instead attached statements of all individuals who provided input. Please see the following exhibits, which are either written statements received by email or transcriptions of spoken statements at one of the hearings:

- **Exhibit 9:** Statement of Thomas Ward (109 2nd Street) – In Support
- **Exhibit 10:** Statement of Ivis Cavin (108 2nd Street) – In Support
- **Exhibit 11:** Statement of Wendy Spry (110 S. Yadkin Ave.) – In Opposition
- **Exhibit 12:** Statement of Diane Everhart (owner 111 2nd Street) – In Opposition

Video/audio recordings of the neighborhood meeting and the courtesy hearing held before the Planning Board are available upon request to the Planning & Zoning Administrator. **I strongly encourage the *Aldermen* to review Exhibit 5 (Neighborhood Meeting Report) and Exhibit 8 (Planning Board Meeting Minutes) for a transcription of the entire extended dialogue that took place during the hearings at both meetings.**

Staff Memorandum for Legislative Hearing
(Dec. 9th Pre-Agenda Meeting)

IV. Evaluative Standards

- **Exhibit 14:** SDO Article 5 (Amendments to Zoning Map)

The standards that the *Board of Aldermen* can use in evaluating whether to approve or deny the proposed Conditional Rezoning are established in SDO Sec. 5.3-3 & Sec. 5.4-4(E)-(F).

To summarize, the *Board of Aldermen's* consideration of an application for Conditional Zoning is Legislative in nature, meaning that you may consider *any* relevant information in your deliberations. Your decision is Legislative, not Quasi-Judicial, in nature, and therefore the question or whether to approve or deny the rezoning is left to your judgement as an elected representative.

Standards for evaluation may include, but are not limited to, any of the following:

- The criteria for issuing Special Use Permits (see SDO Sec. 7.8-5(C)):
 - The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;
 - The use or development complies with all required regulations and standards of the Spencer Development Ordinance and with all other applicable regulations;
 - The use or development is located, design, and proposed to be operated so as not to substantially injure the value of adjoining or abutting property, or that the use or development is a public necessity;
 - The use or development will be in harmony with the area in which it is to be located and conforms to the general plans for the land use and development of the Town of Spencer and its environs.
- Consideration of adopted land use plans for the area, small area plans, corridor plans, and other land use policy documents, and to surrounding land uses.
- Consistency with the Future Land Use Plan's Goals:
 - Improve / Revitalize Downtown Retail / Commercial District
 - Improve the public perception of the Town of Spencer (with special emphasis on quality of life and shopping opportunities)
 - Protect existing neighborhoods
 - Improve the performance and perception of the schools in Spencer
 - Facilitate commerce and industry opportunities within Spencer
 - Facilitate and encourage transportation improvements
- Consistency with Spencer's Historic District Standards:

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(Dec. 9th Pre-Agenda Meeting)

- Standard 1 establishes that “every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally intended use” (p. 32).
- Additional consideration can also be given to any of the following factors:
 - The size, physical conditions, and other attributes of the property proposed to be rezoned;
 - The benefits and detriments to the landowners, the neighbors, and the surrounding community;
 - The relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;
 - Why the action taken is in the public interest; and
 - Any changed conditions warranting the amendment.

Please see my Staff Memorandum prepared for the December 14th Regular Meeting for complete details on Conditional Rezoning Case # CZ-21-001 (200 South Salisbury Avenue).

Respectfully submitted,

Thomas Kyle Harris

Kyle Harris
Planning & Zoning Administrator
Town of Spencer, NC

TOWN OF SPENCER
NOTICE OF LEGISLATIVE HEARING
ON THURSDAY, DECEMBER 9, 5:30 P.M.
PROPOSED ZONING MAP AMENDMENT
CONDITIONAL REZONING CASE # CZ-21-001

Pursuant to the provisions of N.C.G.S. §160D-601, §160D-602, and Section 5.3-3 of the Spencer Development Ordinance (SDO), NOTICE IS HEREBY GIVEN that the Board of Aldermen of the Town of Spencer ("Town") has scheduled a legislative hearing to obtain public comment(s) on a proposed amendment to the Spencer Official Zoning Map.

The owner of the property located at 200 SOUTH SALISBURY AVENUE (ROWAN COUNTY PARCEL ID # 032 164) has authorized the tenant of the property, Michael King, to submit to the Town a Rezoning Application (Petition to Amend the Official Zoning Map) to rezone the property from C-29 (US HWY 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service business. If the rezoning application is approved, the use would be subject to the additional screening and buffering conditions established in SDO Section 10.1-4 and other limitations mutually agreed to by the applicant and the Town to ensure that the use is compatible with surrounding land uses.

The legislative hearing will take place at the regular pre-agenda meeting of the Board of Aldermen on Thursday, December 9, 2021, beginning at 5:30 P.M. at the *New* Spencer Town Hall, 450 South Salisbury Avenue.

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.facebook.com/TownofSpencerNC/>.

If you are unable to attend the meeting in person, you may provide a written statement to the Town Clerk by email to scraven@townofspencer.com, or submit by mail to Stacy Craven, Town Clerk, P.O. Box 45, Spencer NC 28159, no later than Tuesday, December 7. You must provide your name and address for the record. The written statement will be delivered to the Board of Aldermen prior to the hearing. Please include Case # CZ-21-001 in the subject line.

Inquiries regarding the proposed rezoning may be directed to Kyle Harris, Spencer Planning & Zoning Administrator, P.O. Box 45, Spencer, North Carolina; or by telephone at 704-633-2231 ext. 28; or by email at kharris@townofspencer.com.

This the 9th day of November, 2021

BOARD OF ALDERMEN
SPENCER, NORTH CAROLINA

By: Stacy Craven, Town Clerk

FOXX PROPERTIES GROUP LLC
4965 PHILLIP CREEK LN
SUGAR HILL, GA 30518-7898

FIRE CHIEF MICHAEL LANNING
SPENCER TOWN OF
PO BOX 45
SPENCER, NC 28159

NC TRANS MUSEUM
NORTH CAROLINA STATE OF
UK
RALEIGH, NC 27600

TICHENOR MEMORIAL FUND
% SPENCER PRESBYTERIAN CHURCH
113 1ST ST
PO BOX 4
SPENCER, NC 28159

SPENCER WOMANS CLUB
% NANCY P BLACKWELL
324 S WHITEHEAD AVE
SPENCER, NC 28159

PATTERSON DANIEL M
PATTERSON JATANA
504 8TH ST
SPENCER, NC 28159

RKB 1953 LLC
117 2ND ST
SPENCER, NC 28159

POOLE HAZEL
115 2ND ST
SPENCER, NC 28159

GEMAYEL N M MRS HEIRS
113 2ND ST
SPENCER, NC 28159

EVERHART DIANE DUCKETT
131 POND VIEW DR
SALISBURY, NC 28147-7237

WARD THOMAS W
109 2ND ST
SPENCER, NC 28159

CAVIN IRIS BENTON
108 2ND ST
SPENCER, NC 28159-2317

SUBURBAN PROPERTY MGMT LLC
450 DEER LAKE RUN
SALISBURY, NC 28146

BYLER EDWIN
150 HICKORY DR
MOCKSVILLE, NC 27028

GROSS JEANETTE
114 2ND ST
SPENCER, NC 28159-2317

SANDOVAL MARIO A &WF
CERRATO DAYSI
5810 HICKORY GROVE RD
CHARLOTTE, NC 28215

LASHUA APRIL M
120 2ND ST
SPENCER, NC 28159-0000

SPENCER PRESBYTERIAN CHURCH
113 FIRST ST
PO BOX 4
SPENCER, NC 28159

SPENCER PRESBYTERIAN & TRSTS CH
ORTHEL FRANK & ELINOR WILBURN
113 FIRST ST
PO BOX 4
SPENCER, NC 28159

XPD ENTERPRISES LLC
254 BELLS CROSSING DR
MOORESVILLE, NC 28117-8576

LUDWIG THREE LLC
321 HELMSTETLER RD
LEXINGTON, NC 27295-5099

SOUTHERN REGION IND REALTY INC
% NORFOLK SOUTHERN CORP
3 COMMERCIAL PL
NORFOLK, VA 23510-2108

TORRES-GARCIA GERARDO
415 W HENDERSON ST
SALISBURY, NC 28144-0000

SPRY WENDY MICHELLE
110 S YADKIN AVE
SPENCER, NC 28159

ARROYO MERCEDES JARAMILLO & HUS
MONTERRUBIO ALEJANDRO JARAMILLO
1821 PURSER DR
CHARLOTTE, NC 28215

WILKERSON RONALD S & WF
WILKERSON CLARISSA F
164 HAWKINS LOOP
SALISBURY, NC 28144-8517

ALLMAN PROPERTIES LLC
4430 NC 801 HWY
WOODLEAF, NC 27054-9475

BROWN WILLIE LEE
713 MAUPIN AVE
SALISBURY, NC 28144

Exhibit 1: Public Notice (Mailed) - Legislative Hearing (w/ expanded mailing list)

SOUTHERN REGION IND REALTY INC
% NORFOLK SOUTHERN CORP
3 COMMERICAL PL
NORFOLK, VA 23510-2108

DOBY DAVID BROWN
411 S IREDELL AVE
SPENCER, NC 28159-2228

MURRAY ROBERT LEE & WF
MURRAY SALLY MAE
115 N SALISBURY AVE
SALISBURY, NC 28159

HENSLEY MALCOLM FREDERICK JR
113 N SALISBURY AVE
SPENCER, NC 28159

BRANDT PATSY BEAN
509 4TH ST
SPENCER, NC 28159-2221

LAMBETH GREGORY TRENT II
100 N YADKIN AV
SPENCER, NC 28159

SPENCER STATIONS LLC
3255 DUNNS MOUNTAIN RD
SALISBURY, NC 28146-0000

SPENCER LANE RENTALS LLC
630 W RIDGE RD
SALISBURY, NC 28147-0000

BASINGER BRANDON W & WF
BASINGER HANNAH C
PO BOX 602
SPENCER, NC 28159-0602

PIFFERETTI FRANKLIN G JR & WF
PIFFERETTI KATHLEEN J
PO BOX 6
SPENCER, NC 28159

WADDELL STEVEN LYNN
WADDELL MARGARET SMOOT
PO BOX 204
SPENCER, NC 28159-0204

MORRIS SUSAN L
118 POLO DRIVE
SALISBURY, NC 28144-8504

Exhibit 1: Public Notice (Mailed) - Legislative Hearing (w/ expanded mailing list)

Exhibit 2: Posted Sign at Subject Property - Legislative Hearing Notice



Exhibit 2: Posted Sign at Subject Property - Legislative Hearing Notice



October 29, 2021

SPENCER PLANNING BOARD - NOTICE OF PUBLIC MEETING

The Planning Board for the Town of Spencer has scheduled a public meeting for **Monday, November 8, 2021, at 7:00 P.M.** The meeting will be held at the Spencer Municipal Building located at 600 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is for the Planning Board to consider the following application for a Conditional Rezoning, pursuant the procedures established in Section 5.3-2 of the Spencer Development Ordinance (SDO):

CONDITIONAL REZONING APPLICATION:

CZ-21-001 – Foxx Properties Group, LLC (Owner); Mike King (Authorized Applicant)
Subject Property - 200 South Salisbury Avenue (Rowan County Parcel ID # 032 164)

REQUEST: WHEREAS, Pursuant to Article 5 of the Spencer Development Ordinance (SDO), the owner of the property located at 200 SOUTH SALISBURY AVENUE (ROWAN COUNTY PARCEL # 032 164), **FOXX PROPERTIES GROUP, LLC**, has authorized the tenant of the property, **Mike King**, to submit to the Town of Spencer a Rezoning Application (Petition to Amend the Official Zoning Map) to rezone the property from C-29 (US HWY 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service business. If the rezoning application is approved, the use would be subject to the additional screening and buffering conditions established in SDO Section 10.1-4 and other limitations mutually agreed to by the applicant and the Town to ensure that the use is compatible with surrounding land uses.

The subject property is currently zoned C-29 (US HWY 29 Commercial), for which “automobile repair services” is not a permitted land use. The applicant proposes to rezone the subject property to VSR (Vehicle Service & Repair), which would allow the tenant to lawfully operate an automotive service and repair business.

Pursuant to SDO Sec. 5.3-2, the Planning Board will review the proposal to amend the Official Zoning Map and will make a recommendation to the Spencer Town Board of Aldermen regarding whether to approve or deny the proposed amendment. When considering this amendment, the Planning Board will consider both the consistency and reasonableness of the amendment with the adopted Future Land Use Plan and other applicable adopted plans for the area affected by the proposed amendment.

The Planning Board may recommend approval of the application, including recommending conditions for the zoning; recommend denial of the application; or continue the consideration of the application in order to receive further information regarding the application as authorized by SDO Sec. 5.3-2(C).

Following a recommendation by the Planning Board on the proposed amendment, the action shall be reported to the Board of Aldermen for a legislative hearing and final action according to the process set forth in SDO Sec. 5.3-3. The legislative hearing will be scheduled as provided by the rules of procedure of the Board of Aldermen for called legislative hearings.

The Board of Aldermen's consideration of the application is legislative in nature, and the Town Board may consider any relevant information in its deliberations, including the criteria for issuing special use permits specified in SDO Article 7. Consideration shall be given to adopted land use plans for the area, small area plans, corridor plans, and other land use policy documents, and to surrounding land uses. The Board of Aldermen may adopt or not adopt a Conditional Zoning ordinance in accordance with the procedures defined in SDO Sec. 5.3-3 or may continue its consideration of the application as necessary to conclude consideration and deliberations.

If you have any questions about participating in this meeting, or to request staff reports and documents related to the meeting, please contact Kyle Harris, Planning & Zoning Administrator, at (704) 633-2231 ext. 28 or kharris@townofspencer.com.

MEETING RESCHEDULED: THE NEIGHBORHOOD MEETING ORIGINALLY SCHEDULED FOR TUESDAY, NOVEMBER 2ND, HAS BEEN RESCHEDULED TO WEDNESDAY, NOVEMBER 3RD AT 6:00 P.M., BECAUSE OF ELECTION DAY.



NOTICE OF NEIGHBORHOOD MEETING

RESCHEDULED TO WED. NOVEMBER 3RD AT 6:00 P.M.

**ZONING MAP AMENDMENT (CONDITIONAL REZONING)
200 SOUTH SALISBURY AVENUE
(ROWAN COUNTY PARCEL ID # 032 164)**

To: Neighboring Property Owner
From: Kyle Harris, Spencer Planning & Zoning Administrator
On behalf of Michael King, Rezoning Applicant, Tenant, 200 South Salisbury Ave.
Date: **October 21, 2021**
Re: Neighborhood Meeting for Proposed Rezoning of 200 South Salisbury Avenue

Pursuant to *Section 5.3-1(B)* of the Spencer Development Ordinance (SDO), you are hereby notified that the owner of the property located at **200 South Salisbury Avenue (Rowan County Parcel ID # 032 164)** has authorized the tenant of the property, Michael King, to submit to the Town of Spencer a Rezoning Application (Petition to Amend the Official Zoning Map) to rezone the subject property from the C-29 (US HWY 29 Commercial) District to the VSR (Vehicle Service & Repair) District for the purpose of operating a vehicle service business.

You are invited to attend a neighborhood meeting on **Wednesday, November 3, 2021**. The meeting will be held at **6:00 P.M.** at Spencer Town Hall, 600 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is to discuss the potential rezoning, including the nature of the proposed land use and to explore ways to ensure compatibility with surrounding uses and properties. The applicant, Michael King, will attend the meeting and will be available to meet with representatives and/or landowners of the neighborhood.

For reference, the subject property is the 0.3-acre corner lot with a wood-paneled commercial building at the corner of Salisbury Avenue and 2nd Street, directly north-east of the Spencer Fire Station, and featuring a semi-circular gravel drive and front parking lot.

The subject property is currently zoned C-29 (US HWY 29 Commercial), for which “automobile repair services” is not a permitted land use. The applicant proposes to rezone the subject property to VSR (Vehicle Service & Repair), which would allow the tenant to lawfully operate an automotive restoration business. If the rezoning application is approved by the Town of Spencer, the use would be subject to the additional conditions established in SDO Section 10.1-4, which requires, among other requirements, that “all outdoor automobile...work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer [with] plantings...on the exterior side of the fence” (SDO Article 10 – Page 3).

Additionally, pursuant to SDO Section 5.4 (Conditional Zoning), in order to ensure that the land use is compatible with neighboring uses, which are predominantly historic residential in nature, the applicant has proposed the following conditions/limitations as part of the application, which, if approved, would be legally binding:

Limitation on Automobile Work Area:

- All auto work will be performed only in the work bay area located at the rear of the building. The work bay will be screened from view behind a 6’ privacy fence or screening that meets the Town’s standards. The work area will be totally screened from street view with fencing or a combination of fencing and screening vegetation, as permitted.
- No auto work will be carried out in the front or side yards of the building.
- No auto work will be performed in any location visible from the street or in any location that is not screened from view by an opaque privacy fence.

Limitation on Vehicle Storage Area(s):

- Applicant will remove all vehicles from the site that are not currently being serviced or awaiting service. Vehicles will not be parked or stored on the lot purely for display, except as provided below.
- There shall be a maximum of one (1) display car located on the property. The display car will be located in front of the building and will be parked on gravel or pavement (not on grass).
- The shop will implement a policy for vehicle storage. Specifically, the shop will have an internal written policy to store vehicles only in designated storage areas that are completely screened from view from the street. No cars will be parked on the 2nd Street side yard of the building in any circumstance.
- Cars being serviced will be located only in designated, properly screened vehicle storage areas on the west side of the building (screened with fencing) and in the rear

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of the building (screened with fencing, pending approval of a fence permit and alley closure request).

- The shop's front parking lot will be for employees or visitors only. The front parking lot will not be used for the storage of vehicles awaiting service.

Hours:

- The shop's hours will be limited from 10 AM to 5 PM, M-F, and 10 AM to 3 PM Saturday. The shop will be closed on Sundays. No work will be performed outside of these established hours.

Site & Landscape Improvements:

- Front parking area will be improved with paved concrete or crushed stone (gravel) meeting the Town's standards.
- Applicant will seek to close the existing front driveway (at corner of 2nd Street and Salisbury Avenue) and landscape the front side yard (corner) in a way that improves the overall appearance of the corner.
- (The Town will study making improvements to the 2nd Street/Salisbury Avenue intersection. The Town will study feasibility of installing planter or other landscaping improvements here.)
- Applicant will improve the 2nd Street side yard with additional landscaping, such as trees, bushes, flowers, etc.
- Applicant will plant bushes and other vegetation along any new portion of fencing to improve the appearance of and "soften" the fencing.

Public Alley Closure:

- Applicant will submit to the Town an alley closure petition and, if approved, will, with the consent of the adjacent property owner, install a fence to completely obstruct the rear storage/work area from view.

If you have any concerns or questions, you can contact the rezoning applicant, Michael King, at (980)-330-7117 or 704customs@gmail.com.

If you have further questions about the rezoning process, please contact Kyle Harris, Spencer Planning & Zoning Administrator, at (704) 633-2231 ext. 28 or kharris@townofspencer.com.

Thank you,

Thomas Kyle Harris

Kyle Harris
Planning & Zoning Administrator
Town of Spencer, NC



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CZ-21-001

ZONING MAP AMENDMENT (CONDITIONAL REZONING)
OF PROPERTY AT 200 SOUTH SALISBURY AVENUE
(ROWAN COUNTY PARCEL ID # 032 164)

**REPORT OF MEETING WITH ADJACENT PROPERTY OWNERS
ON NOVEMBER 3, 2021**

Pursuant to Section 5.3-1(B) and other applicable provisions of the Spencer Development Ordinance (SDO), a neighborhood meeting was held with respect to an application to conditionally rezone the property at 200 South Salisbury Avenue (Rowan County Parcel ID # 032 164). The purpose of the meeting was to discuss the potential rezoning, including the nature of the proposed land use and to explore ways to ensure compatibility with surrounding uses and properties. The applicant, Mike King, attended the meeting and was available to meet with representatives and/or landowners of the neighborhood. Forty (40) notices were mailed to owners of all adjacent properties and property owners in the general area. A copy of the address labels showing the names and mailing addresses of notified property owners is attached as **Exhibit A**. A copy of the neighborhood meeting notice is attached as **Exhibit B**. Minutes from the neighborhood meeting, which includes detailed feedback from neighbors and topics discussed, is attached as **Exhibit C**. A list of individuals who attended the meeting is attached as **Exhibit D**.

Summary of Meeting: Four (4) neighborhood property owners attended the meeting: Wendy Spry (110 South Yadkin Avenue); Dan Patterson (504 8th Street); Iris Cavin (108 2nd Street); and Thomas Ward (109 2nd Street). The meeting was also attended by Kyle Harris, Planning & Zoning Administrator; Mike King, Rezoning Applicant; Arthur Waszcyszak, a business partner of the applicant; Steve Miller, Town Alderman; Bob Bish, Town Alderman; and Jay Dees, Town Attorney.

The Rezoning Applicant, Mike King, expressed that his goal is to use and develop the property in a way that does not disrupt the neighborhood. He said he was initially unaware of the Town's zoning and development regulations, but as soon as the Town informed him of the requirements, he didn't hesitate to cooperate with the process. Four (4) neighborhood property owners attended the meeting. Two individuals owning property immediately abutting the subject property spoke in support of the rezoning. One individual raised several concerns about the number of vehicles that

will be parked on the lot and how they will be screened from view, but she did not speak in opposition to the rezoning. Another individual attended the meeting but did not speak.

Overall, it is the Planning & Zoning Administrator's view that the meeting was favorable to the applicant because there was no clear opposition to the rezoning proposal, and those who did speak spoke in favor of the proposal or asked questions that were addressed satisfactorily by the applicant. Forty (40) meeting notices were mailed to all property owners in the area who may be impacted. The notice provided options for individuals to contact me directly with their feedback. I did not receive any separate correspondence, by phone, email, or otherwise, from any other individuals in opposition to the proposed rezoning. Please find additional details in the attached exhibits.

Respectfully submitted,

A handwritten signature in black ink that reads "Thomas Kyle Harris". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Kyle Harris
Planning & Zoning Administrator
Town of Spencer, NC

NEIGHBORHOOD MEETING SUMMARY
WEDNESDAY, NOVEMBER 3, 2021
6:00 PM
(Meeting Duration: approx. 50 mins.)

The meeting began at approximately 6:00 P.M.

The meeting was facilitated by Kyle Harris, Planning & Zoning Administrator.

Town staff attending were Peter Franzese, Town Manager; Jay Dees, Town Attorney; Steve Miller, Town Alderman; and Bob Bish, Town Alderman.

The Rezoning Applicant (Case # CZ-21-001) was in attendance, Mike King, along with his business partner, Arthur Waszcyszak.

Neighborhood property owners in attendance were: Wendy Spry (110 South Yadkin Avenue); Dan Patterson (504 8th Street); Iris Cavin (108 2nd Street); and Thomas Ward (109 2nd Street).

Quick Summary of Meeting (Staff Summary): The Rezoning Applicant, Mike King, expressed that his goal is to use and develop the property in a way that does not disrupt the neighborhood. He said he was initially unaware of the Town's zoning and development regulations, but as soon as the Town informed him of the requirements, he didn't hesitate to cooperate with the process. Four (4) neighborhood property owners attended the meeting. Two individuals owning property immediately abutting the subject property spoke in support of the rezoning. One individual raised several concerns about the number of vehicles that will be parked on the lot and how they will be screened from view, but she did not speak in opposition to the rezoning. Another individual attended the meeting but did not speak. Overall, it is the Planning & Zoning Administrator's view that the meeting was favorable to the applicant, because there was no clear opposition to the rezoning proposal, and those who did speak spoke in favor of the proposal or asked questions that were addressed satisfactorily by the applicant.

(An audio and video recording of this meeting is available upon request.)

I. Staff Presentation

The meeting began with a staff presentation from Kyle Harris, Planning & Zoning Administrator. Staff provided a general overview of the case, noting the purpose of the meeting was to allow neighboring property owners an opportunity to directly ask questions to the rezoning applicant and to Town staff regarding the details of the proposed rezoning, the nature of the proposed land use, options for adding conditions or limitations on the use to ensure compatibility with surrounding uses and properties, and so on.

Staff noted that a summary of the discussion, including any concerns, support, or opposition, expressed at the meeting would be submitted to the Planning Board and Board of Aldermen for consideration.

Staff informed attendees of the upcoming Planning Board meeting on November 8 at 7:00 P.M, at which the board will review the proposed rezoning and make a recommendation to approve or deny to the Board of Aldermen. The Board of Aldermen meeting will occur on December 14 at 6:00 P.M. at which the board will conduct a legislative hearing and consider approving or denying the proposed rezoning.

Staff provided a summary of the case: that Mike King, applicant, proposes to conditionally rezone the property at 200 South Salisbury Avenue (PID 032 164) from C-29 (US Highway 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of lawfully operating a vehicle service business.

Staff clarified that the property is currently zoned C-29, for which “automobile repair services” is not a permitted land use. If the rezoning is denied, the business will no longer be permitted to operate.

Staff provided an overview of Conditional Zoning, a type of zoning that allows the applicant and the Town an opportunity to negotiate conditions or limitations on the use or development of a property to ensure compatibility with neighboring uses. It is a type of zoning that affords a degree of certainty in land use decisions not possible when using conventional zoning. Conditions can be more restrictive than general use standards.

Staff noted that conditions can be proposed to mitigate a variety of concerns or adverse impacts, including visual clutter, noise, traffic, hours of operation, and so on.

Staff added that per SDO Sec. 5.4-3(H), if the applicant fails to accept or abide by any conditions formally agreed upon, the entire Conditional Zoning ordinance becomes null and void, the property reverts back to its previous zoning classification. In this case, the zoning would revert back to the C-29 district, for which “automobile repair service” is not a permitted land use, and the building would not be permitted to continue operating.

Staff presented a detailed overview the conditions that the applicant has proposed and agreed to. Those conditions are not reiterated here. A copy of the proposed conditions is available in the case record.

Staff mentioned that it would likely be necessary to close the rear alley in order to install the required screening/fencing/buffering for the rear vehicle work and storage area. Per SDO Sec. 10.1-4(B)(3), outdoor automobile...work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer”.

II. Statement from the Applicant (Mike King)

The applicant followed the staff presentation with a statement on his proposed rezoning. He noted that he “is not trying to disrupt anybody’s life...I’m just trying to be able to provide for my family, and this is how I know how to do it. I figured, open up a shop in Spencer with the Transportation Museum right there, I figured it was a good idea. You guys seemed like a car town...when all this happened, I didn’t realize what was going on with the zoning...as soon as I found out what was going on, I didn’t hesitate to cooperate with anybody and...start the process...if I’m affecting anybody, please speak up, and I apologize if I am.”

III. Input from Neighboring Property Owners

Thomas Ward (109 2nd Street):

“My name is Thomas Ward, I live at 109 2nd Street, which is the property adjacent, right next to the service business that Mike is operating. I will say that Mike has been there for maybe four or five months, he’s the first tenant of that property that’s been there in the three plus years that I’ve been there at 109 2nd Street, and as far as I can tell the first tenant in quite some time, in nine or ten years. The building is clearly set up for vehicle service. My understanding in speaking with Tyler [property owner] is that the building was set up as a service bay for the vehicles [when] the building was used for the pest control company. Mike has put a tremendous amount of work in the building trying to improve it, and I can definitely tell he is trying to do what he can, to, I guess, not invest so much that he’s at a huge loss if this rezoning doesn’t go through, but definitely trying to put a good faith effort, and trying to make it happen. They’re good people. I haven’t had any problems with them, not any noise or anything. That’s pretty much it.”

Iris Cavin (108 2nd Street):

“My name is Iris Cavin, at 108 [2nd Street], which is across from the street from Tom [Thomas Ward], and I have no problems with it being here. I think they’re really trying to be good neighbors. They’ve walked over a couple times and asked if there was anything that was bothering me...they’ve already done several things that have improved the building. So, I certainly have no objections.

Wendy Spry (110 South Yadkin Avenue):

“Wendy Spry, 110 South Yadkin Avenue. I’m just curious...I was reading through some of the special landscaping [conditions] that you’ve agreed to. Will there be a timeframe put on when they have to have things installed?”

Mike King, applicant, responded: “They’re going to be done as quick as possible. The only thing I’m waiting on right now for the front driveway is for them to actually come out and do it, and grade everything, and that’ll be done hopefully by the end of this month.”

Wendy continued, “I’m just curious, too... I’ve been noticing, because I go in and out that way, to and from my house, there’s always been at least five, sometimes eight, cars, parked out front...how are you going to fit all those in the back?”

Mike King, applicant, responded: “The cars that are parked in the front, some of them are customers...some of them are employees that work there. They’re not always there. Right now, there’s three cars there. And then there’s one on the side waiting for pickup, and I already put storage papers in on that.”

Wendy said, “So employees will park out front? They won’t be counted in the number of cars out front? Because it looks like a lot.”

Mike King, applicant, responded: “Right now, there’s two trucks parked there that are both owned personally by me. And then there’s a Mustang that...that’s been out there, and I’ve been waiting on the storage people from the DMV to come out and inspect it so I can get the lien put on the car.”

Kyle Harris, Planning & Zoning Administrator, stated: “Yes, the front lot can be used for customers and employees. But what it will be important to do is make sure that the front is not being used for storage of any vehicles because...it is a small lot. But...as long as the front lot is only being used for transitional parking, that should be fine.”

There was some additional discussion regarding the fact that because Mike does not own the property, he has been doing his best to clean up the lot without investing too much of his own money into the projects, given the uncertainty about whether the rezoning will be approved or not.

Mike stated the following regarding his investments in the building: “I’m trying to do what they’re asking me to do...but I don’t own the property. I’m renting the property. So, I’m still paying rent on a property that I’m upgrading for somebody else to meet my zoning needs...I’ve already dumped twenty-five grand into this building, updating the electrical, trying to get it back up to code. The fence, just by itself, was two-thousand dollars...so I’m trying not to put a hundred grand into a building that I could get thrown out of next month. If everything goes the way...I hope it goes, you’ll see [improvements] go very quickly. I want to pressure wash the building...put new siding up...we’re trying to fix all the wood that was literally falling off the building, we’ve already re-faced the entire front of the building because it was literally falling off, we had squirrels running through the building. We got new poles...[for] the new porch...so we’re trying to do it...but if I have to leave, I have to be able to move an entire business to another property...it’s twenty-five to thirty-thousand dollars to set everything up...I’m trying not to...bankrupt myself.”

Regarding the cars parked out front, Mike said: “The cars are there for less than three to four days at a shot so, yes, you always see cars there, but unless they’re owned by [my partner] and myself, they’re always rotating in and out. Other than right now, we have a couple projects that are sitting there we’re waiting on parts for, because they’re sitting in some dock somewhere...it’s hard to get parts right now...I can’t help shipping and the pandemic...nothing’s there that doesn’t run...”

Wendy asked about the alley closure project and requirements for screening/fencing.

Kyle Harris, Planning & Zoning Administrator, responded that as long as the property owner and neighboring property owner are in support of the alley closure, the alley could at least be partially closed up to the middle of the block, which would allow the construction of all required fencing/screening/buffering.

Kyle added that he had been in contact with the Salisbury-Rowan Utilities Assistant Director, Jason Wilson, who informed him that there was a water line in the alley. If the alley were to be closed, then SRU would need an easement to access and maintain the line.

The meeting concluded at approximately 6:50 P.M.

[illegible]



Conditional Rezoning Application
Case # CZ-21-001
200 S. Salisbury Ave.

Neighborhood Meeting
November 3, 2021

Neighborhood Meeting Introduction

- Welcome to neighborhood meeting, pursuant to SDO Sec. 5-3-1(B).
- Required for all proposed rezonings in Spencer.
- Opportunity for rezoning applicant to meet with neighborhood representatives and/or landowners.
 - Notice was mailed to forty (40) nearby property owners.



Purpose of This Meeting

- Purpose of this meeting is to discuss the potential rezoning, including the nature of the proposed land use and to explore ways to ensure compatibility with surrounding uses and properties.
- **Summary of discussion/concerns raised tonight will be submitted to the Planning Board and the Board of Aldermen for consideration.**



Meeting Format

- Informal but structured.
- Summary presentation from Town staff.
- Followed by statement from applicant.
- "Q&A" with neighborhood property owners.
- Additional conditions?
- **Please "sign-in" for the record.**
- **2 attendance rosters circulating.**



Exhibit 6: Neighborhood Meeting - PPT Presentation

Where Are We In the Process?

- **November 3rd, 6:00 P.M. (Tonight's Meeting)**
- **November 8th, 7:00 P.M. (Planning Board)**
 - Will review the proposed rezoning and make a recommendation to approve or deny to the Board of Aldermen.
 - Planning Board will consider both the consistency and reasonableness of the amendment with the 2025 Land Use Plan.
- **December 14th, 6:00 P.M. (Board of Aldermen)**
 - Will conduct a legislative hearing and consider approving or denying the proposed rezoning.



Overview of Case # CZ-21-001

<u>Case:</u>	CZ-21-001
<u>Description:</u>	Zoning Map Amendment (Conditional Rezoning)
<u>Current Zoning:</u>	C-29 (US Highway 29 Commercial)
<u>Proposed Zoning:</u>	VSR (Vehicle Service & Repair – Conditional Zone)
<u>Acres:</u>	0.32-acres
<u>Applicant:</u>	Mike King (business tenant)
<u>Owner:</u>	Foxx Properties Group, LLC Tyler Weant
<u>Address:</u>	200 South Salisbury Ave. (PID 032 164)



CZ-21-001 Subject Property Map: 200 South Salisbury Ave. (PID 032 164)



Exhibit 6: Neighborhood Meeting - PPT Presentation

Detailed Description of Case # CZ-21-001

Request:

- Request to conditionally rezone 0.32-acres at corner of Salisbury Avenue & 2nd Street from C-29 (US Highway 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service business.
- Property currently zoned C-29, for which “automobile repair services” is not a permitted land use.
- Town has allowed the business to continue operating while the owner works with the Town in good faith to pursue rezoning and offer other limitations and conditions. If rezoning is denied, the business will no longer be permitted to operate.



What is 'Conditional Zoning'?

- Conditional Zoning allows the applicant and the Town to negotiate conditions or limitations on the use or development of a property to ensure compatibility with neighboring uses.
- Affords a degree of certainty in land use decisions not possible when using conventional zoning.
- Conditions can be more restrictive than the general use standards.
- **Conditions can be proposed to address concerns of neighboring property owners re: visual impact, noise, traffic, etc.**



Mitigating Adverse Impacts:

- Town staff advised applicant that because the proposed Vehicle Service & Repair use is so close to a historic residential neighborhood, he should carefully consider proposing conditions/limitations on the use that would mitigate adverse impacts to surrounding property owners.
- Visual clutter? Noise? Traffic? Hours of operation?



Enforcement of Conditions:

- Per SDO Sec. 5.4-3(H), if the applicant fails to accept or abide by any conditions formally agreed upon, the entire Conditional Zoning ordinance shall be null and void, and the property shall revert to its previous zoning classification.



Applicant-Proposed Conditions

• Limitation on Automobile Work Area (1 of 5)

- All auto work will be performed only in the work bay area located at the rear of the building. The work bay will be screened from view behind a 6' privacy fence or screening that meets the Town's standards. The work area will be totally screened from street view with fencing or a combination of fencing and screening vegetation, as permitted.
- No auto work will be carried out in the front or side yards of the building.
- No auto work will be performed in any location visible from the street or in any location that is not screened from view by an opaque privacy fence.



Applicant-Proposed Conditions

• Limitation on Vehicle Storage Area(s) (2 of 5)

- Applicant will remove all vehicles from the site that are not currently being serviced or awaiting service. Vehicles will not be parked or stored on the lot purely for display, except as provided below.
- There shall be a maximum of one (1) display car located on the property. The display car will be located in front of the building and will be parked on gravel or pavement (not on grass).
- The shop will implement a policy for vehicle storage. Specifically, the shop will have an internal written policy to store vehicles only in designated storage areas that are completely screened from view from the street. No cars will be parked on the 2nd Street side yard of the building in any circumstance.
- Cars being serviced will be located only in designated, properly screened vehicle storage areas on the west side of the building (screened with fencing) and in the rear of the building (screened with fencing, pending approval of a fence permit and alley closure request).
- The shop's front parking lot will be for employees or visitors only. The front parking lot will not be used for the storage of vehicles awaiting service.



Applicant-Proposed Conditions

• Hours of Operation (3 of 5)

- The shop's hours will be limited from 10 AM to 5 PM, M-F, and 10 AM to 3 PM Saturday. The shop will be closed on Sundays. No work will be performed outside of these established hours.



Applicant-Proposed Conditions

• Site & Landscape Improvements (4 of 5)

- Front parking area will be improved with paved concrete or crushed stone (gravel) meeting the Town's standards.
- Applicant will seek to close the existing front driveway (at corner of 2nd Street and Salisbury Avenue) and landscape the front side yard (corner) in a way that improves the overall appearance of the corner.
- (The Town will study making improvements to the 2nd Street/Salisbury Avenue intersection. The Town will study feasibility of installing planter or other landscaping improvements here.)
- Applicant will improve the 2nd Street side yard with additional landscaping, such as trees, bushes, flowers, etc.
- Applicant will plant bushes and other vegetation along any new portion of fencing to improve the appearance of and "soften" the fencing.



Exhibit 6: Neighborhood Meeting - PPT Presentation

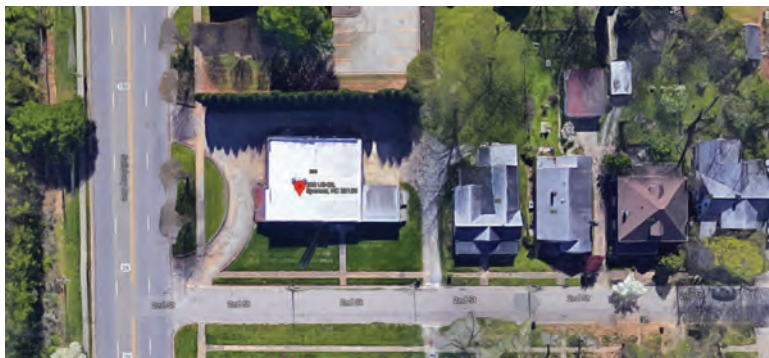
Applicant-Proposed Conditions

- **Public Alley Closure (5 of 5)**

- Applicant will submit to the Town an alley closure petition and, if approved, will, with the consent of the adjacent property owner, install a fence to completely obstruct the rear storage/work area from view.

- Note on Alley Closure:

- Likely necessary to close alley to install required screening fencing and buffering to screen vehicle work/storage area at rear.



Other Standards (required by zoning ordinance)

- SDO Sec. 10.1-4. Automobile/Boat/Equipment Repair Service.
 - (B.) Standards
 - (1.) Vehicles awaiting repair shall not be parked in public right-of-way.
 - (2.) No outdoor automobile/boat work areas are to be located in front yard setback area.
 - (3.) All outdoor automobile/boat work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer (see Article 1); plantings shall be on the exterior side of the fence.



Other Standards (required by zoning ordinance)

Type D Buffer Yard: A peripheral planting strip intended to separate uses, provide vegetation in densely developed areas, and to enhance the appearance of individual properties.



CZ-21-001 Subject Property Map: 200 South Salisbury Ave. (PID 032 164)



CZ-21-001: Existing Zoning (Official Zoning Map)

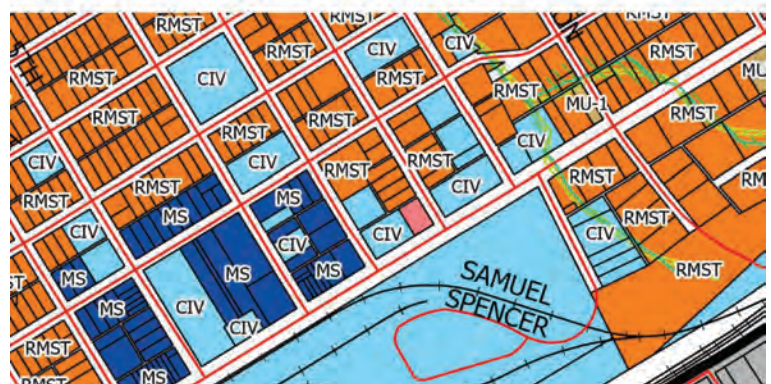


Exhibit 6: Neighborhood Meeting - PPT Presentation

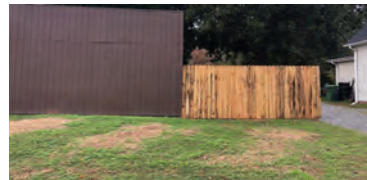


Exhibit 6: Neighborhood Meeting - PPT Presentation

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Exhibit 6: Neighborhood Meeting - PPT Presentation

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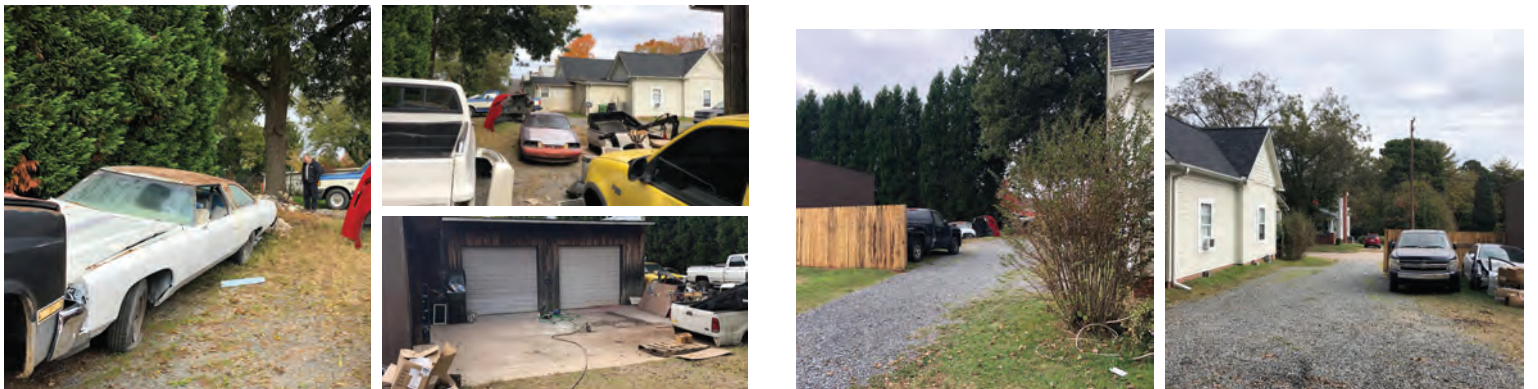


Exhibit 6: Neighborhood Meeting - PPT Presentation

Applicant Statement and Q&A

- Proceed to Applicant Statement and Q&A with neighbors.





CONDITIONAL REZONING CASE # CZ-21-001
200 SOUTH SALISBURY AVENUE (PARCEL 032 164)

Neighborhood Meeting Tips

- Tonight's meeting is an informal neighborhood meeting where you can speak to the Rezoning Applicant and Town Staff about the proposed rezoning. The meeting will begin with a staff presentation, followed by a statement from the applicant, then a Q&A session.
- This meeting is your opportunity to ask the Rezoning Applicant any questions you have about how the property will be used or developed if the rezoning is approved. You can also discuss any conditions or limitations you believe should be placed on the land use to ensure compatibility with the surrounding neighborhood.
- You may also direct questions to Town Staff about the rezoning process in general, including the Town's development regulations, conditional zoning, and any other questions you have about the topic of this meeting.
- There will also be a Legislative Hearing at the Board of Aldermen's meeting on Tuesday, December 14, 2021, beginning at 6:00 P.M. at Town Hall. Property owners may speak in favor or opposition to the rezoning at the Legislative Hearing.
- Please remember to sign-in on the attendance roster! There will be two (2) attendance rosters circulating in the room.
- Thank you for participating in this process.



Spencer Planning Board / Board of Adjustment

Post Office Box 45 Spencer, NC 28159-0045

704.633.2231 Ofc.

704.633.3837 Fax

<http://www.ci.spencer.nc.us>

PLANNING BOARD

MINUTES

Monday, November 8, 2021

7:00 PM

(Meeting Duration: 1 hr. 17 min.)

The meeting was called to order by Jimm Mosher, Chair, at 7:00 PM.

Mosher provided a meeting introduction with an explanation of proceedings.

Mosher led a Moment of Silence and the Pledge of Allegiance.

A quorum of the Planning Board was determined. Members present were: Jimm Mosher and Anthony Nero. (The Board currently has three members with four vacancies; a quorum of 3 is 2.)

Member Donna Redfern was absent.

Staff attending was Kyle Harris, Planning & Zoning Administrator.

The agenda for the November 8, 2021, meeting was adopted.

New Business

1. Conditional Rezoning Application # CZ-21-001 (Mike King)

CONDITIONAL REZONING APPLICATION:

CZ-21-001 – Foxx Properties Group, LLC (Owner); Mike King (Authorized Applicant)
Subject Property - 200 South Salisbury Avenue (Rowan County Parcel ID # 032 164)

REQUEST: WHEREAS, Pursuant to Article 5 of the Spencer Development Ordinance (SDO), the owner of the property located at 200 SOUTH SALISBURY AVENUE (ROWAN COUNTY PARCEL # 032 164), FOXX PROPERTIES GROUP, LLC, has authorized the tenant of the property, Mike King, to submit to the Town of Spencer a Rezoning Application (Petition to Amend the Official Zoning Map) to rezone the property from C-29 (US HWY 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service business. If the rezoning application is approved, the use would be subject to the additional screening and buffering conditions established in SDO Section 10.1-4 and other limitations mutually agreed to by the applicant and the Town to ensure that the use is compatible with surrounding land uses.

The subject property is currently zoned C-29 (US HWY 29 Commercial), for which “automobile repair services” is not a permitted land use. The applicant proposes to rezone the subject property to VSR (Vehicle Service & Repair), which would allow the tenant to lawfully operate an automotive service and repair business.

Exhibit 8: Planning Board Meeting - Minutes

Staff provided an explanation of proceedings for case # CZ-21-001. Staff clarified that a courtesy public hearing would be held tonight to provide additional opportunity for neighborhood property owners to speak in support or opposition of the proposed rezoning.

Staff provided an update on the timeline. A neighborhood meeting was held on Wednesday, November 3. Tonight, the Planning Board will make a recommendation. And on December 14, beginning at 6:00 P.M., the Board of Aldermen will conduct its legislative hearing, and will make a final decision.

Staff clarified that the purpose of tonight's Planning Board meeting was for the board to review the rezoning and make a recommendation to the Board of Aldermen on whether to approve or deny the request. When considering a rezoning, the board's responsibility is to consider the consistency of the rezoning with the Future Land Use Plan; and the reasonableness of the amendment, which includes consideration of whether it is in the public interest to approve the rezoning.

The Planning Board may recommend approval, including recommending any conditions on the rezoning; may recommend denial; or may continue (table) the case to receive further information.

Staff provided an overview of case # CZ-21-001. The proposal is for a Conditional Rezoning of the property at 200 South Salisbury Avenue. The owner is Foxx Properties Group, LLC (Tyler Weant) who have authorized the tenant Michael King (business owner) to rezone the property. The proposal is to rezone from C-29 (Commercial) to VSR (Vehicle Service & Repair). Staff clarified that it would be a conditional zone, meaning that the rezoning is contingent on the applicant abiding by certain restrictions and limitations on the use of the land, specifically for the purpose of making sure that it's compatible with the area.

The main crux of the case is whether it is appropriate to have a vehicle service operation so close to a residential area. The applicant has proposed a number of limitations including where vehicles will be stored, how vehicles will be screened, limitations on hours of operation, etc.

Staff noted the zoning of surrounding properties; that on three sides, the subject property is bounded by Civic (CIV) properties, specifically the Fire Station, the Transportation Museum, and the Spencer Presbyterian Church, which is also the site of the Spencer Community Garden. To the north, the subject property abuts a high density historic residential area with 50' lots, where most homes were built in the early-mid 20th century.

Staff continued, stating that the property is currently zoned C-29 (Commercial), a Zoning District that specifically does not allow automobile repair services. It is not a permitted land use in C-29.

Staff acknowledged that the Town has understood for some time that the property is being used for vehicle repairs, which is a non-compliant use. This means the use is currently in violation of the zoning ordinance. The Town decided that, as long as the owner and the tenant are working with the Town in good faith to pursue the rezoning, the Town would not require them to shut down the business. That instead, the Town would allow the rezoning process to play out.

If the rezoning is denied, the business will no longer be permitted to operate.

Staff advised the applicant Mike King that the best chance that he had would be to apply for Conditional Zoning and add additional restrictions on how the property will be used. The applicant is bound to follow these restrictions. If the property is used in violation of a conditional zoning ordinance, then the property would revert back to its previous zoning classification.

Staff explained that Conditional Zoning is a process that allows the applicant and the Town to negotiate conditions or limitations on the use or development of the property, specifically to ensure compatibility with neighboring uses. It affords a degree of certainty in land use decisions not possible when using conventional zoning. Conditions can be more restrictive than the general standards.

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Staff provided some examples of conditions that would apply to this case are conditions that address problems like visual impact of vehicles stored on the lot, noise, traffic, etc.

The conditions are specifically enforceable by the Town's Planning Department and Code Enforcement Department. If the applicant fails to accept or abide by any of the conditions formally agreed upon, the entire conditional zoning ordinance becomes null and void, and the property reverts automatically back to its previous zoning classification.

The burden is on the applicant to propose sufficient conditions to convince the Town that the rezoning should be approved.

Staff read verbatim the applicant-proposed conditions:

1. Limitation on Automobile Work Area:

- All auto work will be performed only in the work bay area located at the rear of the building. The work bay will be screened from view behind a 6' privacy fence or screening that meets the Town's standards. The work area will be totally screened from street view with fencing or a combination of fencing and screening vegetation, as permitted.
- No auto work will be carried out in the front or side yards of the building.
- No auto work will be performed in any location visible from the street or in any location that is not screened from view by an opaque privacy fence.

2. Limitation on Vehicle Storage Area(s):

- Applicant will remove all vehicles from the site that are not currently being serviced or awaiting service. Vehicles will not be parked or stored on the lot purely for display, except as provided below.
- There shall be a maximum of one (1) display car located on the property. The display car will be located in front of the building and will be parked on gravel or pavement (not on grass).
- The shop will implement a policy for vehicle storage. Specifically, the shop will have an internal written policy to store vehicles only in designated storage areas that are completely screened from view from the street. No cars will be parked on the 2nd Street side yard of the building in any circumstance.
- Cars being serviced will be located only in designated, properly screened vehicle storage areas on the west side of the building (screened with fencing) and in the rear of the building (screened with fencing, pending approval of a fence permit and alley closure request).
- The shop's front parking lot will be for employees or visitors only. The front parking lot will not be used for the storage of vehicles awaiting service.

3. Hours:

- The shop's hours will be limited from 10 AM to 5 PM, M-F, and 10 AM to 3 PM Saturday. The shop will be closed on Sundays. No work will be performed outside of these established hours.

4. Site & Landscape Improvements:

- Front parking area will be improved with paved concrete or crushed stone (gravel) meeting the Town's standards.
- Applicant will seek to close the existing front driveway (at corner of 2nd Street and Salisbury Avenue) and landscape the front side yard (corner) in a way that improves the overall appearance of the corner.

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- (The Town will study making improvements to the 2nd Street/Salisbury Avenue intersection. The Town will study feasibility of installing planter or other landscaping improvements here.)
- Applicant will improve the 2nd Street side yard with additional landscaping, such as trees, bushes, flowers, etc.
- Applicant will plant bushes and other vegetation along any new portion of fencing to improve the appearance of and “soften” the fencing.

5. Public Alley Closure:

- Applicant will submit to the Town an alley closure petition and, if approved, will, with the consent of the adjacent property owner, install a fence to completely obstruct the rear storage/work area from view.

[Conclusion of applicant-proposed conditions.]

Staff reiterated that any of the conditions that are formally agreed upon by the Town and the applicant must be followed, or the rezoning becomes void. Therefore, the only way for the applicant to continue to legally operate his business is to follow all conditions with the specific goal of making the use as compatible as possible with the area, to reduce as much as possible any adverse impacts to surrounding properties.

Staff presented a map of the subject property, describing the main features and surrounding properties.

Staff outlined the standards that apply to any vehicles repairs service land use in Spencer. Specifically, SDO Sec. 10.1-4 establishes the following 3 requirements for any vehicle repair use: (1) vehicles awaiting repair shall not be parked in public right-of-way; (2) no outdoor automobile work areas are to be located in front yard setback area; and (3) all outdoor automobile work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer; plantings shall be on the exterior side of the fence.

Staff described Type D buffers as “a peripheral planting strip intended to separate uses, provide vegetation in densely developed areas, and to enhance the appearance of individual properties”, which are typically five feet wide.

Staff noted that the purpose of tonight’s Planning Board meeting is to review the proposed rezoning and make a recommendation to the Board of Aldermen on whether to approve or deny. When considering the rezoning, the Planning Board considers both the “consistency” and “reasonableness” of the amendment with the Future Land Use Plan per SDO Sec. 5.3-2.

Staff provided a report on the neighborhood meeting that was held on November 3, 2021. The purpose of that meeting was to allow neighbors to review the potential rezoning, including the nature of the proposed land use and to explore ways to ensure compatibility with surrounding uses and properties. Staff sent mailers to forty (40) adjacent properties. Only four (4) came to the neighborhood meeting. Among those, two spoke in support. One person came but did not speak. One person came and asked a variety of questions but did not clearly speak in favor or opposition.

Staff summarized the neighborhood meeting, saying that the general outcome of the meeting was favorable to the applicant. The two property owners immediately abutting the property proposed to be rezoned expressed their support for the rezoning.

The property was originally built in 1946, and anecdotal evidence suggests it was originally built for a vehicle service use.

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Staff noted that in conducting its review, the Planning Board should consider both the “consistency” of the rezoning with the Future Land Use Plan, and the “reasonableness”.

The “reasonableness” criteria include: the size, physical conditions, and other attributes of the area proposed to be rezoned; the benefits and detriments to landowners, neighbors, and the surrounding community; relationship between current actual and permissible development and development permissible under the proposed amendment; why action taken is in public interest; and any changed conditions warranting the rezoning.

The Town’s Future Land Use Goals are:

1. Improve / Revitalize Downtown Retail / Commercial District
2. Improve the public perception of the Town of Spencer (with special emphasis on quality of life and shopping opportunities)
3. Protect existing neighborhoods
4. Improve the performance and perception of the schools in Spencer
5. Facilitate commerce and industry opportunities within Spencer
6. Facilitate and encourage transportation improvements

Staff presented various photographs of the subject property that were taken during an unannounced site visit with Code Enforcement on Wednesday, November 3, 2021.

Staff concluded its presentation and invited the Rezoning Applicant, Mike King, to make a statement.

Mr. King provided the following statement:

“Basically, I’m just trying to run a business. I didn’t think anything about it, with the Transportation Museum being right there, I figured it would be a good spot for an automotive service shop. The pictures that you saw, yeah, it was kind of a cluster back there, but we’re trying to get the building in shape and clean everything out from the previous tenants. It’s already been cleaned up by now. I really don’t know what else to say, I’ve said a million things at four different meeting so far, I’m kind of, I don’t know what else to say about it. If anybody has a question or needs me to deliberate on something, I can answer anything you need to know...95% of what’s in those pictures have already been picked up and gone and cleaned up. Like I said, we were waiting on a dumpster, and we were fighting with waste management to get one out there. And it finally got out there three days late. But it’s cleaned up and we’re just trying to get the building back to where it’s workable and it’s not a big cluster. Because there’s so much garbage from the previous people that were in it that we’re still having to clean out and try to make the building work for what we’re doing. And as of right now, it’s working, we’ve just got to get all their crap out of the way. That’s what the dumpster was for. As far as the fencing goes, you guys tell me what you want, and I’ll do anything you guys want me to do. I’m not trying to be hard; I’m not trying to be difficult. I just want to be able to support my kids and my family.”

Staff then invited statements from anyone who wanted to speak in support or opposition to the rezoning.

Courtesy Public Hearing:

- [Video recording time-stamp: 33:25] Diane Everhart (property owner 111 2nd Street): “My name is Diane Everhart. I own the property at 111 2nd Street, which is 50 feet from the property that we’re discussing. And I am really opposed. First of all, those of us who own property in the historic district have been required to follow the rules, like if you remodel your house, you present that information to the historic group for approval. There is no way in the world that I would start a business in an area that has not been approved. And I think that, sad as it is, if this does not pass, this fellow has lost money. But he started that project knowing that it was improperly zoned. And then, think about what it will do to the historic

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nature of that community. Those folks have lived there for years, and we have tried to follow all of the rules, so far as the history is concerned. And Spencer is just now beginning to develop a plan for the entire Town to be improved. And this would not improve Spencer. Nor the view from the Transportation Museum. I have a personal investment there because I own the property. But the man who was here, speaking, the last meeting, the next-door neighbor, he would also benefit from this plan because he would receive part of that alleyway. And would be able to use it at his own discretion. And so far as the alleyway is concerned, many of the firemen use that entrance and exit to get to the Fire Department. It's just not conducive to the Town, as I see it. And so far as improving the business, this is not a business that can enhance street traffic. This is a business that should be in a rural area. And I know this sounds unkind, but when I have ridden by there in the last few weeks, it has looked like the beginning of a junkyard. And this is certainly not what we need in Spencer. I'll be happy to answer any questions that you have for me, but I am opposed." [Video recording time-stamp: 37:26]

Rezoning Applicant Mike King interjected to ask if it is true that firemen use the alleyway to access the Fire Department. Staff responded that he was not aware of the Fire Department currently using the alley [and would contact the Fire Chief to inquire].

- Diane Everhart added the following to her statement: "I think we have enough absentee landlords that do not protect the interests of Spencer. And I think this would just be another one."

The tenant of the property at 111 2nd Street, who did not provide her name, asked about "car carriers" parked on 2nd Street. She commented, "There's a lot of traffic on 2nd Street and if you have a car carrier parked there it just makes it worse. And at one time there had been 10-15 cars parked up the side of that building over the weekend. I live at 111 2nd Street." Staff invited Rezoning Applicant Mike King to respond to the concerns that were just raised.

Mr. King said that he does not own any car carriers. Staff asked if he used any services for towing vehicles to the site. Mr. King responded no.

The tenant of 111 2nd Street commented, "This summer [a car carrier] was parked out there."

Mr. King responded, "This summer I wasn't there. I've only been there four months. I wasn't there."

The tenant of 111 2nd Street responded, "You've been there this summer. Because I sit in my back yard and listen."

Mr. King responded, "I don't have any tow trucks. I don't have a car carrier. I don't have any of that stuff, ma'am."

She responded, "It was parked there."

Mr. King responded, "I mean, it's a public road. There's a hundred cars parked on that road every day. I don't have a car carrier. I don't own a tow truck...I have one twenty-one-foot trailer and it's usually in the back...I personally don't have any type of car carrier or tow truck or anything like that."

Jimm Mosher, Chair, asked, "Mr. King, when cars are brought to you...a lot of them are towed there?"

Mr. King responded, "No. To be completely honest with you, a lot of them are drove in. They run; they drive. Very rarely do we have anything that's so far gone that it has to be towed there."

Mosher followed-up, "I'm just wondering if you saw a [tow] truck out there."

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Mr. King responded, “I’ve seen trucks, I’ve seen trailers, since I’ve been there, I’ve seen a hundred trailers parked up and down that road, landscaping people, I mean she might have seen someone with a trailer mowing the yard because they mow the yard every week. I’m not denying that. But my personally, I do not own any type of car transport other than a twenty-one foot [trailer].

Mosher followed-up, “So it’s not possible that someone could have brought their car there in a car carrier and then they were just sitting there.”

Mr. King responded, “Not in the last four or five months, no. I haven’t had any enclosed trailers, I haven’t had anything dropped off in a trailer. Everything that’s there now has been brought driving. Everything runs and drives that’s on the lot.”

Mosher said, “So, I obviously drive by your place throughout the day, and I’ve noticed a lot of the cars that sit there lined up. But I just figured you’re a new business moving in, getting stuff together, cleaning out. It definitely was brought to my attention, I was [thinking] is this going to be car lot, etcetera. I see what you’re trying to do there, and I also read in the notes that some of those cars were parked on the side because of the supply chain issues that the country is experiencing right now.”

Mr. King added, “Yes, sir, there’s a bunch of stuff that we started working on, thinking we could get the parts, and then all of a sudden there’s no parts available. So now a couple cars have been backed up because we can’t physically get anything because of the pandemic. I call the suppliers and they literally tell me they’re on a boat in the middle of the ocean.”

Mosher responded, “That’s the case for a lot of people.”

Mr. King commented, “I’m kind of stuck. I’m trying to get all the stuff that we have parts, to get in and out, to move everything, so it’s not there.”

Mosher asked, “So this is not a typical thing of your business?”

Mr. King responded, “No, no. If a car sits there for more than a week, not touched, there’s a problem. The longer those cars sit on that property, the less money I make. So, it’s kind of a turn and burn.”

Mosher asked, “Typically, you have what, a seven-to-ten-day turnaround?”

Mr. King responded, “If that. Depending on what we’re doing, the longest that I usually estimate a vehicle is six months, and that’s usually for a restoration, but for a standard paint job, or something like that...a typical one is five to seven days that we have the car in our possession and its done. Friday, we had four cars leave. Two more are leaving tomorrow. So, there will be a total of five cars on the property that all run, still drive...it’s not a junkyard. It’s no way or near a junkyard. There’s two million dollars’ worth of cars sitting inside right now. The cars look like junk coming in, but they don’t look like junk coming out.”

Mosher asked if cars that will be there for a long time will be parked on the side street, and Mr. King responded no, they will be parked out-of-sight.

The conversation turned to the alley closure request.

Mosher asked staff how wide the rear alley is. Staff responded that Spencer’s alleys are typically ten feet wide.

Mosher asked, “So, your end game would be to go as far into that alley as you would be allowed to with a fence?”

Mr. King responded yes, adding, “me and the owner directly behind this [Thomas Ward, 109 2nd Street] ...he wants to close off that anyway to have his privacy, and we talked about it, and we were like, well if we can do this, it will benefit both you and myself.”

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Mr. King commented that if the Town doesn't want the alley closed, he can still work around it, and only take in as many vehicles as he can store in the back.

Mosher commented that essentially Mr. King would get five feet of the alley if it were closed.

Staff presented a map of the subject property showing the location of the alley. Staff commented that the segment of the alley that would be closed would go from 2nd Street to the middle of the block. The other segment of the alley from the middle of the block to 3rd Street would remain open. Staff added, "So the alley would only partially be closed to the middle of the block to allow the constriction of a fence" to screen the vehicle storage/work area at the back of the building.

Mr. King, in reference to vehicles parked at 109 2nd Street, "the problem here is, everybody that sees cars sitting here, thinks they're mine. And they're really not. There's four cars that are here that are actually the owner of that property. And my stuff is not even here."

Staff attempted to clarify: "Legally, the alley is still publicly open, and so in order to build a fence lawfully in that area, you would need to close the alley. The reason the fence and the alley closure are so important is because our ordinance does not discriminate between what is a vehicle storage area and a vehicle work area, regardless, it has to be screened by an opaque fence. So what we've been discussing with the alley closure, is that's probably going to be necessary regardless in order to screen that back portion."

Mr. King responded, "And that's one hundred percent agreeable. But what I'm getting at is, this lady said that she's drove past here and has seen the cars. The cars that you're seeing aren't even mine. That's what I'm getting at. You can't physically see the cars that I'm working on because they're all here, behind the six-foot fence.... there's a junked truck that's been parked there. He's had another gold truck parked there. Two or three Toyota Priuses there. When I leave on Friday, all my stuff is moved down. You can't see anything from my stuff. And as soon as you told me to move my cars off 2nd Street, I did, no issues. The only reason the cars were even parked on the grass in 2nd Street was to get attention that the business was open...so I'm willing to do whatever I have to do to renovate that building to make it useful and make it go with the historic district in Spencer, but at the same time, I'm not going to get bullied..."

Staff added that the Town, the owner of 200 South Salisbury, and the owner of 109 2nd Street would all have to agree to the alley closure. The Fire Chief would be consulted on the appropriateness of closing the alley.

Mr. King said, "Like I said, at this point, I could care less if [the alley] was closed, if it wasn't closed, for the simple fact that, all my stuff, when it's no overflowing because of delayed parts, you can't see anything."

Mosher added, "So, at the end of the day, whether you have the alley or not, there's a fence going in the back...they're not going to see what you're doing."

Mr. King said, "Yeah, you're not going to see anything I am doing...to be completely honest with you, if I keep those [bay] doors shut, you don't hear anything, you don't even know I'm there."

Staff asked the board if they have any additional questions. The board had no additional questions.

Staff noted that he received an additional public comment from Wendy Spry who owns property at 110 South Yadkin Avenue. Ms. Spry had attended the neighborhood meeting on 11/03 but was unable to attend the Planning Board meeting. She requested that staff read the following statement on her behalf: [Video recording time-stamp: 54:00]

"Wendy Spry
110 S. Yadkin Avenue

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A Vehicle Service and Repair use at 200 S. Salisbury Avenue does not appear to be consistent with long range planning nor the intent of our Downtown Historic Preservation area. The use seems to be more in line with major vehicle services and would be more suitable within an industrial type zoning classification and not within our local historic downtown area. As the business grows and outgrows vehicle storage area this could turn into an eye sore for residents and visitors coming into Town.

Thank you.

Wendy” [Video recording time-stamp 55:30]

Mosher followed-up to ask Mr. King how many vehicle bays he has. Mr. King responded, “There’s a total of four bays that you can drive a car into, but there’s a total of twelve work areas that you can get cars to.”

Mosher asked, “So, do you see yourself ever outgrowing this [location]?”

Anthony Nero asked, “Do you have a long-range plan if you do [outgrow the location]?”

Mr. King responded, “If I outgrow this building, I’m leaving. The building can only hold so much. To be completely honest with you, the only reason I got the building was because you can’t find any other buildings out there. And I’m putting up-teen thousands of dollars into this building just to get it to where we can use it as a vehicle repair. Because at some point somebody decided to make it into apartments, and we had to bring in crews to do the demolition of that and clean everything up and get it back to where it was a repair facility. Because if you look at the front of the building, there’s two windows right there. If you go in the attic, the garage doors are still there. So, at one point this building was services for a vehicle service repair because there’s an oil change pit that we put the paint booth in. There’s an oil change pit that’s in the ground in that room. So if it get’s too big, I’m leaving, I’m not going to lie. Or I’ll buy a piece of property and put up another building. But as of right now, with all that’s going on, I couldn’t find anything. And I had to do something before there was nothing.”

Mosher said, “So obviously, in your mind, you saw Spencer, you’re renting a building that’s commercial.”

Mr. King responded, “Exactly. The Transportation Museum is right there. I was like, okay, you go down the road five-hundred feet, you got a gas station, you got cars, you got people repairing...I didn’t think anything about it.”

Mosher said, “Well, this town is a little different because it is a historic town, it’s a smaller town, it’s not like going to Charlotte where you rent a commercial building, it’s pretty much a free-for-all.”

Mr. King responded, “That’s my fault, and I’ll take full responsibility for that, I should have done my research before I pulled the trigger.”

The board expressed that the landlord should have advised Mr. King about the zoning of the property before allowing him to use it for automobile repairs.

Mr. King acknowledge there may be some days here’s there outside of regular hours, but he will not create any noise or disturbances. He said, “I try to stay my best between 10 and 5, and I’m not going to lie to anybody, there’s going to be some days that I run over past five. Why? Just like any other job, there’s overtime. If you’re home at 10:00 [AM], at this point, you should be up. So I’m not trying to annoy anybody by coming in at 7:00 in the morning and waking people up. And I’m not trying to stay later than 5:00 when everybody gets home, so I annoy them, when they’re...trying to relax. I try to get out of there, and if I have to be there after hours, the doors are shut, and you can’t even hear it. Because the compressors are all insulated. You can’t even hear the air.”

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Mosher asked staff about the nature of conditions/limitations on business hours. Does that still allow the applicant to remain on the property to finish, for example, paperwork?

Staff responded that a reasonable interpretation would be that the applicant could stay after hours to do paperwork, for example, if needed, but any use of the property outside of business hours for a use that causes some type of noise or traffic or other adverse impact, should be limited to the hours agreed upon.

Mr. King said, "Like I said, once those bay doors are closed, because that building is very well insulated, for that exact reason, you don't hear anything...you can't tell I'm there."

Mosher said, "So, the opposition that I'm hearing from Mrs. Everhart is, you don't want to turn down your block and see a junkyard...but Mr. King's telling me he's not in the junkyard business, and you're not going to see anything because it's all going to be fenced in."

Mr. Everhart added, "I'm also interested in maintaining Spencer as an up-and-coming community, not sliding back."

Mosher responded, "With all due respect, I don't see...how we'd be sliding back by having someone coming in here that already has a well-established business from another town, bringing clients into this Town, that will spend money, and eat, etcetera. I don't see it as sliding backwards at all."

Anthony Nero said, "I agree. Mr. King is willing to work. He has a lot of rules to follow here. As long as he does what he's supposed to do, I don't see an issue with it. He says he's already cleaned up the place some, he's going to clean it up more. And we do need business. It seems like a reputable business."

Mosher added, "As long as these standards are followed. As long as he lives up to the agreement."

Staff summarized: "Obviously, my role as the Planning & Zoning Administrator is to be completely neutral. My role is to facilitate the process as it's laid out by the ordinance. So, to summarize what I've heard so far, I've heard some property owners speaking in support. And some, especially tonight, speaking in opposition to the proposal. What I would say specifically to those who oppose this, the Town will of course be following up on any decision, whether it is in favor or opposition, to ensure enforcement of our codes, specifically as they relate to the parking of vehicles, and noise. The Town, outside the zoning ordinance, has a number of codes for how automobiles can be stored on properties, what qualifies as a junked vehicle versus what qualifies as an operable vehicle. And so, I will be working closely with our Code Enforcement officer to ensure that the Town's ordinances...are followed. And if the rezoning is approved, the applicant will of course be obligated to follow the list of conditions that he proposed, and those include screening of all vehicle storage and all work areas. And so, regardless of the outcome, the Town will continue to have its eyes on the property to make sure that it's being used in a way that does not create any negative impacts to the neighborhood. And anyone listening to me say this can feel free to reach out to me and I'll be happy to have that conversation. Again, I try to remain neutral and facilitate a process, and I'm doing my best to make sure that anyone who has a concern has that concern addressed. At the end of the day, the Planning Board's decision tonight is advisory, and the Board of Aldermen will ultimately make the decision. And there will be a legislative hearing where additional public input can be heard at that time. I know I can't make everyone happy, I know that during this process there will be some winners and losers, but this is the process as it's laid out by ordinance, so we'll see what outcome is decided upon tonight."

Jimm Mosher, Chair, summarized: "I think there can be a win-win for everyone here. I don't want to see a junkyard. But I don't believe this gentleman is opening up a junkyard. I've driven by his business; I see what he's trying to do. I think it can be a good thing for the community as long as it doesn't look like a junkyard, at the end of the day."

Mr. King, Applicant, summarized: "I don't want anybody upset with me, and I'm not trying to annoy anybody, like I said. When it's all said and done, I don't make my money outside the building,

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everything is inside the building. No parts are stored outside. If the cars are outside, they're either being washed, or they're being stripped or something like that. But ultimately everything goes inside...I'm not scrapping anything, it's not a junkyard, nor will it ever be a junkyard. I don't make money doing that. The cars sit there for more than ten days, I'm losing money. So, they're in and out. Does it look like there's always cars there? Yes, because people keep bringing me cars. Right now, the cars that are in that shop are all from within two miles of that building. And Spencer is feeding me...Spencer is paying my bills because you guys are bringing me work... [Spencer] is feeding the business."

The board proceeded to deliberations.

Staff reminded the board that as they consider recommending approval or denial, they should consider the "consistency" of the rezoning with the Town's Future Land Use Plan and the "reasonableness" if the request. The consensus of the board was that the rezoning is consistent with the Town's goals and is both reasonableness and in the public interest.

Jimm Mosher made the following motion:

"I move to recommend adoption of the proposed Consistency Statement dated November 8, 2021, contained in the agenda materials and to recommend approval of the Conditional Zoning Amendment.

Future Land Use Plan Consistency Statement

November 8, 2021

CONDITIONAL REZONING CASE # CZ-21-001
200 SOUTH SALISBURY AVENUE (PARCEL # 032 164)
APPLICANT: MIKE KING

After considering the polices, maps, and other materials included as part of the agenda materials, the *Spencer Planning Board* determines that the proposed Conditional Zoning Amendment is CONSISTENT with the Future Land Use Plan and other adopted plans, CONSISTENT with the Future Land Use Map, and should be APPROVED.

"After considering the polices, maps, and other materials included as part of the agenda materials, the *Spencer Planning Board* determines that the proposed Conditional Zoning Amendment is CONSISTENT with the Future Land Use Plan and other adopted plans, CONSISTENT with the Future Land Use Map, and should be APPROVED.

The proposed amendment is consistent with the Future Land Use Plan because:

- The proposed rezoning will allow the property to be used for automobile repair services. The property has been vacant and/or underutilized for a substantial period of time. The owner has had difficulty attracting a tenant to use the building. The rezoning will allow the property to be occupied by a business that will invest in the building and make improvements to the site and will therefore help to improve and revitalize Spencer's downtown commercial district (Future Land Use Goal # 1).
- The proposed rezoning will improve the public perception of Spencer by helping to reduce the number of vacant and/or underutilized buildings in the downtown area (Future Land Use Goal # 2).
- Through the Conditional Zoning process, the applicant has agreed to a list of conditions and limitations on the use and development of the property to ensure compatibility with the surrounding area. Adjacent properties include historic residential homes and civic sites such as the Spencer Community Garden. The applicant has proposed limitations on automobile work areas, vehicle storage areas, hours of operation, and has proposed site and landscaping

Exhibit 8: Planning Board Meeting - Minutes

improvements and construction of fencing to screen and buffer the vehicle service use from adjacent uses.

The proposed amendment is reasonable and in the public interest because:

- Through the Conditional Zoning process, the applicant has agreed to a list of conditions and limitations on the use and development of the property to mitigate adverse impacts and detriments to adjacent landowners, neighbors, and the surrounding community.
- A neighborhood meeting was held on November 3, 2021, at which two (2) individuals owning property immediately abutting the subject property spoke in support of the rezoning. One individual raised several concerns about the number of vehicles that will be parked on the lot and how they will be screened from view but did not speak in opposition to the rezoning. There was no clear opposition to the proposed rezoning at the neighborhood meeting.
- The use of the property for vehicle services is compatible with Spencer's perception as a center of transportation, evidenced by the Transportation Museum and the town's many transportation-themed events, such as the classic vehicle cruise-ins."

Jimm Mosher made a motion to approve the Consistency & Reasonableness statement as presented. With Anthony Nero seconding, the motion was passed. 2-0 Aye. The board recommended approval of the rezoning as presented.

Old Business

No old business.

Public Comment

No additional public comments.

Comments from Board Members

No comments from the board.

Announcement

No meeting in December.

Adjourn

The meeting was adjourned at approximately 8:20 P.M.

[Statement of Thomas Ward (109 2nd Street), transcribed from spoken statement on November 3rd neighborhood meeting.]

“My name is Thomas Ward, I live at 109 2nd Street, which is the property adjacent, right next to the service business that Mike is operating. I will say that Mike has been there for maybe four or five months, he’s the first tenant of that property that’s been there in the three plus years that I’ve been there at 109 2nd Street, and as far as I can tell the first tenant in quite some time, in nine or ten years. The building is clearly set up for vehicle service. My understanding in speaking with Tyler [property owner] is that the building was set up as a service bay for the vehicles [when] the building was used for the pest control company. Mike has put a tremendous amount of work in the building trying to improve it, and I can definitely tell he is trying to do what he can, to, I guess, not invest so much that he’s at a huge loss if this rezoning doesn’t go through, but definitely trying to put a good faith effort, and trying to make it happen. They’re good people. I haven’t had any problems with them, not any noise or anything. That’s pretty much it.”

[Statement of Iris Cavin (108 2nd Street), transcribed from spoken statement on November 3rd neighborhood meeting.]

“My name is Iris Cavin, at 108 [2nd Street], which is across from the street from Tom [Thomas Ward], and I have no problems with it being here. I think they’re really trying to be good neighbors. They’ve walked over a couple times and asked if there was anything that was bothering me...they’ve already done several things that have improved the building. So, I certainly have no objections.

[Statement of Wendy Spry, sent by email at 4:53 P.M. 11/8/2021]

I decided to submit a statement since I will not be attending the meeting tonight.
Here goes:

Wendy Spry
110 S. Yadkin Avenue

A Vehicle Service and Repair use at 200 S. Salisbury Avenue does not appear to be consistent with long range planning nor the intent of our Downtown Historic Preservation area. The use seems to be more in line with major vehicle services and would be more suitable within an industrial type zoning classification and not within our local historic downtown area. As the business grows and outgrows vehicle storage area this could turn into an eye sore for residents and visitors coming into Town.

Thank you.

Wendy

Sent from my iPhone

[Statement of Diane Everhart (property owner 111 2nd Street), transcribed from spoken statement at Planning Board courtesy hearing on November 8th.]

[Video recording time-stamp: 33:25]

“My name is Diane Everhart. I own the property at 111 2nd Street, which is 50 feet from the property that we’re discussing. And I am really opposed. First of all, those of us who own property in the historic district have been required to follow the rules, like if you remodel your house, you present that information to the historic group for approval. There is no way in the world that I would start a business in an area that has not been approved. And I think that, sad as it is, if this does not pass, this fellow has lost money. But he started that project knowing that it was improperly zoned. And then, think about what it will do to the historic nature of that community. Those folks have lived there for years, and we have tried to follow all of the rules, so far as the history is concerned. And Spencer is just now beginning to develop a plan for the entire Town to be improved. And this would not improve Spencer. Nor the view from the Transportation Museum. I have a personal investment there because I own the property. But the man who was here, speaking, the last meeting, the next-door neighbor, he would also benefit from this plan because he would receive part of that alleyway. And would be able to use it at his own discretion. And so far as the alleyway is concerned, many of the firemen use that entrance and exit to get to the Fire Department. It’s just not conducive to the Town, as I see it. And so far as improving the business, this is not a business that can enhance street traffic. This is a business that should be in a rural area. And I know this sounds unkind, but when I have ridden by there in the last few weeks, it has looked like the beginning of a junkyard. And this is certainly not what we need in Spencer. I’ll be happy to answer any questions that you have for me, but I am opposed.”

[Video recording time-stamp: 37:26]

Diane Everhart added the following to her statement: “I think we have enough absentee landlords that do not protect the interests of Spencer. And I think this would just be another one.”

ARTICLE 5

AMENDMENTS TO DEVELOPMENT ORDINANCE AND ZONING MAP

5.1 General

The Spencer *Town Board of Aldermen* may amend, supplement, modify, or repeal any provision of this ordinance or amend the zoning maps according to the procedure established by G.S.160D-601 through G.S. 160D-605. Such amendments shall be evaluated for compliance with the adopted *Plan* referenced in Section 1.5 of this Ordinance, including subsequent amendments adopted by the Town Board of Aldermen of the Town of Spencer and other applicable adopted plans, and may require a land use plan and/or comprehensive master plan amendment to ensure compatibility between the plan(s) and the amendment. Amendments and modifications shall be acted upon by the *Town Board of Aldermen*, after recommendation from the *Planning Board*.

5.2 Initiation of Amendments

Proposed changes or amendments to either the text of this Ordinance or the Official Zoning Map may be initiated by the Spencer *Town Board of Aldermen*, the Spencer *Planning Board*, the Spencer *Planning, Zoning & Subdivision Administrator*, any owner of a legal or equitable interest in land located in the Town's jurisdiction, or any resident of the Town's jurisdiction having a legal or equitable interest in land affected by the proposed amendment. Persons other than the Town of Spencer, the landowner, or the landowner's authorized agent making application for a zoning map amendment shall certify to the Town that the owner of the parcel of land as shown on the Rowan County tax listing has received actual notice of the proposed amendment and a copy of the notice of the legislative hearing in accordance with the provisions of G.S. 160D-602(d). See Section 5.3-1(D) of this Article for content of an application for amendment(s).

No amendment to zoning regulations or a zoning map that down-zones property shall be initiated nor shall it be enforceable without the written consent of all property owners whose property is the subject of the down-zoning amendment, unless the down-zoning amendment is initiated by the Town.

5.3 Amendment Process

5.3-1 Initial Application Process.

- (A.) Pre-filing meeting. Before filing an application for an amendment an applicant shall meet with the *Planning, Zoning & Subdivision Administrator* to discuss the proposed amendment and to become more familiar with the applicable requirements and approval procedures.
- (B.) Neighborhood meeting. It is required that the applicant for a zoning map amendment (rezoning) meet with representatives and/or landowners of the neighborhood in which the property for which the proposed map amendment (rezoning) is located as authorized by G.S. 160D-602(e). The applicant shall coordinate the time and date of the meeting to enable the *Planning, Zoning & Subdivision Administrator* to attend and address procedural questions that arise. The neighborhood meeting shall be conducted prior to the date of the legislative hearing at which comments on the application will be heard. This meeting may be held either before or after, but not on, the date of the meeting at which the Planning Board review and recommendation is scheduled.
- (C.) Filing.
 - (1.) An application requesting an amendment shall be filed with the *Planning, Zoning & Subdivision Administrator*.
 - (2.) Applicable fees shall be payable as set forth by the *Spencer Town Board of Aldermen*.
 - (3.) Completed applications submitted by 12:00 noon on the 15th day of the any calendar month will be considered at the meeting of the *Spencer Planning Board* scheduled for the following month.
- (D.) Content and valid authorization of applications.
 - (1.) Each application shall contain or be accompanied by all information required on the application form provided by the *Planning, Zoning & Subdivision Administrator*.
 - (2.) Every amendment proposing to change the district boundary lines shall be accompanied by metes and bounds description, a survey of the area involved, or reference to existing lots, sufficient in the estimation of the *Planning, Zoning & Subdivision Administrator* to plot or otherwise identify the amendment on the Official Zoning Map of the Town of Spencer.
 - (3.) Any person designated by the owner(s) of the property included in the petition to serve as agent for the owner shall submit such authorization in writing with the application. See Section 5.2 of this Article.

- (4.) Applications for Conditional Zoning of property within the jurisdiction of the Town of Spencer shall follow the procedures appearing in Section 5.4 of this Ordinance.

5.3-2 Review by the Spencer *Planning Board*.

General. Upon submission of a request for amendment of the Spencer Development Ordinance or an Official Zoning Map amendment, the request shall be scheduled *for review by the Spencer Planning Board* in a public meeting in accordance with Section 5.3-1(C)(3) of this Article.

- (A.) Review – General. The *Planning Board* shall make recommendations to the Spencer *Town Board of Aldermen* regarding whether to approve or deny each proposed amendment. When considering an amendment, the *Planning Board* shall consider both the consistency and reasonableness of the amendment with the adopted *Plan* referenced in Section 1.5 of this Ordinance, including subsequent amendments adopted by the Town Board of Aldermen of the Town of Spencer and other applicable adopted plans for the area affected by the proposed amendment.
- (B.) Recommendation by the Spencer *Planning Board*. Following a recommendation by the Spencer *Planning Board* on the proposed amendment(s), the action shall be reported to the Spencer *Town Board of Aldermen* for a legislative hearing and final action according to the process set forth in Section 5.3-3 of this Ordinance. The legislative hearing will be scheduled as provided by the rules of procedure of the Town Board of Aldermen for calling legislative hearings.
- (C.) Continuance by the Spencer *Planning Board*. In those cases where, upon hearing the request, the *Planning Board* feels that more information is needed, questions have arisen, or other circumstances occur in which additional time is needed to enable the Board to make a decision, the *Planning Board* may continue their meeting for up to eight (8) days. The Board shall direct the appropriate person(s) to obtain the needed information, provide answers to questions, and/or conduct other investigations during this time to enable the Board to decide at the reconvening of the continued meeting. The *Planning Board* shall act upon either an affirmative or negative recommendation on continued items at the continued meeting.
- (D.) Content of recommendation and statement of consistency. Any recommendation made by the Spencer *Planning Board* to the Spencer *Town Board of Aldermen* pursuant to this section shall be in writing. In addition, the Spencer *Planning Board* shall approve a statement in accordance with G.S. 160D-605(a) describing whether or not the proposed amendment is consistent with the adopted *Plan* referenced in Section 1.5 of this Ordinance, including subsequent amendments adopted by the Town Board of Aldermen of the Town of Spencer and other applicable adopted plans.

(E.) Conflict of Interest. A member of the *Planning Board* shall not participate in or vote on any matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. A member shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to this Ordinance where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable impact on the member. A member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship with an affected person. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection. (G.S. 160D-109).

5.3-3 Review by the Spencer Town Board of Aldermen.

(A.) Review and Legislative Hearing. Before adopting, amending, or repealing any ordinance authorized by this Article, the Town Board of Aldermen shall hold a legislative hearing on it. Following receipt of either a recommendation, or receipt of the petitioner's request for an amendment, the *Spencer Town Board of Aldermen* shall hold a legislative hearing on the proposed amendment to obtain public comment(s). The legislative hearing shall be scheduled and conducted as provided by the Town Board of Aldermen' rules of procedure.

(B.) Notification. The *Town Clerk* or authorized designee shall prepare a public notice for the legislative hearing as required below: (G.S. 160D-601 and G.S. 160D-602).

(1.) Method of procedure for publishing notice of all amendments per G.S. 160D-601.

A notice of the legislative hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

(2.) Method of procedure for mailed notice of Zoning Map Amendments per G.S. 160D-602.

(a) In addition to the publication requirements for notices of legislative hearings required in Section 5.3-3(B)(1), the procedures adopted pursuant to this section provide that whenever there is a zoning map amendment the owner of that parcel of land as shown on the county tax listing and the owners of all parcels of land abutting that parcel of land including those separated by a street, railroad, or other transportation corridor as shown on the county tax

listing shall be mailed a notice of a legislative hearing on the proposed amendment by first class mail at the last addresses listed for such owners on the county tax abstracts. This notice must be deposited in the mail at least 10 but not more than 25 days prior to the date of the legislative hearing. Except for a Town-initiated zoning map amendment, when an application is filed to request a zoning map amendment and that application is not made by the owner of the parcel of land to which the amendment would apply, the applicant shall certify to the Town Board of Aldermen that the owner of the parcel of land as shown on the county tax listing has received actual notice of the proposed amendment and a copy of the notice of legislative hearing. The person or persons required to provide notice shall certify to the Town Board of Aldermen that proper notice has been provided in fact, and such certificate shall be deemed conclusive in the absence of fraud.

(b) The first-class mail notice required under subsection (a) of this section shall not be required if the zoning map amendment directly affects more than 50 properties, owned by a total of at least 50 different property owners, and the Town elects to use the expanded published notice provided for in this subsection. In this instance, a Town may elect to either make the mailed notice provided for in subsection (a) of this section or may as an alternative elect to publish notice of the hearing as required by G.S. 160D-601, but provided that each advertisement shall not be less than one-half of a newspaper page in size. The advertisement shall only be effective for property owners who reside in the area of general circulation of the newspaper which publishes the notice. Property owners who reside outside of the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified according to the provisions of subsection (a) of this section.

(c) When a zoning map amendment is proposed, the Town shall prominently post a notice of the legislative hearing on the site proposed for rezoning or on an adjacent public street or highway right-of-way during the same time period as stated in Sub-section 5.3-3(B)(2)(a). When multiple parcels are included within a proposed zoning map amendment, a posting on each individual parcel is not required, but the Town shall post sufficient notices to provide reasonable notice to interested persons.

(C.) Upon receipt of the recommendations from the Planning Board, the Town Board of Aldermen shall hold a legislative hearing on the application for an amendment. Notice of the legislative hearing shall be provided in accordance with the provisions for legislative hearings for amendments as set forth in section 5.3-3(B) of this

Ordinance and the North Carolina General Statutes. (ref. G.S. 160D-601 through G.S. 160D-603)

(D.) Action.

- (1.) Before acting on any proposed amendment, the *Spencer Town Board of Aldermen* shall consider any recommendation made by the *Spencer Planning Board*, the recommendation submitted by the *Planning, Zoning & Subdivision Administrator* to the *Planning Board*, the comments made at the legislative hearing, and may consider any other relevant additional information available.
- (2.) When considering a proposed amendment, the *Spencer Town Board of Aldermen* shall not evaluate the petition based on any specific proposal for the use or development of the property unless explicitly required by this Ordinance. The petitioner shall not use any graphic materials or descriptions of the proposed development except for those that would apply to all uses permitted by the requested classification including applications for an overlay district Zoning Map Amendment (TNDO & HIO) where the use is highly pertinent to the facts during consideration of the amendment and/or where a development agreement is to be made a part of the project.
- (3.) Upon reviewing all pertinent information, the *Spencer Town Board of Aldermen* may take whatever action it may deem appropriate, including tabling the application for the purpose of additional neighborhood meeting(s) as required by Section 5.3-1(B) of this Article.

(E.) Statements of Consistency and Reasonableness. Prior to adopting or rejecting any amendment, the *Town Board of Aldermen* shall approve a statement in accordance with G.S. 160D-605(a) describing whether or not the proposed amendment is consistent with the adopted *Plan* referenced in Section 1.5 of this Ordinance, including subsequent amendments adopted by the Town Board of Aldermen of the Town of Spencer and other applicable adopted plans. When either adopting or rejecting a zoning map amendment the Spencer Town Board of Aldermen shall approve a statement analyzing the reasonableness of the proposed amendment in accordance with G.S. 160D-605(b). The statement of reasonableness may consider, among other factors:

- (1.) The size, physical conditions, and other attributes of the area proposed to be rezoned;
- (2.) The benefits and detriments to the landowners, the neighbors, and the surrounding community;
- (3.) The relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;
- (4.) Why the action taken is in the public interest; and

(5.) Any changed conditions warranting the amendment.

Such statements may be combined into a single statement per G.S. 160D-605(c) and incorporated into ordinances amending either the text of an ordinance established under the authority of G.S. 160D or, the Official Zoning Map established under the authority of G.S. 160D-105(a) reflecting the division of territorial jurisdiction established under authority of G.S. 160D-703.

(F.) Conflict of Interest. A *Town Board of Aldermen* member shall not vote on any matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. A member shall not vote on any legislative decision regarding a development regulation adopted pursuant to this Ordinance where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable impact on the member. A *Town Board of Aldermen* member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship with an affected person. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection. (G.S. 160D-109).

5.3-4 Waiting period for subsequent applications.

(A.) Waiting period - general. When an application for a zoning map amendment has been approved or denied by the *Spencer Town Board of Aldermen*, no application including the same property shall be accepted or considered within four (4) months after the date of the approval or denial. This restriction shall apply regardless of whether or not the new application is for a zoning classification different from the original application.

(B.) Waiting period - waiver. The waiting period required by this section may be waived by a three-fourths vote of *Spencer Town Board of Aldermen* if it determines that there have been substantial changes in conditions or circumstances which may relate to the request. A request for a waiver of the waiting period shall be submitted to the *Planning, Zoning & Subdivision Administrator*, who shall review and prepare a recommendation regarding action on the request. Said recommendation shall be considered by the *Town Board of Aldermen* in their review of the request for a waiver. If the request for the waiver is approved, the application shall go through the full review process as set forth above.

5.4 Conditional Zoning

5.4-1 Purpose.

Conditional zoning is established in accordance with G.S. 160D-703(b) to provide for flexibility in the development of property while ensuring that the development is compatible with neighboring uses. Conditional zoning affords a degree of certainty in land use decisions not possible when rezoning to a Primary General Use District. Additional standards and regulations, mutually agreed upon in writing by the Town of Spencer and the petitioner, may be attached to a proposed development to ensure compatibility with the surrounding uses and with applicable adopted plans in accordance with the requirements of this section.

5.4-2 Conditional zoning districts.

Conditional zoning is available for any of the Primary General Use or Overlay District classifications enumerated in Article 8 of this Ordinance, except for those that require a site-specific development plan as part of the application (e.g., Traditional Neighborhood Development (TNDO) Overlay District, Heavy Industry (HIO) Overlay District). The conditional zoning designation shall be indicated on all zoning maps and other official documents with the suffix, "(CZ)" and enumerated to reference the ordinance on record of the approval (e.g. "MU-1(CZ-2020-01), Ord. #2020-99").

5.4-3 General requirements.

The following provisions shall apply in the administration of conditional zoning:

(A) A conditional zoning application shall be considered only upon request of the owner of the affected property or a duly authorized representative of the property owner demonstrated by written, signed and notarized documentation.

(B) Applicant shall meet with representatives of the surrounding property owners and of the surrounding neighborhood(s) to discuss the proposed development, and include a report of any such meetings in accordance with Section 5.3-1(B) of this Article to the *Planning, Zoning & Subdivision Administrator*.

(C) All standards and requirements of the corresponding Primary General Use District shall be met, except to the extent that the conditions imposed by the conditional zoning are more restrictive than the general use standards.

(D) No uses shall be permitted except those enumerated in the ordinance adopting the conditional zoning.

(E) The conditions agreed upon pursuant to the Conditional Zoning approval shall be stated in the adopting ordinance and may limit the uses which are permitted on the property. By way of illustration and not limitation, conditions may specify location on the property of the proposed structure(s), the number of dwelling units, the location and extent of supporting facilities such as parking lots, driveways, and access streets, the location and extent of buffer areas and other special purpose areas, the timing of development, the height of structures, the location and extent of rights-of-way and other areas to be dedicated for public purposes, and other such matters as may be identified as appropriate for the proposed development.

(F) Minor modifications to the approved Conditional Zoning ordinance may be approved by the *Planning, Zoning & Subdivision Administrator* per authorization under G.S. 160D-703(b). The minor modifications authorized herein are intended to provide relief where conditions established by the Conditional Zoning ordinance create a hardship based upon a unique physical attribute of the property itself or some other factor unique to the property which was not known at the time of ordinance adoption and which has subsequently rendered the property difficult or impossible to use due to the condition(s) imposed by the zoning. The permit holder shall bear the burden of proof to secure the modification(s). Such modifications shall be limited to the following:

1. A deviation of up to ten percent or 24 inches, whichever is greater, from the approved setback, provided that the conditions for approving a deviation from the required setback established by Article 14 (Flexible Development Standards) of this Ordinance are met.
2. A reduction of up to 25 percent in the number of parking spaces required for the use provided that the proposed development is located within ½ mile of either the Main Street District (MS) or the Mixed Use (MU-1 and MU-2) and on-street parking is available.
3. Any other minor modification in accordance with the limitations and procedures prescribed in this Ordinance, unless restricted by G.S. 160D-703(b), or the Conditional Zoning ordinance adopted pursuant to this section specifies otherwise.

Any other modifications must be approved by the Town Board of Aldermen as an amendment to the Conditional Zoning ordinance and may be referred to the Planning Board or *Planning, Zoning & Subdivision Administrator* as appropriate. The *Planning, Zoning & Subdivision Administrator* shall in every case have the discretion to decline to exercise the power to approve or deny modifications as provided for herein, and may require the applicant to seek an amendment to the Conditional Zoning ordinance.

(G) Any violation of a provision of a Conditional Zoning ordinance shall be treated the same as any other violation of this Ordinance and shall be subject to the same remedies and penalties as any other such violation.

(H) If for any reason any provision of a Conditional Zoning ordinance is found to be illegal or invalid, or if the applicant should fail to accept any condition, the entire Conditional Zoning ordinance shall be null and void, and the property shall revert to its previous zoning classification without further action by the Town Board of Aldermen.

(I) If no formal action (e.g. construction plan submittal, permit application, etc.) has been taken to begin the development of the property in accordance with the Conditional Zoning ordinance within 24 months of its approval by Town Board of Aldermen, or no vested right has been obtained, then the property shall revert to its previous zoning classification, or the *Planning, Zoning & Subdivision Administrator* may initiate appropriate action to rezone the affected property to any other classification deemed consistent with the adopted *Plan* referenced in Section 1.5 of this Ordinance, including subsequent amendments adopted by the Town Board of Aldermen of the Town of Spencer and other applicable adopted plans.

(J) If the use or uses commenced pursuant to a Conditional Zoning ordinance adopted pursuant to this section are abandoned or discontinued or no vested right has been obtained then the property shall revert to its previous zoning classification, or the *Planning, Zoning & Subdivision Administrator* may initiate appropriate action to rezone the affected property to any other classification deemed consistent with the adopted *Plan* referenced in Section 1.5 of this Ordinance, including subsequent amendments adopted by the Town Board of Aldermen of the Town of Spencer and other applicable adopted plans.

(K) No variances or special use permits may be issued for developments on property that is subject to a Conditional Zoning ordinance.

5.4-4 Application procedure.

When applying for Conditional Zoning, the application shall specify the nature of the proposed development and shall propose conditions to ensure compatibility with the surrounding uses and consistency with adopted plans. Applications for Conditional Zoning shall be processed, considered, and voted upon in accordance with procedures established in Section 5.3 of this Article for zoning map and zoning text amendments, except as provided below:

(A) The application shall include site plans, landscape plans, building elevations, floor plans, and such other information required to provide the approving bodies with a complete and accurate description of the proposed development.

(B) The application and supporting materials shall be reviewed by the *Planning, Zoning & Subdivision Administrator* in accordance with Section 7.8 of this Ordinance prior to the meeting of the Planning Board at which the application is to be considered. The recommendations and comments of the *Planning, Zoning & Subdivision Administrator* shall be reported to the Planning Board. In addition, the *Spencer Planning, Zoning & Subdivision Administrator* shall evaluate Conditional Zoning applications on the basis of the criteria for special use permits set out in Article 7, and shall submit said report at the legislative hearings on said applications.

(C) Following review by the *Planning, Zoning & Subdivision Administrator*, the Planning Board shall review the application and all requisite documents at a regularly scheduled meeting following the procedures defined in Sub-section 5.3-2 of this Article. The Planning Board may recommend approval of the application, including recommending conditions for the zoning; recommend denial of the application; or continue the consideration of the application in order to receive further information regarding the application as authorized by Sub-section 5.3-2(C) of this Article.

(D) Upon receipt of the recommendations from the Planning Board, the Town Board of Aldermen shall hold a legislative hearing on the application for Conditional Zoning. Notice of the legislative hearing shall be provided in accordance with the provisions for legislative hearings for zoning map amendments as set forth in Section 5.3-3(B) of this Ordinance and G.S. 160D-601 and G.S.160D-602.

(E) The Town Board of Aldermen' consideration of an application for Conditional Zoning is legislative in nature, and the Town Board of Aldermen may consider any relevant information in its deliberations, including the criteria for issuing special use permits specified in Article 7. Consideration shall be given to adopted land use plans for the area, small area plans, corridor plans, and other land use policy documents, and to surrounding land uses. The Town Board of Aldermen may adopt or not adopt a Conditional Zoning ordinance in accordance with the procedures defined in Sub-section 5.3-3 of this Article, or may continue its consideration of the application as necessary to conclude consideration and deliberations.

(F) During the adoption of a Conditional Zoning ordinance, specific conditions may be proposed by the petitioner, Town Board of Aldermen, Planning Board, or Town staff, but only those conditions mutually approved by Town Board of Aldermen and the petitioner in writing may be incorporated into the zoning regulations and permit requirements. Conditions and site-specific standards imposed in a conditional zoning district shall be limited to those that address the conformance of the development and use of the site to Town ordinances, an officially adopted land use, comprehensive or other plan and those that address the impacts reasonably expected to be generated by the development or use of the site.

(G) Specific findings of the Town Board of Aldermen are not required for action on an application for Conditional Zoning. However, a statement analyzing the reasonableness of the proposed rezoning shall be prepared for each conditional zoning district as required by Sub-section 5.3-3(E) of this Article.

(H) Upon adoption of a Conditional Zoning ordinance, the Official Zoning Map of the Town of Spencer shall be amended to add the conditional zoning district and denote the reference as required by Sub-section 5.4-2 of this Article. The *Planning, Zoning & Subdivision Administrator* shall maintain a book or file for Conditional Zoning ordinances, and each Conditional Zoning ordinance shall be filed therein. Failure to comply with this provision shall not render the ordinance invalid.

(I) The Conditional Zoning ordinance adopted as provided herein shall be perpetually binding upon the affected property unless subsequently changed or amended as provided for in this Ordinance.

(J) Conditional Zoning ordinances are legislative in nature, and judicial review of Conditional Zoning ordinances shall be as provided by Article 14 of Chapter 160D of the North Carolina General Statutes.

MINUTES

**Town of Spencer
Board of Aldermen
Pre-Agenda Meeting
November 4, 2021**

The Town of Spencer Board of Aldermen met at Spencer Town Hall in regular session on November 4, 2021, at 5:33 p.m. to conduct a pre-agenda meeting.

Present were: Mayor Jonathan D. Williams
Alderman Sam Morgan
Alderwoman Sharon Hovis
Alderman Steve Miller
Alderman Bob Bish
Alderwoman Patricia Sledge

Absent: Mayor Pro Tempore Secreast

Also present were: Town Manager Peter Franzese, Town Clerk Stacy Craven, Town Planner Kyle Harris, Special Projects Planner Joe Morris, Code Enforcement Officer James Osborne, and Public Works Director Joel Taylor. Also, NC Fellow Student Skye Allan, attended via digital means.

Mayor Williams called the meeting to order, offered the invocation, and led the *Pledge of Allegiance*.

PUBLIC HEARING & COMMENT

No comments received to the Clerk, and no one being present to speak. The Board took the following action:

Action

Alderwoman Hovis moved to close public hearing session. Alderwoman Sledge seconded the motion which carried by a vote of 5-0.

Mayor Williams opened the floor for the discussion of the agenda.

RECOGNITIONS

Alderwoman Hovis spoke to add the Fire Department for Halloween festivities for recognition. Alderman Morgan spoke to add WinterFest group and Chief Lanning for recognition. Alderman Miller spoke to add Community Garden for recognition.

REVIEW OF AGENDA ITEMS

The board reviewed the November 9, 2021, draft agenda and took the following actions by consensus:

- Moved Agenda item *Minutes* to the Consent Agenda.
- Moved Agenda item Budget Amendment Ordinance 21-020 to Consent Agenda.
- Moved Agenda item Property Liens to Consent Agenda.
- Moved Agenda item Consider Sale of 308 Cain St. to Consent Agenda.
- Moved Agenda item Consider Sale of 608 S. Carolina Ave. to Consent Agenda.

- Moved Agenda item Road Closures for Parade and WinterFest to Consent Agenda.
- Added to Agenda authorizing Town Manager to execute Contract Completion Addendum and moved to Consent Agenda.
- Added Consider receiving a presentation from Essie Academy Staff.

CONSIDER ORDINANCE 21-025 AND ANNEXATION AGREEMENT

Atty Jay Dees briefly updated Board of status on annexation agreement and new publications that have been provided to Board and 60-day waiver is to allow for City to act on annexation process rather than having delay since the Town of Spencer is clearly not interested in properties in the annexation area and properties are located in Davidson County. Davidson County has informed Atty Dees they will reimburse the Town of Spencer in legal ad costs associated with the process.

EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION OF PERSONNEL PER NC G.S. 143-318.11(A)(6)

Alderwoman Sledge moved to adjourn to executive session for the purpose of discussion of personnel matters per NC General Statute 143-318.11 (a) (6). Alderman Bish seconded the motion which carried by a vote of 5-0. The regular meeting stood in recess at 6:02 p.m.

RECONVENE OPEN SESSION

Alderwoman Hovis moved to approve motion of reconvening open meeting. Alderman Morgan seconded the motion which carried by a vote of 5-0.

Mayor Williams reconvened the meeting at 7:29 p.m.

ADJOURNMENT

Alderman Morgan moved to adjourn the meeting. Alderwoman Hovis seconded the motion which carried by a vote of 5-0. The meeting was adjourned at 7:29 p.m.

Approved by:

Attest:

Jonathan D. Williams
Mayor

Stacy Craven
Town Clerk

MINUTES
Town of Spencer
Board of Aldermen
Regular Meeting
November 9, 2021

The Town of Spencer Board of Aldermen met at Spencer Town Hall in regular session on November 9, 2021, at 6:00 p.m.

Present were:

- Mayor Jonathan D. Williams
- Mayor Pro Tempore Patti Secreast
- Alderman Bob Bish
- Alderwoman Sharon Hovis
- Alderman Steve Miller
- Alderman Sam Morgan
- Alderwoman Patricia Sledge

Also, present were: Town Manager Peter Franzese, Town Clerk Stacy Craven, Town Atty Jay Dees, Town Planner Kyle Harris, Special Projects Planner Joe Morris, Finance Officer Faith Wilson, Police Chief Michael James, Code Enforcement Officer James Osborne, Fire Chief Michael Lanning, and Public Works Director Joel Taylor.

Mayor Williams called the meeting to order, led the *Pledge of Allegiance*, and Alderwoman Sledge offered the invocation.

RECOGNITIONS

Alderman Morgan recognized the Fire Department under the leadership of Chief Michael Lanning and commended on how much change has occurred. He congratulated the department on the recent ranking of a Class II ISO rating. Special thanks and acknowledgement to WinterFest committee/ participants for their hard work and efforts for planning the upcoming event. Alderwoman Sledge expressed that the WinterFest publications had been passed out during Election Day as voters left the Town Hall.

Alderwoman Hovis thanked the Fire Department for the visibility and actions displayed on Halloween which was not displayed anywhere else in Spencer. She also thanked the Fire Department for their servitude.

Alderman Miller expressed thanks to the Spencer Presbyterian Church for the land and under the leadership of Kyle Harris and Skye Allan along with others for the start of the Community Garden and action that is now visible to the Community.

Mayor ProTempore Secreast recognized Katherine Perdomon Ayala (7th grade) for North Rowan Middle School Student of the Quarter; and Kevin Figueroa (10th grade) for North Rowan High School Student of the Quarter.

ADJUSTMENTS TO AND ADOPTION OF AGENDA

No adjustments needed.

Action

Alderman Miller moved to adopt the agenda. Alderman Morgan seconded the motion which carried by a unanimous vote of 6-0.

PUBLIC HEARING

Mayor Williams opened the floor to the public for the annexation agreement with the City of Lexington for properties located within Davidson County. No one being present and no comments submitted to the Clerk. Public hearing closed.

Action

Mayor Pro Tempore Secreast moved to close the public hearing. Alderwoman Sledge seconded the motion which carried by a unanimous vote of 6-0.

PUBLIC COMMENT

Mayor Williams opened the floor to receive public comment.

Janice Sells (321 Sowers Ferry Rd.) comment received via email and read aloud by Mayor Williams in regard to a speed bump request made by Alderman Morgan to slow down traffic on Sowers Ferry Rd. Janice would like to know what's the next steps and or if this should be a police concern being that speed is involved, but however she and her family would like to be kept informed on situation. Mayor ProTempore Secreast spoke on behalf of Terry Schultz (President of Spencer Council of Churches) along with the Town of Spencer will host a Senior Christmas Luncheon at Oak Baptist Church on December 7, 2021, for Seniors aged 55 and over. You may sign up at your local church for the event. It is also publicized on the Town's Facebook page. Leslie Talbott (308 N. Salisbury Ave.) was present and mentioned she was at the library volunteering to do storytelling for WinterFest and noticed a computer in plain sight and would like to know the purpose. Not sure who would like to use a computer and is it coming out of the book budget?

Being no one else present for comments, public comment section was closed.

CONSENT AGENDA

Alderwoman Hovis moved to approve the consent agenda as presented. Alderman Bish seconded the motion which carried by a unanimous vote of 6-0. Items approved were: (1) October 7, 2021, Pre-Agenda Meeting Minutes; (2) October 12, 2021, Regular Meeting Minutes; (3) Budget Amendment Ordinance 21-020 Town Lights; (4) Consider Receiving Property Liens; (5) Consider confirming sale of 308 Cain Street; (6) Consider confirming sale of 608 South Carolina Ave; (7) Consider approving various street closures related to 'Tis the Season Spectacular Parade' and 'WinterFest' Events; and (8) Consider authorizing Town Manager to sign contract completion addendum for the natural gas generator.

CONSIDER ORDINANCE 21-027 FOR UTILITY VEHICLES

Mayor Williams briefed the Board and read over the presented ordinance 21-027 for the purpose of amending Chapter 70 and adopting Chapter 71 in the interest of public safety.

Action

Alderman Miller moved to approve the adoption of Chapter 71 and amend Chapter 70. Alderwoman Hovis seconded the motion which carried by a unanimous vote of 6-0.

CONSIDER ORDINANCE 21-025, RESOLUTION, AND ANNEXATION AGREEMENT WITH THE CITY OF LEXINGTON

The Board took the following actions.

Action

Alderman Miller moved to approve Ordinance 21-025. Alderwoman Sledge seconded the motion which carried by a unanimous vote of 6-0.

Alderwoman Sledge moved to approve the Resolution. Mayor Pro Tempore Secreast seconded the motion which carried by a unanimous vote of 6-0.

Mayor Pro Tempore Secreast moved to approve the Annexation Agreement. Alderwoman Sledge seconded the motion which carried by a unanimous vote of 6-0.

CONSIDER RECEIVING A PRESENTATION FROM ESSIE ACADEMY STAFF

Ms. Latisha Feamster (Essie's Principal) and Mr. James Davis (Vice Chair) presented to the Board their needs of a facility to accommodate their current growth and see some potential in the current Town Hall used by Staff located at 600 S Salisbury Ave. This building would allow for them to host their students, access to a cafeteria, area for recreational desires, as well as reach more students and be in a central location. There is belief the building can accommodate them and address their concerns as well as the capabilities for future grade level growth. Questions were asked by the Board in regard to their vision(s) for the building and how it meets their needs, as well as if there are financing options. Mayor Williams suggested we would have to discuss any possible terms with our Town Attorney as far as structure and liabilities. We would need to further investigate before making any commitments. Mr. Davis's final remarks were there are grants and things that Essie Academy is eligible as they are a non-profit organization and would qualify for assistance with correcting infrastructure issues.

Action

No action taken at this time.

DEPARTMENTAL REPORTS

Planning Department

Planning Director Kyle Harris gave the monthly Planning Department report; He is currently working with approving the permit for the parade road closure and WinterFest and sees no issues that would hinder the approval. Conditional zoning case update- a neighborhood meeting took place on November 3rd and general discussion between him and those that attended, is mixed between favorability and opposition. The next step is the December 14th legislative hearing session and then the Board will make its decision. Interviews have been held for board members for open seats. The Planning Board recommended the approval at their November meeting. Two candidates to be recommended for appointment at the December Board of Aldermen meeting.

Code Enforcement Department

Code Enforcement Officer James Osborne gave the monthly Code Enforcement report; Discussed the portal mentioned at last meeting with IWORQ is now completed and it will allow residents to report violations, code enforcement, permitting, general road concerns and traffic lights once implemented. Osborne informed the Board of an investor he's been speaking with by assisting in identifying homes that have been in violation with a company names Jupiter Sky. They purchase homes in Town and the Doby property is one and has been cleaned up by the Town (411 S Iredell Ave)

Police Department

Police Chief Michael James gave the monthly Police Department report.

Fire Department

Fire Chief Michael Lanning gave the Fire Department report; announced Ladder Engine 75 is out of service indefinitely and would like to ask the Board's opinion in Rowan-Cabarrus Community College (RCCC) wanting to receive the donation of the truck for upcoming students versus submitting to North Carolina Transportation Museum (NCTM). Process in doing so would be to surplus the item first then auction or donate as a straight sale. Bring as an agenda item to next meeting to surplus Ladder Engine 75. Update provided that 'Coffee with the Chief' happened on today and only one person and the Town Manager attended. Hopefully next month more will come and support the opportunity for Coffee with the Chief held on the 2nd Tuesday of each month.

Public Works Department

Public Works Director Joel Taylor gave the monthly Public Works Department report; updated Board that Bulky services will occur on Friday due to Veteran's Day holiday observance. Began decorating for Christmas this week ahead of time as permitted. 17th Street culverts are now finished, and concrete has been poured Cindy Safrit has indicated that culverts will withstand a 10- year storm. The Bus shelter came in with mis fabrication and it was shipped back and delivered yesterday. Will try to have the shelter placed by the parade event date at the corner of the Park Plaza parking lot near Salisbury and Fifth St. The Christmas Tree was delivered yesterday and will be installed the week after Thanksgiving. Board suggested to Staff to implement a process for a neighborhood meeting to address concerns of speedbump. Manager Franzese suggested a petition process and a need to identify a policy process. Alderwoman Hovis suggested a speed wagon trailer placed in the current issue of concern on Sowers Ferry Rd as a reactive immediate approach.

Finance Department

Finance Officer Faith Wilson gave the monthly Finance Department report; Updated Board on status of purchase order module and it's operative and being used by departments to help with encumbering funds and streamlining budgeting processes. Analytics is still being worked on and clockwise has to build another side for Police to accommodate their 28-day cycle. The Board thanked Faith for her contributions of services rendered to the Town in her tenure and wished her success.

Library Report

Town Clerk Stacy Craven gave the monthly Library report; Addressed concerns raised during public comment: Librarian McCraw requested a computer and while Clerk was in Library witnessed patron request to use a computer for the purpose of completing a job application and was told we could not accommodate her request at that time by the Librarian. The computer is in the library to offer services for patrons to utilize and the ability to print documents at the cost approved in the adopted Budget. Computer was purchased from a budgeted account line for software purposes and not used from the book budget line.

TOWN MANAGER REPORT

Manager Franzese gave his monthly report; Updated Board of meeting with Kimley-Horn to start process for 3rd Street Green project. NCDOT had agreed to 3.5 million and the Town needs to enter into a municipal agreement with NCDOT to proceed with the project. Updates on Open house provided and advised to contact the Chamber of Commerce about the ribbon cutting.

CONSIDER BUDGET AMENDMENT ORDINANCE 21-021

Mayor Williams briefed Board on Ordinance for donation received from Foundation For the Carolinas and thanked donor Mr. Fred Stanback for his large contribution for the Park Plaza.

Action

Alderman Morgan moved to adopt budget ordinance 21-021 to receive donation for DownTown Park in the amount of \$100,000.00. Alderman Bish seconded the motion, which carried by a vote of 6-0.

CONSIDER BUDGET AMENDMENT ORDINANCE 21-022

To establish a project funding line for the acceptance of the contribution for the DownTown Park.

Action

Alderman Morgan moved to adopt budget ordinance 21-022 to establish a fund line for the park fund. Alderwoman Sledge seconded the motion, which carried by a unanimous vote of 6-0.

CONSIDER RESOLUTION 21-026 INTERLOCAL MUTUAL AID ASSISTANCE

Manager Franzese updated the Board on current staffing shortage in Police Department and this assistance provided by the Rowan County Sheriff's Department will help with current level of staffing on a temporary basis up to six months. To make the best use of the resources we do have, and the County has been very helpful in incentivizing their Staff to help us at a cost of \$50.00 an hour for this service. Rowan County Board of Commissioners has already approved this option to allow for sooner opportunity to have this happen. Our Staff are scheduled first then communicated to Rowan County Sheriff's Office of our needs to fill in the schedule.

Action

Alderman Morgan moved to approve resolution 21-026 for Town Manager to sign contract for local mutual aid assistance. Mayor Pro Tempore Secreast seconded the motion, which carried by a unanimous vote of 6-0.

CONSIDER SETTING A PUBLIC HEARING FOR CONDITIONAL REZONING

Mr. Harris updated the Board of procedural events to occur for the parameter of the conditional rezoning process. This resolution allows for the correction of the date and a motion needed to hold at 12/9/2021 Pre-Agenda Meeting to allow Board time to review/ evaluate and make a final decision. Mailed out 40 notices to adjoining/ neighborhood properties.

Action

Alderman Miller moved to approve setting the public hearing. Alderwoman Sledge seconded the motion, which carried by a unanimous vote of 6-0.

CONSIDER AUTHORIZING TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH ALFRED BENESCH & COMPANY FOR YADKIN RIVER TRAILHEAD FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES

Special Projects Planner Morris updated the Board on process used and an RFQ for design was advertised. We only received one submittal which was Alfred Benesch & Company. Staff would recommend Board to approve Town Manager to execute an agreement with professional services. This company used by Davidson County for the Yadkin River Park & Wil-Cox Bridge Recreation Area.

Action

Alderman Miller moved to approve authorizing Town Manager to execute on behalf of Town. Mayor Pro Tempore Secreast seconded the motion, which carried by a unanimous vote of 6-0.

REQUESTS & COMMENTS BY THE MAYOR AND BOARD MEMBERS

Mayor Pro Tempore Secrest:

- Has enjoyed her time on the Board and it's been an honor to serve and looking forward to working with the new Board as well.

Alderman Bish:

- Thanked Miller for the kind words and expressions. He has been happy on the Board he was able to meet new people and appreciative of the opportunity to serve. Thanks for allowing him to be on the Board and he believes he asked questions that people were afraid to ask looking forward to the opportunity to relax and spend time in other ways.

Alderwoman Sledge:

- To second the comments made by Alderman Miller on the leaving members. In Hovis' absence she attended the Metropolitan meeting and they approved 4 new bus purchases to Salisbury. Also addressed the in-house proposal for planning Staff for MPO Concord contract and the meeting was able to address some deficiencies from Conrad's group and she was please of the advanced knowledge bought to them by Town Manager Franzese which helped her during the meeting.

Alderman Miller:

- Cherish moments with family and friends and has enjoyed his tenure with the current Board members. He thanked Bish and Hovis for their service and hopes the best for their future as they will be missed.

Alderman Morgan:

- To second comments made by others on the leaving members. Believes a lot of issues were resolved thankful for their expertise and ability to work through differences.

Alderwoman Hovis:

- Bittersweet departure but at this time it is easy to leave due to it being in better hands than she had received it. The Community has received her passion and commitment the last four years. We have a great Mayor who partakes in so many things and her passion was Public Safety she understands what it's like as a former Chief of Police. Warning sent to not take advantage of ability with the County and the Board's job is to help be the voice of the Community. Will be able to enjoy retirement, the Board is doing a great job!

Mayor Williams:

- Seconded all the comments stated prior. Christmas parade to occur on November 24, 2021 "Tis the Season Spectacular Parade" to start in Spencer area at 2:00 p.m. and end in Salisbury area at the Bell Tower Park, will occur in Salisbury at 3:00 p.m. Expecting all board former and new members to participate and Staff on the float.

EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION OF PERSONNEL PER NC G.S. 143-318.11(A)(6)

Alderwoman Hovis moved to adjourn to executive session for the purpose of discussion of personnel matters per NC General Statute 143-318.11 (a) (6). Alderman Bish seconded the motion which carried by a vote of 6-0. The regular meeting stood in recess at 9:10 p.m.

RECONVENE OPEN SESSION

Alderwoman Hovis moved to approve motion of reconvening open meeting. Alderman Bish seconded the motion which carried by a vote of 6-0.

Mayor Williams reconvened the meeting at 11: 15 p.m.

ADJOURNMENT

Alderman Bish moved to adjourn the regular meeting. Alderman Morgan seconded the motion which carried by a unanimous vote of 6-0. The meeting stood adjourned at 11: 16 p.m.

Approved by:

Attest:

Jonathan D. Williams
Mayor

Stacy Craven
Town Clerk

704-633-2231
www.spencernc.gov



Post Office Box 45
Spencer, NC 28159-0045

2022 Board of Aldermen Meeting Schedule

**450 S Salisbury Ave.
Spencer, NC 28159**

**Pre-Agenda meetings start at 5:30 p.m. on the Thursday prior to the Regular meeting.
Regular meetings start at 6:00 p.m. on the second Tuesday of each month.**

	Pre-Agenda Meeting	Regular Meeting
January	6	11
February	3	8
March	3	8
April	7	12
May	5	10
June	9	14
July	7	12
August	4	9
September	8	13
October	6	11
November	3	8
December	8	13

AGENDA ITEM

Council Meeting Date: 12/14/2021

Agenda Item No: TBD	INSERT AGENDA ITEM HERE
Issue under Consideration:	Board to consider adopting an ordinance to amend the Official Zoning Map and rezone the property at 200 South Salisbury Avenue from Primary General Use District C-29 (US Highway 29 Commercial) to Conditional Zoning District VSR(CZ-21-001) (Vehicle Service/Repair, Conditional).
Current Status:	N/A
Points to Consider:	<i>See Staff Memorandum.</i>
Financial Impact:	N/A
Options:	The Board can Approve / Deny / Table.
Recommendations:	The Planning Board recommends approval.
Department:	PLANNING & DEVELOPMENT SERVICES

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____
Against: _____

Passes: _____
Fails: _____



Rowan's Original Gateway.

Date: December 3, 2021

To: Peter Franzese, Town Manager

From: Kyle Harris, Planning & Zoning Administrator

Re: **Conditional Rezoning Application (Case # CZ-21-001)**

Adoption of Conditional Zoning Ordinance # 21-028 (Regular Meeting)

See attached Exhibits

The purpose of the present Memorandum is to provide a more detailed analysis of the Conditional Rezoning Application than I provided in my earlier memo for the Legislative Hearing. The earlier memo was drafted primarily to instill confidence that the Town has provided sufficient opportunity for public input and consultation, and to provide you with the specific public comments received thus far (either written or transcribed from video/audio recordings). (The Board may also choose to consult my memo dated October 27 for a comprehensive chronology of the case, but I will reiterate any relevant details here and omit those that are inessential.)

I begin this memo by presenting the actions the Board can take on December 14 (to *approve, deny, or table* the request) (Section I). Subsequently, I summarize the Planning Board's decision to *recommend Approval* of the rezoning (Section II). Then, I offer my staff analysis of the key details of the case, offering my perspective on all of the following factors: a summary of the applicant's good faith efforts to comply with the Town's standards; the conditions/limitations on the use or development of the property that the applicant has proposed as part of the rezoning; the subject property and its context/relationship with the surrounding neighborhood; the development standards that apply to all *vehicle service/repair* uses; and an analysis of both the consistency of the rezoning with the Future Land Use Plan and its reasonableness in light of the public interest. The preceding will all be presented in Section III. Finally, I conclude in Section IV with a "Q&A" of questions that I anticipate the Board may ask.

I. Options for Legislative Action

On December 14, the Board will be asked to take Legislative Action on the proposal, meaning you will vote to do one of the following:

1. *Approve* the Conditional Zoning Amendment

- Includes *Adoption* of a Conditional Zoning Ordinance # 21-028 (**Exhibit 1**)
- Includes *Adoption* of a Statement of Consistency & Reasonableness (*Consistent*) (**Exhibit 2**)

2. *Deny* the Conditional Zoning Amendment

- Includes *Adoption* of a Statement of Consistency & Reasonableness (*Inconsistent*) (**Exhibit 3**)

3. *Table* the Application for the purpose of additional neighborhood meeting(s) as provided by SDO Sec. 5.3-1(B).

As I mentioned in Section IV of my earlier memo, the Board's evaluation of a Conditional Rezoning Application is purely Legislative (*not quasi-judicial*) in nature, meaning you are free to consider *any* relevant information in your deliberations, and you are free to approve or deny the proposal based on your judgement of the appropriateness of the rezoning.

II. Planning Board Recommends *Approval*

On November 8, the Planning Board met in regular session to review the proposal and to make a recommendation to the Board of Aldermen. They also conducted a courtesy public hearing to solicit additional public input. After reviewing all public input and all case materials, the Planning Board determined the following: "That the proposed Conditional Zoning Amendment is CONSISTENT with the Future Land Use Plan and other adopted plans, CONSISTENT with the Future Land Use Map, and should be APPROVED."

The minutes of the above meeting are attached as Exhibit 4. The Planning Board's Statement of Reasonableness & Consistency is attached is Exhibit 5.

The Planning Board's decision was based on the board's findings that the rezoning would help to revitalize Spencer's downtown commercial district (Future Land Use Goal # 1) and would help to improve the public perception of Spencer by reducing the number of vacant and/or underutilized buildings in the downtown area (Future Land Use Goal # 2). Additionally, the Planning Board determined that through the Conditional Zoning process, the applicant has agreed to a list of conditions and limitations that will ensure compatibility with the surrounding area and will help to mitigate adverse impacts and detriments to adjacent landowners, neighbors, and the surrounding community.

Jimm Mosher, Planning Board Chair, summarized the decision to recommend approval: "I think there can be a win-win for everyone here. I don't want to see a junkyard. But I don't believe this gentleman is opening up a junkyard. I've driven by his business; I see what he's trying to do. I think it can be a good thing for the community as long as it doesn't look like a junkyard, at the end of the day..."

"As long as these standards [conditions] are followed. As long as he lives up to the agreement."

III. Staff Analysis | *Summary on the Applicant's Good Faith Efforts*

Throughout this process, Mr. King (applicant), who is the owner of the auto repair business, has demonstrated good faith efforts to comply with the Town's standards. As the tenant, when he signed the lease on the building, he was, to my knowledge, unaware that the property was not zoned appropriately for his business. The owner, Tyler Weant, Foxx Properties Group LLC, apparently neglected to communicate any zoning information to Mr. King.

When Mr. King was made aware of the zoning violation, he submitted a Rezoning Application to correct the violation and paid the \$650.00 fee and has been engaged at every step through the required process. Through the Conditional Zoning process, he also voluntarily proposed a number of conditions/limitations on the use and development of the property to ensure the shop is compatible and harmonious with the surrounding neighborhood. These conditions and limitations include limitations on vehicle work/storage areas, additional screening and buffering, restriction on hours of operation, site and landscaping improvements, and rules on where and how vehicles are parked on the lot. See **Exhibit 6** for the full list of proposed conditions which demonstrate a good faith effort to make the use fit into the area.

Mr. King has already constructed two segments of 6' solid wood privacy fencing to screen the existing vehicle storage/work areas. (Fully enclosing the vehicle storage/work area will require partial closure of the rear alley, which Mr. King has also proposed as a condition of the rezoning.) Additionally, Mr. King has removed several vehicles that were previously parked on the side lawn in violation of the Town's parking regulations and has made various repairs and other exterior improvements to the front of the building.

Mr. King attended both the neighborhood meeting and the Planning Board meeting at which his proposal was discussed. He expressed that his goal is to use and develop the property in a way that does not disrupt the neighborhood. He has stated that he "is not trying to disrupt anybody's life...I'm just trying to be able to provide for my family, and this is how I know how to do it. I figured, open up a shop in Spencer with the Transportation Museum right there, I figured it was a good idea. You guys seemed like a car town...when all this happened, I didn't realize what was going on with the zoning...as soon as I found out what was going on, I didn't hesitate to cooperate with anybody and...start the process...if I'm affecting anybody, please speak up, and I apologize if I am."

Mike stated the following regarding his investments in the building: "I'm trying to do what they're asking me to do...but I don't own the property. I'm renting the property. So, I'm still paying rent on a property that I'm upgrading for somebody else to meet my zoning needs...I've already dumped twenty-five grand into this building, updating the electrical, trying to get it back up to code. The fence, just by itself, was two-thousand dollars...so I'm trying not to put a hundred grand into a building that I could get thrown out of next month. If everything goes the way...I hope it goes, you'll see [improvements] go very quickly. I want to pressure wash the building...put

new siding up...we're trying to fix all the wood that was literally falling off the building, we've already re-faced the entire front of the building because it was literally falling off, we had squirrels running through the building. We got new poles...[for] the new porch...so we're trying to do it...but if I have to leave, I have to be able to move an entire business to another property...it's twenty-five to thirty-thousand dollars to set everything up...I'm trying not to...bankrupt myself."

At the Planning Board meeting, Mr. King stated the following in his introductory remarks: "Basically, I'm just trying to run a business. I didn't think anything about it, with the Transportation Museum being right there, I figured it would be a good spot for an automotive service shop. The pictures that you saw, yeah, it was kind of a cluster back there, but we're trying to get the building in shape and clean everything out from the previous tenants. ... I'll do anything you guys want me to do. I'm not trying to be hard; I'm not trying to be difficult. I just want to be able to support my kids and my family."

On the Rezoning Application, Mr. King wrote that he would like to be an asset to the community, participate in community events and car shows, and support the local car scene by providing vintage car restorations services.

I strongly encourage the Aldermen to review Exhibit 7 (Neighborhood Meeting Report) and Exhibit 4 (Planning Board Meeting Minutes) for a transcription of the entire extended dialogue that took place during the hearings at both meetings.

Staff Analysis | *Background*

On July 21, I was first made aware that a vehicle service business had opened shop at 200 South Salisbury Avenue and was operating in violation of the zoning ordinance. The subject property is currently zoned C-29 (US Highway 29 Commercial), for which "automobile repair services" is not a permitted land use. Because the property is located in such close proximity to a historic residential area, the property was zoned for less intensive commercial uses. The risk is that allowing such a use to operate here could potentially create adverse impacts to surrounding homeowners, including noise, traffic, visual impact of vehicle storage and work areas, etc.

Town staff internally deliberated on how to proceed. The Town would have been within its authority to force the business to halt its operation *unless and until* a rezoning to VSR (Vehicle Service & Repair) was approved. Instead, we chose to take a "middle-of-the-road" approach. We determined to allow the business to continue operating as normal, provided the owner (Tyler Weant, Foxx Properties Group LLC) and the tenant/business owner (Mike King) worked with the Town in good faith to bring the use into compliance with the ordinance. This included a requirement that the owner submit to the Town a Rezoning Application (Petition to Amend the official Zoning Map) and we would allow the process to play out.

Throughout this process, Town staff were clear that if the rezoning is denied, the business will no longer be permitted to operate. The owner and the business tenant both understand this.

Staff Analysis | *What is Conditional Zoning?*

Early in the process, I advised the applicant to pursue the Conditional Zoning process instead of the Conventional Zoning process. There are two types of rezonings: (i) Primary General Use District zoning, or “general use” zoning (also referred to as “conventional” zoning); and (ii) Conditional Zoning. General Use Zoning and Conditional Zoning are two separate and distinct processes with different requirements.

When rezoning to a Primary General Use District, the applicant or landowner is entitled to use or develop the land, without limitation, to the extent that is permitted by the Spencer Development Ordinance (SDO). For example, if the Town were to approve a general use rezoning from RMST (Residential) to C-29 (Commercial), then the owner would be entitled to use the land for any commercial uses permitted in the C-29 District, as established in the Table of Uses (Article 8 – Table 8.1).

However, let us imagine the following scenario: a landowner owns a vacant corner property zoned RMST (Residential). She wishes to rezone the property to C-29 for the purpose of building a small corner French bakery for the neighborhood. She meets with Town staff to discuss the rezoning process. When staff learns of her intention to build a small bakery, they advise her that, in her case, it would be wiser to petition for a Conditional Rezoning, because the C-29 Primary General Use District allows uses that may not be compatible with the neighborhood, such as gas stations and hotels. If the property were to be sold in the future, a new owner could build a gas station or a hotel, even if the original purpose of the rezoning was to only build a small bakery. Therefore, Conditional Zoning is an important tool used by municipalities to control development and ensure land is used and developed in a way that is compatible with the area.

Conditional Zoning allows the applicant and the Town to negotiate conditions or limitations on the use or development of the property to ensure compatibility with the area. In the example above, the condition would be that the property could *only* be used for bakery/café. When requesting a conditional rezoning, the applicant voluntarily offers additional conditions and limitations on the use or development of the property. Conditional zoning is necessary if rezoning to a general use district would permit uses or development that may be incompatible with adjacent properties or otherwise inconsistent with the Town’s goals.

SDO Sec. 5.4 establishes the Town’s Conditional Zoning process. Sec. 5.4-1 states the “conditional zoning is established in accordance with G.S. 160D-703(b) to provide for flexibility in the development of property while ensuring that the development is compatible with neighboring uses. Conditional zoning affords a degree of certainty in land use decisions not possible when rezoning to a Primary General Use District. Additional standards and regulations, mutually agreed upon in writing by the Town of Spencer and the petitioner, may be attached to a proposed development to ensure compatibility with surrounding uses and with applicable adopted plans in accordance with the requirements of this section” (Article 5 – Page 8).

Staff Analysis | *Subject Property & Context*

The subject property at 200 South Salisbury Avenue (PID 032 164) consists of 0.32 acres at the corner of Salisbury Avenue and 2nd Street. The property is currently zoned C-29 (US Highway 29 Commercial). The property abuts several other properties that are described as follows:

- To the north and north-east, the subject property directly abuts a historic residential neighborhood zoned RMST (Residential Main Street Transition). The immediate area comprises single-family residential homes built in the early 20th century. Most of these homes are on lots 50-ft. wide, creating a high-density residential environment.
- To the east, the subject property abuts, separated by 2nd Street, a 0.96-acre grassy, landscaped lot owned by the Spencer Presbyterian Church. The lot is zoned Civic (CIV). It is currently the site of the Spencer Community Garden.
- To the south, the subject property abuts, separated by Salisbury Avenue (US Highway 29) the 58.8-acre property of the North Carolina Transportation Museum. The portion of this property across from 200 South Salisbury Avenue is predominantly wooded/undeveloped. The lot is zoned Civic (CIV).
- To the west and south-west, the subject property directly abuts the Town of Spencer Fire Station. The lot is zoned Civic (CIV). The station is buffered from the subject property by a vegetative buffer/screen of tall, mature evergreens.

The subject property is currently zoned C-29 (US Highway 29 Commercial), for which a variety of land uses are listed, including “commercial goods and services, employment, and some limited small-scale industrial” (SDO Art. 8, p. 4). However, C-29 *excludes* the following land uses: automobile repair services (major), automobile repair services (minor), and automobile towing and storage services (SDO Art. 8, Table 8.1, Sec. 1).

Therefore, the property is not currently zoned for any use related to automobile repairs, vehicle storage, or any other use involving vehicle services.

Description of Current Zoning C-29 (US Highway 29 Commercial): “The US Highway 29 Commercial District (C-29) is established to provide opportunity for compatible, resilient and sustainable development along the US Highway 29 corridor. Development standards in the C-29 district acknowledge that the automobile is the primary mode of transportation. Development design standards encourage pedestrian scale development along a secondary street network serving larger projects. Goals of the C-29 district include providing a pleasant calm environment for motorists, a safe environment for pedestrians within a network of streets and pedestrian facilities; promoting the safety of motorists, cyclists, and pedestrians; and preserving the capacity of the transportation network outside the core area as shown in the adopted Town Plan. Uses in this district include commercial goods and services, employment, and some limited small-scale industrial. Allowed building/lot types include Highway Commercial, Urban Workplace, and Shop-front” (SDO Article 8 – Page 4).

Description of Proposed Zoning VSR (Vehicle Service & Repair): “The Vehicle Service and Repair District (VSR) is established to provide locations for specific uses that, due to their unique characteristics and importance to the community, and the traveling public, require different criteria and specifications than typical commercial development. Development standards in the Vehicle Service and Repair district acknowledge that the automobile is the primary mode of transportation in suburban communities and there is a vital need for such businesses to be located in close proximity to one another. Uses within the Vehicle Service and Repair District are buffered from adjacent uses. The dominant uses in this district are vehicle oriented and/or dependent and include vehicle-based services, vehicle repair shops and disabled vehicle storage areas. The Vehicle Service and Repair District is reserved for uses which require broad maneuvering spaces and avoid pedestrian interaction with potentially hazardous conditions. Goals of the Vehicle Service and Repair District include providing a pleasant environment for motorists, a safe environment for pedestrians along the network of streets and pedestrian facilities; promoting the safety of motorists and pedestrians; and preserving the capacity of Main Street and its interconnecting network of streets outside the core area as shown in the adopted Town Plan. Uses in this district include heavy commercial goods and services for motor vehicles, and some limited industrial. Allowed building/lot type is Highway Commercial” (SDO Article 8 – Page 4).

Staff Analysis | *Other Requirements*

Regardless of any additional conditions or limitations mutually agreed upon by the applicant and the Town, the zoning ordinance establishes the following basic requirements for any “automobile repair service” land use.

- 10.1-4. Automobile/Boat/Equipment Repair Service.
 - (B.) Standards.
 - (1.) Vehicles awaiting repair shall not be parked in public right-of-way.
 - (2.) No outdoor automobile/boat work areas are to be located in front yard setback area.
 - (3.) All outdoor automobile/boat work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer (see Article 11); plantings shall be on the exterior side of the fence.

Consistency with Comprehensive Plan:

Spencer's "comprehensive plan" is its "2008-2025 Town of Spencer, NC Land Use Plan", abbreviated as the "2025 Land Use Plan", which was adopted by the Board of Aldermen on August 12, 2008. (The full text of the plan is available on the Town's website at <https://spencernc.gov/business-and-development/long-range-planning/#masterplans>.)

▪ Future Land Use Goals

1. Improve / Revitalize Downtown Retail / Commercial District
2. Improve the public perception of the Town of Spencer (with special emphasis on quality of life and shopping opportunities)
3. Protect existing neighborhoods
4. Improve the performance and perception of the schools in Spencer
5. Facilitate commerce and industry opportunities within Spencer
6. Facilitate and encourage transportation improvements

The Board of Aldermen should consider whether the proposed rezoning from C-29 (Commercial) to VSR (Vehicle Service & Repair) is consistent with the six (6) adopted goals, listed above. In making such determination, the Board can consider:

- Is the proposed use of the property for vehicle services and repairs consistent with the goal to "protect existing neighborhoods"? Has the applicant proposed sufficient conditions and limitations on the use of the property (e.g., screening, limitation on hours of operation, etc.) to mitigate potential adverse impacts to surrounding residential properties? Have noise impacts been appropriately considered?

The 2025 Land Use Plan does not clearly articulate the preferred future land use for the subject property. The "Future Land Development Concept Map" on p. 42 of the plan appears to place the subject property *outside* of the "Downtown" district ("culture, arts, rail/office/residential (mixed) uses"). The Plan does not contain any policy language guiding the development of commercial or vehicle service uses along Salisbury Avenue.

Consistency with Other Adopted Plans:

Spencer's Historic District Standards is the only other applicable Town plan offering policy guidance for the use and development of the subject property.

Standard 1 establishes that "every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally intended use" (p. 32).

Future Land Use Plan Analysis:

When considering a Zoning Map amendment, the Board of Aldermen considers both the consistency and reasonableness of the amendment with the Future Land Use Plan. The board may consider, among other factors:

- The size, physical conditions, and other attributes of the property proposed to be rezoned;
- The benefits and detriments to the landowners, the neighbors, and the surrounding community;
- The relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;
- Why the action taken is in the public interest; and
- Any changed conditions warranting the amendment.

In the Rezoning Application, the applicant was asked to analyze the impact of the rezoning request and its consistency with the Future Land Use Plan. The applicant was also asked how the rezoning request is reasonable and in the public interest. The applicant's responses to the questions are copied below:

1. Statement of Consistency: Provide a brief statement regarding whether the rezoning request is consistent with the Town's Future Land Use Plan.

Applicant Response: "Proposed [auto repair] use of the property is consistent with land uses in the downtown area (commercial) and along Salisbury Avenue. Proximity to Transportation Museum. There is a thematic compatibility with vehicle repair (including vintage vehicle restoration). On a primary thoroughfare (US-29). A [auto repair] use is most appropriate on a primary thoroughfare."

2. Public Interest: Provide brief statements explaining how the rezoning request is reasonable and in the public interest.

Applicant Response: “We have had a lot of community come to the shop for the service. We would love to grow the shop in Spencer. And do more car events for the community. We...could have a great car scene...with the transportation museum.”

Staff Commentary: The above was partly illegible. The applicant told me during our meetings that he wants to be an asset to the community and participate in community events and car shows.

Other Exhibits:

- **Exhibit 8 – Owner’s Affidavit**
- **Exhibit 9 – Applicant-Submitted Rezoning Application**
- **Exhibit 10 – Staff Photographs (taken on 12/3/2021)**

IV. Q&A

Q: There are frequently vehicles parked in the 2nd Street right-of-way next to the building. Isn't this a violation of the Town Code?

A: SDO Sec. 10.1-4(B)(1) requires that "vehicles awaiting repair shall not be parked in public right-of-way." However, the ordinance does not prohibit the use of the right-of-way for general business parking, provided the Town's parking regulations are followed. Spencer's parking regulations (Town Code, Chapter 72) stipulate the following, among others:

- No vehicle may be parked in a no-parking zone (Sec. 72.02);
- No vehicle may be parked within 30 feet of any stop sign (Sec. 72.04(D));
- No vehicle may be parked that interferes, blocks, or creates a hazard for any passing vehicles (Sec. 72.04(N));
- Oversized vehicles, boats, and trailers greater than eight feet in width or which is blocking more than one-half the width of the street, highway, or public right-of-way, creating a traffic hazard are prohibited from parking or to be left standing on any street, highway, or public right-of-way within the corporate boundaries of the town (Sec. 72.14).

I have deferred to Code Enforcement to identify and resolve any such violations at the subject property.

With all the above being said, the Aldermen may still evaluate potential traffic impacts when considering the appropriateness of the rezoning. If you believe the volume of vehicles associated with a vehicle service business is not harmonious with the neighborhood, you can deny the rezoning on those grounds.

Respectfully submitted,

Thomas Kyle Harris

Kyle Harris
Planning & Zoning Administrator
Town of Spencer, NC

TOWN OF SPENCER, NORTH CAROLINA

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP AND REZONE THE PROPERTY AT 200 SOUTH SALISBURY AVENUE FROM PRIMARY GENERAL USE DISTRICT C-29 (US HIGHWAY 29 COMMERCIAL) TO CONDITIONAL ZONING DISTRICT VSR(CZ-21-001) (VEHICLE SERVICE & REPAIR, CONDITIONAL)

PURSUANT TO SPENCER DEVELOPMENT ORDINANCE ARTICLE 5 (AMENDMENTS TO DEVELOPMENT ORDINANCE AND ZONING MAP)

ORDINANCE 21-028

WHEREAS, pursuant to Article 5 of the Spencer Development Ordinance (“SDO”), the owner of the property located at 200 South Salisbury Avenue (Rowan County Parcel ID # 032 164), FOXX PROPERTIES GROUP, LLC, has authorized the tenant of the property, Mike King (“Applicant”), to submit to the Town a Rezoning Application (Petition to Amend the Official Zoning Map) to rezone the property from Primary General Use District C-29 (US Highway 29 Commercial) to Conditional Zoning District VSR(CZ-21-001) (Vehicle Service & Repair, Conditional) for the purpose of operating a vehicle service business; and

WHEREAS, pursuant to SDO Section 5.4-1, Conditional Zoning is established in accordance with N.C.G.S. 160D-703(B) to provide for flexibility in the development of property while ensuring that the development is compatible with neighboring uses. Conditional zoning affords a degree of certainty in land use decisions not possible when rezoning to a Primary General Use District. Additional standards and regulations, mutually agreed to in writing by the Town and the petitioner, may be attached to a proposed development to ensure compatibility with the surrounding uses and with applicable adopted plans; and

WHEREAS, pursuant to the Conditional Zoning procedure established in SDO Sec. 5.4, the applicant, in order to ensure that the land use is compatible with neighboring uses, which are predominantly historic residential in nature, has proposed a list of conditions and/or limitations on the use and development of the property which are legally enforceable; and

WHEREAS, pursuant to SDO Sec. 5.1, the Spencer Board of Aldermen may amend the Official Zoning Map according to the procedure established by N.C.G.S. 160D-601 through N.C.G.S. 160D-605; and

WHEREAS, pursuant to SDO 5.3-1(B), on November 3, 2021, a duly noticed neighborhood meeting was held at Town Hall. The purpose of the meeting was to discuss the proposed amendment, including the nature of the proposed land use and to explore ways to ensure compatibility with surrounding uses and properties. The applicant attended the meeting and met with representatives and landowners of the neighborhood; and

WHEREAS, pursuant to SDO Sec. 5.3-2, on November 8, 2021, the Spencer Planning Board held a duly noticed meeting to review the proposed amendment and voted to recommend *approval* of the Conditional Zoning Amendment. Concurrently, the Planning Board adopted a Statement of Consistency & Reasonableness determining that the proposed amendment is *consistent* with the

Future Land Use Plan and other adopted plans; *consistent* with the Future Land Use Map; and is *reasonable and in the public interest*; and

WHEREAS, pursuant to SDO Sec. 5.3-3(A), on December 9, 2021, the Spencer Board of Aldermen held a duly noticed Legislative Hearing to obtain additional public comment(s) on the proposed amendment; and

WHEREAS, pursuant to SDO Sec. 5.3-3(D)-(E), the Spencer Board of Aldermen has reviewed all pertinent information and approves the following Statement of Consistency & Reasonableness: that the proposed amendment is *consistent* with the Future Land Use Plan; is *consistent* with the Future Land Use Map; is *reasonable and in the public interest*; and should be *approved*, because:

- The use is proposed to be operated so as to not substantially injure the value of adjoining or abutting property;
- Through the Conditional Zoning process, the applicant has agreed to a list of conditions and limitations on the use and development of the property to ensure compatibility with the surrounding area. Adjacent properties include historic residential homes and civic sites such as the Spencer Community Garden. The applicant has proposed limitations on automobile work areas, vehicle storage areas, hours of operation, and has proposed site and landscaping improvements and construction of fencing to screen and buffer the vehicle service use from adjacent uses.
- Through the Conditional Zoning process, the applicant has agreed to a list of conditions and limitations on the use and development of the property to mitigate adverse impacts and detriments to adjacent landowners, neighbors, and the surrounding community.
- The use of the property for vehicle services is compatible with Spencer's perception as a center of transportation, evidenced by the Transportation Museum and the town's many transportation-themed events, such as the classic vehicle cruise-ins.
- The proposed rezoning will allow the property to be used for automobile repair services. The property has been vacant and/or underutilized for a substantial period of time. The owner has had difficulty attracting a tenant to use the building. The rezoning will allow the property to be occupied by a business that will invest in the building and make improvements to the site and will therefore help to improve and revitalize Spencer's downtown commercial district (Future Land Use Goal # 1).
- The proposed rezoning will improve the public perception of Spencer by helping to reduce the number of vacant and/or underutilized buildings in the downtown area (Future Land Use Goal # 2).

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Spencer, North Carolina, that:

Section 1. The Official Zoning Map of the Town of Spencer is hereby amended as set forth herein.

The 0.3-acre property located at 200 South Salisbury Avenue and identified by the Rowan County Parcel ID # 032 164 is rezoned from Primary General Use District C-29 (US Highway 29 Commercial) to Conditional Zoning District VSR(CZ-21-001) (Vehicle Service & Repair, Conditional).

Pursuant to SDO Sec. 5.4-2, the conditional zoning designation shall be indicated on all zoning maps and other official documents with the suffix “(CZ)” and enumerated to reference the ordinance on record of the approval (“VSR(CZ-21-001), Ord. # 21-028”).

Section 2. Pursuant to SDO Sec. 5.4-3(D), no uses shall be permitted at the subject property except those enumerated herein.

No uses shall be permitted at the property except the following: Vehicle Repair Services (Minor) and/or Vehicle Repair Services (Major).

Uses not enumerated herein shall not be permitted at the property. Unlisted uses include, but are not limited to, the following: Automobile Dealers; Automobile Rental or Leasing; Automobile Towing and Storage Services; Junked Motor Vehicle Storage as Accessory Use.

Section 3. Pursuant to SDO Sec. 5.4-3(E), the following conditions and/or limitations on the use and development of the property have been agreed upon by the petitioner and are hereby agreed upon by the Town.

A. Limitation on Automobile Work Area:

- All auto work will be performed only in the work bay area located at the rear of the building. The work bay will be screened from view behind a 6’ privacy fence or screening that meets the Town’s standards. The work area will be totally screened from street view with fencing or a combination of fencing and screening vegetation, as permitted.
- No auto work will be carried out in the front or side yards of the building.
- No auto work will be performed in any location visible from the street or in any location that is not screened from view by an opaque privacy fence.

B. Limitation on Vehicle Storage Area(s):

- Applicant will remove all vehicles from the site that are not currently being serviced or awaiting service. Vehicles will not be parked or stored on the lot purely for display, except as provided below.

- There shall be a maximum of one (1) display car located on the property. The display car will be located in front of the building and will be parked on gravel or pavement (not on grass).
- The shop will implement a policy for vehicle storage. Specifically, the shop will have an internal written policy to store vehicles only in designated storage areas that are completely screened from view from the street. No cars will be parked on the 2nd Street side yard of the building in any circumstance.
- Cars being serviced will be located only in designated, properly screened vehicle storage areas on the west side of the building (screened with fencing) and in the rear of the building (screened with fencing, pending approval of a fence permit and alley closure request).
- The shop's front parking lot will be for employees or visitors only. The front parking lot will not be used for the storage of vehicles awaiting service.

C. Hours:

- The shop's hours will be limited from 10 AM to 5 PM, M-F, and 10 AM to 3 PM Saturday. The shop will be closed on Sundays. No work will be performed outside of these established hours.

D. Site & Landscape Improvements:

- Front parking area will be improved with paved concrete or crushed stone (gravel) meeting the Town's standards.
- Applicant will seek to close the existing front driveway (at corner of 2nd Street and Salisbury Avenue) and landscape the front side yard (corner) in a way that improves the overall appearance of the corner.
- (The Town will study making improvements to the 2nd Street/Salisbury Avenue intersection. The Town will study feasibility of installing planter or other landscaping improvements here.)
- Applicant will improve the 2nd Street side yard with additional landscaping, such as trees, bushes, flowers, etc.
- Applicant will plant bushes and other vegetation along any new portion of fencing to improve the appearance of and "soften" the fencing.

E. Public Alley Closure:

- Applicant will submit to the Town an alley closure petition and, if approved, will, with the consent of the adjacent property owner, install a fence to completely obstruct the rear storage/work area from view.

Section 4. Pursuant to SDO Sec. 5.4-3(G), any violation of any provision of this ordinance shall be treated the same as any other violation of the Spencer Development Ordinance and shall be subject to the same remedies and penalties as any other such violation.

Section 5. Pursuant to SDO Sec. 5.4-3(H), if for any reason any provision of this ordinance is found to be illegal or invalid, or if the applicant should fail to accept any condition, the entire ordinance shall be null and void, and the property shall revert to its previous zoning classification without further action by the Board of Aldermen.

Section 6. Pursuant to SDO Sec. 5.4-3(K), no variances or special use permits may be issued for developments on property that is subject to a Conditional Zoning ordinance.

Section 7. Pursuant to SDO Sec. 5.4-3(I), this ordinance shall be perpetually binding upon the affected property unless subsequently changed or amended as provided.

Section 8. This ordinance shall become effective immediately upon adoption.

Adopted this 14th day of December, 2021.

Jonathan Williams, Mayor

Stacy Craven, Town Clerk

Spencer Board of Aldermen

Motion to Approve

(Approve Conditional Zoning Ordinance # 21-028)

“Pursuant to Article 5 of the Spencer Development Ordinance, I move to adopt the proposed Consistency & Reasonableness Statement contained in the agenda materials and to adopt the Conditional Zoning Ordinance # CZ-21-001 with the adoption and effective dates described in the agenda item.”

**Future Land Use Plan Consistency Statement
& Statement of Reasonableness - CONSISTENT**

December 14, 2021

CONDITIONAL REZONING CASE # CZ-21-001

200 SOUTH SALISBURY AVENUE (PARCEL # 032 164)

APPLICANT: MIKE KING

After considering the polices, maps, and other materials included as part of the agenda materials, the *Spencer Board of Aldermen* determines that the proposed Conditional Zoning Amendment is CONSISTENT with the Future Land Use Plan and other adopted plans, CONSISTENT with the Future Land Use Map, and should be APPROVED.

The proposed amendment is consistent with the Future Land Use Plan because:

- Through the Conditional Zoning process, the applicant has agreed to a list of conditions and limitations on the use and development of the property to ensure compatibility with the surrounding area. Adjacent properties include historic residential homes and civic sites such as the Spencer Community Garden. The applicant has proposed limitations on automobile work areas, vehicle storage areas, hours of operation, and has proposed site and landscaping improvements and construction of fencing to screen and buffer the vehicle service use from adjacent uses.

Exhibit 2: Statement of Consistency & Reasonableness (CONSISTENT)

- The proposed rezoning will allow the property to be used for automobile repair services. The property has been vacant and/or underutilized for a substantial period of time. The owner has had difficulty attracting a tenant to use the building. The rezoning will allow the property to be occupied by a business that will invest in the building and make improvements to the site and will therefore help to improve and revitalize Spencer's downtown commercial district (Future Land Use Goal # 1).
- The proposed rezoning will improve the public perception of Spencer by helping to reduce the number of vacant and/or underutilized buildings in the downtown area (Future Land Use Goal # 2).

The proposed amendment is reasonable and in the public interest because:

- The use is proposed to be operated so as to not substantially injure the value of adjoining or abutting property;
- Through the Conditional Zoning process, the applicant has agreed to a list of conditions and limitations on the use and development of the property to mitigate adverse impacts and detriments to adjacent landowners, neighbors, and the surrounding community.
- The use of the property for vehicle services is compatible with Spencer's perception as a center of transportation, evidenced by the Transportation Museum and the town's many transportation-themed events, such as the classic vehicle cruise-ins.

Spencer Board of Aldermen

Motion to Deny

(Deny Conditional Zoning Amendment)

“Pursuant to Article 5 of the Spencer Development Ordinance, I move to adopt the proposed Consistency & Reasonableness Statement contained in the agenda materials and to deny the proposed Conditional Zoning Amendment.”

**Future Land Use Plan Consistency Statement
& Statement of Reasonableness - INCONSISTENT**

December 14, 2021

CONDITIONAL REZONING CASE # CZ-21-001

200 SOUTH SALISBURY AVENUE (PARCEL # 032 164)

APPLICANT: MIKE KING

After considering the polices, maps, and other materials included as part of the agenda materials, the *Spencer Board of Aldermen* determines that the proposed Conditional Zoning Amendment is INCONSISTENT with the Future Land Use Plan and other adopted plans, INCONSISTENT with the Future Land Use Map, and should be DENIED.

The proposed amendment is INCONSISTENT with the Future Land Use Plan because:

- The proposed rezoning would harm the existing historic residential neighborhood that abuts the subject property (Future Land Use Goal # 3: Protect Existing Neighborhoods). The applicant has not sufficiently demonstrated that the surrounding neighborhood will not be adversely impacted by issues such as noise, visual clutter from vehicles associated with the business, and other potential detriments.

The action taken by the Board of Aldermen is reasonable and in the public interest because:

- Denial of the Amendment will protect the existing neighborhood.
- The use or development is not in harmony with the area in which it is to be located.
- The use or development may cause detriment to surrounding landowners.



Spencer Planning Board / Board of Adjustment

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PLANNING BOARD

MINUTES

Monday, November 8, 2021

7:00 PM

(Meeting Duration: 1 hr. 17 min.)

The meeting was called to order by Jimm Mosher, Chair, at 7:00 PM.

Mosher provided a meeting introduction with an explanation of proceedings.

Mosher led a Moment of Silence and the Pledge of Allegiance.

A quorum of the Planning Board was determined. Members present were: Jimm Mosher and Anthony Nero. (The Board currently has three members with four vacancies; a quorum of 3 is 2.)

Member Donna Redfern was absent.

Staff attending was Kyle Harris, Planning & Zoning Administrator.

The agenda for the November 8, 2021, meeting was adopted.

New Business

1. Conditional Rezoning Application # CZ-21-001 (Mike King)

CONDITIONAL REZONING APPLICATION:

CZ-21-001 – Foxx Properties Group, LLC (Owner); Mike King (Authorized Applicant)
Subject Property - 200 South Salisbury Avenue (Rowan County Parcel ID # 032 164)

REQUEST: WHEREAS, Pursuant to Article 5 of the Spencer Development Ordinance (SDO), the owner of the property located at 200 SOUTH SALISBURY AVENUE (ROWAN COUNTY PARCEL # 032 164), FOXX PROPERTIES GROUP, LLC, has authorized the tenant of the property, Mike King, to submit to the Town of Spencer a Rezoning Application (Petition to Amend the Official Zoning Map) to rezone the property from C-29 (US HWY 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of operating a vehicle service business. If the rezoning application is approved, the use would be subject to the additional screening and buffering conditions established in SDO Section 10.1-4 and other limitations mutually agreed to by the applicant and the Town to ensure that the use is compatible with surrounding land uses.

The subject property is currently zoned C-29 (US HWY 29 Commercial), for which “automobile repair services” is not a permitted land use. The applicant proposes to rezone the subject property to VSR (Vehicle Service & Repair), which would allow the tenant to lawfully operate an automotive service and repair business.

Exhibit 4: Planning Board Meeting Minutes

Staff provided an explanation of proceedings for case # CZ-21-001. Staff clarified that a courtesy public hearing would be held tonight to provide additional opportunity for neighborhood property owners to speak in support or opposition of the proposed rezoning.

Staff provided an update on the timeline. A neighborhood meeting was held on Wednesday, November 3. Tonight, the Planning Board will make a recommendation. And on December 14, beginning at 6:00 P.M., the Board of Aldermen will conduct its legislative hearing, and will make a final decision.

Staff clarified that the purpose of tonight's Planning Board meeting was for the board to review the rezoning and make a recommendation to the Board of Aldermen on whether to approve or deny the request. When considering a rezoning, the board's responsibility is to consider the consistency of the rezoning with the Future Land Use Plan; and the reasonableness of the amendment, which includes consideration of whether it is in the public interest to approve the rezoning.

The Planning Board may recommend approval, including recommending any conditions on the rezoning; may recommend denial; or may continue (table) the case to receive further information.

Staff provided an overview of case # CZ-21-001. The proposal is for a Conditional Rezoning of the property at 200 South Salisbury Avenue. The owner is Foxx Properties Group, LLC (Tyler Weant) who have authorized the tenant Michael King (business owner) to rezone the property. The proposal is to rezone from C-29 (Commercial) to VSR (Vehicle Service & Repair). Staff clarified that it would be a conditional zone, meaning that the rezoning is contingent on the applicant abiding by certain restrictions and limitations on the use of the land, specifically for the purpose of making sure that it's compatible with the area.

The main crux of the case is whether it is appropriate to have a vehicle service operation so close to a residential area. The applicant has proposed a number of limitations including where vehicles will be stored, how vehicles will be screened, limitations on hours of operation, etc.

Staff noted the zoning of surrounding properties; that on three sides, the subject property is bounded by Civic (CIV) properties, specifically the Fire Station, the Transportation Museum, and the Spencer Presbyterian Church, which is also the site of the Spencer Community Garden. To the north, the subject property abuts a high density historic residential area with 50' lots, where most homes were built in the early-mid 20th century.

Staff continued, stating that the property is currently zoned C-29 (Commercial), a Zoning District that specifically does not allow automobile repair services. It is not a permitted land use in C-29.

Staff acknowledged that the Town has understood for some time that the property is being used for vehicle repairs, which is a non-compliant use. This means the use is currently in violation of the zoning ordinance. The Town decided that, as long as the owner and the tenant are working with the Town in good faith to pursue the rezoning, the Town would not require them to shut down the business. That instead, the Town would allow the rezoning process to play out.

If the rezoning is denied, the business will no longer be permitted to operate.

Staff advised the applicant Mike King that the best chance that he had would be to apply for Conditional Zoning and add additional restrictions on how the property will be used. The applicant is bound to follow these restrictions. If the property is used in violation of a conditional zoning ordinance, then the property would revert back to its previous zoning classification.

Staff explained that Conditional Zoning is a process that allows the applicant and the Town to negotiate conditions or limitations on the use or development of the property, specifically to ensure compatibility with neighboring uses. It affords a degree of certainty in land use decisions not possible when using conventional zoning. Conditions can be more restrictive than the general standards.

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Staff provided some examples of conditions that would apply to this case are conditions that address problems like visual impact of vehicles stored on the lot, noise, traffic, etc.

The conditions are specifically enforceable by the Town's Planning Department and Code Enforcement Department. If the applicant fails to accept or abide by any of the conditions formally agreed upon, the entire conditional zoning ordinance becomes null and void, and the property reverts automatically back to its previous zoning classification.

The burden is on the applicant to propose sufficient conditions to convince the Town that the rezoning should be approved.

Staff read verbatim the applicant-proposed conditions:

1. Limitation on Automobile Work Area:

- All auto work will be performed only in the work bay area located at the rear of the building. The work bay will be screened from view behind a 6' privacy fence or screening that meets the Town's standards. The work area will be totally screened from street view with fencing or a combination of fencing and screening vegetation, as permitted.
- No auto work will be carried out in the front or side yards of the building.
- No auto work will be performed in any location visible from the street or in any location that is not screened from view by an opaque privacy fence.

2. Limitation on Vehicle Storage Area(s):

- Applicant will remove all vehicles from the site that are not currently being serviced or awaiting service. Vehicles will not be parked or stored on the lot purely for display, except as provided below.
- There shall be a maximum of one (1) display car located on the property. The display car will be located in front of the building and will be parked on gravel or pavement (not on grass).
- The shop will implement a policy for vehicle storage. Specifically, the shop will have an internal written policy to store vehicles only in designated storage areas that are completely screened from view from the street. No cars will be parked on the 2nd Street side yard of the building in any circumstance.
- Cars being serviced will be located only in designated, properly screened vehicle storage areas on the west side of the building (screened with fencing) and in the rear of the building (screened with fencing, pending approval of a fence permit and alley closure request).
- The shop's front parking lot will be for employees or visitors only. The front parking lot will not be used for the storage of vehicles awaiting service.

3. Hours:

- The shop's hours will be limited from 10 AM to 5 PM, M-F, and 10 AM to 3 PM Saturday. The shop will be closed on Sundays. No work will be performed outside of these established hours.

4. Site & Landscape Improvements:

- Front parking area will be improved with paved concrete or crushed stone (gravel) meeting the Town's standards.
- Applicant will seek to close the existing front driveway (at corner of 2nd Street and Salisbury Avenue) and landscape the front side yard (corner) in a way that improves the overall appearance of the corner.

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- (The Town will study making improvements to the 2nd Street/Salisbury Avenue intersection. The Town will study feasibility of installing planter or other landscaping improvements here.)
- Applicant will improve the 2nd Street side yard with additional landscaping, such as trees, bushes, flowers, etc.
- Applicant will plant bushes and other vegetation along any new portion of fencing to improve the appearance of and “soften” the fencing.

5. Public Alley Closure:

- Applicant will submit to the Town an alley closure petition and, if approved, will, with the consent of the adjacent property owner, install a fence to completely obstruct the rear storage/work area from view.

[Conclusion of applicant-proposed conditions.]

Staff reiterated that any of the conditions that are formally agreed upon by the Town and the applicant must be followed, or the rezoning becomes void. Therefore, the only way for the applicant to continue to legally operate his business is to follow all conditions with the specific goal of making the use as compatible as possible with the area, to reduce as much as possible any adverse impacts to surrounding properties.

Staff presented a map of the subject property, describing the main features and surrounding properties.

Staff outlined the standards that apply to any vehicles repairs service land use in Spencer. Specifically, SDO Sec. 10.1-4 establishes the following 3 requirements for any vehicle repair use: (1) vehicles awaiting repair shall not be parked in public right-of-way; (2) no outdoor automobile work areas are to be located in front yard setback area; and (3) all outdoor automobile work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer; plantings shall be on the exterior side of the fence.

Staff described Type D buffers as “a peripheral planting strip intended to separate uses, provide vegetation in densely developed areas, and to enhance the appearance of individual properties”, which are typically five feet wide.

Staff noted that the purpose of tonight’s Planning Board meeting is to review the proposed rezoning and make a recommendation to the Board of Aldermen on whether to approve or deny. When considering the rezoning, the Planning Board considers both the “consistency” and “reasonableness” of the amendment with the Future Land Use Plan per SDO Sec. 5.3-2.

Staff provided a report on the neighborhood meeting that was held on November 3, 2021. The purpose of that meeting was to allow neighbors to review the potential rezoning, including the nature of the proposed land use and to explore ways to ensure compatibility with surrounding uses and properties. Staff sent mailers to forty (40) adjacent properties. Only four (4) came to the neighborhood meeting. Among those, two spoke in support. One person came but did not speak. One person came and asked a variety of questions but did not clearly speak in favor or opposition.

Staff summarized the neighborhood meeting, saying that the general outcome of the meeting was favorable to the applicant. The two property owners immediately abutting the property proposed to be rezoned expressed their support for the rezoning.

The property was originally built in 1946, and anecdotal evidence suggests it was originally built for a vehicle service use.

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Staff noted that in conducting its review, the Planning Board should consider both the “consistency” of the rezoning with the Future Land Use Plan, and the “reasonableness”.

The “reasonableness” criteria include: the size, physical conditions, and other attributes of the area proposed to be rezoned; the benefits and detriments to landowners, neighbors, and the surrounding community; relationship between current actual and permissible development and development permissible under the proposed amendment; why action taken is in public interest; and any changed conditions warranting the rezoning.

The Town’s Future Land Use Goals are:

1. Improve / Revitalize Downtown Retail / Commercial District
2. Improve the public perception of the Town of Spencer (with special emphasis on quality of life and shopping opportunities)
3. Protect existing neighborhoods
4. Improve the performance and perception of the schools in Spencer
5. Facilitate commerce and industry opportunities within Spencer
6. Facilitate and encourage transportation improvements

Staff presented various photographs of the subject property that were taken during an unannounced site visit with Code Enforcement on Wednesday, November 3, 2021.

Staff concluded its presentation and invited the Rezoning Applicant, Mike King, to make a statement.

Mr. King provided the following statement:

“Basically, I’m just trying to run a business. I didn’t think anything about it, with the Transportation Museum being right there, I figured it would be a good spot for an automotive service shop. The pictures that you saw, yeah, it was kind of a cluster back there, but we’re trying to get the building in shape and clean everything out from the previous tenants. It’s already been cleaned up by now. I really don’t know what else to say, I’ve said a million things at four different meeting so far, I’m kind of, I don’t know what else to say about it. If anybody has a question or needs me to deliberate on something, I can answer anything you need to know...95% of what’s in those pictures have already been picked up and gone and cleaned up. Like I said, we were waiting on a dumpster, and we were fighting with waste management to get one out there. And it finally got out there three days late. But it’s cleaned up and we’re just trying to get the building back to where it’s workable and it’s not a big cluster. Because there’s so much garbage from the previous people that were in it that we’re still having to clean out and try to make the building work for what we’re doing. And as of right now, it’s working, we’ve just got to get all their crap out of the way. That’s what the dumpster was for. As far as the fencing goes, you guys tell me what you want, and I’ll do anything you guys want me to do. I’m not trying to be hard; I’m not trying to be difficult. I just want to be able to support my kids and my family.”

Staff then invited statements from anyone who wanted to speak in support or opposition to the rezoning.

Courtesy Public Hearing:

- [Video recording time-stamp: 33:25] Diane Everhart (property owner 111 2nd Street): “My name is Diane Everhart. I own the property at 111 2nd Street, which is 50 feet from the property that we’re discussing. And I am really opposed. First of all, those of us who own property in the historic district have been required to follow the rules, like if you remodel your house, you present that information to the historic group for approval. There is no way in the world that I would start a business in an area that has not been approved. And I think that, sad as it is, if this does not pass, this fellow has lost money. But he started that project knowing that it was improperly zoned. And then, think about what it will do to the historic

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nature of that community. Those folks have lived there for years, and we have tried to follow all of the rules, so far as the history is concerned. And Spencer is just now beginning to develop a plan for the entire Town to be improved. And this would not improve Spencer. Nor the view from the Transportation Museum. I have a personal investment there because I own the property. But the man who was here, speaking, the last meeting, the next-door neighbor, he would also benefit from this plan because he would receive part of that alleyway. And would be able to use it at his own discretion. And so far as the alleyway is concerned, many of the firemen use that entrance and exit to get to the Fire Department. It's just not conducive to the Town, as I see it. And so far as improving the business, this is not a business that can enhance street traffic. This is a business that should be in a rural area. And I know this sounds unkind, but when I have ridden by there in the last few weeks, it has looked like the beginning of a junkyard. And this is certainly not what we need in Spencer. I'll be happy to answer any questions that you have for me, but I am opposed." [Video recording time-stamp: 37:26]

Rezoning Applicant Mike King interjected to ask if it is true that firemen use the alleyway to access the Fire Department. Staff responded that he was not aware of the Fire Department currently using the alley [and would contact the Fire Chief to inquire].

- Diane Everhart added the following to her statement: "I think we have enough absentee landlords that do not protect the interests of Spencer. And I think this would just be another one."

The tenant of the property at 111 2nd Street, who did not provide her name, asked about "car carriers" parked on 2nd Street. She commented, "There's a lot of traffic on 2nd Street and if you have a car carrier parked there it just makes it worse. And at one time there had been 10-15 cars parked up the side of that building over the weekend. I live at 111 2nd Street." Staff invited Rezoning Applicant Mike King to respond to the concerns that were just raised.

Mr. King said that he does not own any car carriers. Staff asked if he used any services for towing vehicles to the site. Mr. King responded no.

The tenant of 111 2nd Street commented, "This summer [a car carrier] was parked out there."

Mr. King responded, "This summer I wasn't there. I've only been there four months. I wasn't there."

The tenant of 111 2nd Street responded, "You've been there this summer. Because I sit in my back yard and listen."

Mr. King responded, "I don't have any tow trucks. I don't have a car carrier. I don't have any of that stuff, ma'am."

She responded, "It was parked there."

Mr. King responded, "I mean, it's a public road. There's a hundred cars parked on that road every day. I don't have a car carrier. I don't own a tow truck...I have one twenty-one-foot trailer and it's usually in the back...I personally don't have any type of car carrier or tow truck or anything like that."

Jimm Mosher, Chair, asked, "Mr. King, when cars are brought to you...a lot of them are towed there?"

Mr. King responded, "No. To be completely honest with you, a lot of them are drove in. They run; they drive. Very rarely do we have anything that's so far gone that it has to be towed there."

Mosher followed-up, "I'm just wondering if you saw a [tow] truck out there."

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Mr. King responded, “I’ve seen trucks, I’ve seen trailers, since I’ve been there, I’ve seen a hundred trailers parked up and down that road, landscaping people, I mean she might have seen someone with a trailer mowing the yard because they mow the yard every week. I’m not denying that. But my personally, I do not own any type of car transport other than a twenty-one foot [trailer].

Mosher followed-up, “So it’s not possible that someone could have brought their car there in a car carrier and then they were just sitting there.”

Mr. King responded, “Not in the last four or five months, no. I haven’t had any enclosed trailers, I haven’t had anything dropped off in a trailer. Everything that’s there now has been brought driving. Everything runs and drives that’s on the lot.”

Mosher said, “So, I obviously drive by your place throughout the day, and I’ve noticed a lot of the cars that sit there lined up. But I just figured you’re a new business moving in, getting stuff together, cleaning out. It definitely was brought to my attention, I was [thinking] is this going to be car lot, etcetera. I see what you’re trying to do there, and I also read in the notes that some of those cars were parked on the side because of the supply chain issues that the country is experiencing right now.”

Mr. King added, “Yes, sir, there’s a bunch of stuff that we started working on, thinking we could get the parts, and then all of a sudden there’s no parts available. So now a couple cars have been backed up because we can’t physically get anything because of the pandemic. I call the suppliers and they literally tell me they’re on a boat in the middle of the ocean.”

Mosher responded, “That’s the case for a lot of people.”

Mr. King commented, “I’m kind of stuck. I’m trying to get all the stuff that we have parts, to get in and out, to move everything, so it’s not there.”

Mosher asked, “So this is not a typical thing of your business?”

Mr. King responded, “No, no. If a car sits there for more than a week, not touched, there’s a problem. The longer those cars sit on that property, the less money I make. So, it’s kind of a turn and burn.”

Mosher asked, “Typically, you have what, a seven-to-ten-day turnaround?”

Mr. King responded, “If that. Depending on what we’re doing, the longest that I usually estimate a vehicle is six months, and that’s usually for a restoration, but for a standard paint job, or something like that...a typical one is five to seven days that we have the car in our possession and its done. Friday, we had four cars leave. Two more are leaving tomorrow. So, there will be a total of five cars on the property that all run, still drive...it’s not a junkyard. It’s no way or near a junkyard. There’s two million dollars’ worth of cars sitting inside right now. The cars look like junk coming in, but they don’t look like junk coming out.”

Mosher asked if cars that will be there for a long time will be parked on the side street, and Mr. King responded no, they will be parked out-of-sight.

The conversation turned to the alley closure request.

Mosher asked staff how wide the rear alley is. Staff responded that Spencer’s alleys are typically ten feet wide.

Mosher asked, “So, your end game would be to go as far into that alley as you would be allowed to with a fence?”

Mr. King responded yes, adding, “me and the owner directly behind this [Thomas Ward, 109 2nd Street] ...he wants to close off that anyway to have his privacy, and we talked about it, and we were like, well if we can do this, it will benefit both you and myself.”

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Mr. King commented that if the Town doesn't want the alley closed, he can still work around it, and only take in as many vehicles as he can store in the back.

Mosher commented that essentially Mr. King would get five feet of the alley if it were closed.

Staff presented a map of the subject property showing the location of the alley. Staff commented that the segment of the alley that would be closed would go from 2nd Street to the middle of the block. The other segment of the alley from the middle of the block to 3rd Street would remain open. Staff added, "So the alley would only partially be closed to the middle of the block to allow the constriction of a fence" to screen the vehicle storage/work area at the back of the building.

Mr. King, in reference to vehicles parked at 109 2nd Street, "the problem here is, everybody that sees cars sitting here, thinks they're mine. And they're really not. There's four cars that are here that are actually the owner of that property. And my stuff is not even here."

Staff attempted to clarify: "Legally, the alley is still publicly open, and so in order to build a fence lawfully in that area, you would need to close the alley. The reason the fence and the alley closure are so important is because our ordinance does not discriminate between what is a vehicle storage area and a vehicle work area, regardless, it has to be screened by an opaque fence. So what we've been discussing with the alley closure, is that's probably going to be necessary regardless in order to screen that back portion."

Mr. King responded, "And that's one hundred percent agreeable. But what I'm getting at is, this lady said that she's drove past here and has seen the cars. The cars that you're seeing aren't even mine. That's what I'm getting at. You can't physically see the cars that I'm working on because they're all here, behind the six-foot fence.... there's a junked truck that's been parked there. He's had another gold truck parked there. Two or three Toyota Priuses there. When I leave on Friday, all my stuff is moved down. You can't see anything from my stuff. And as soon as you told me to move my cars off 2nd Street, I did, no issues. The only reason the cars were even parked on the grass in 2nd Street was to get attention that the business was open...so I'm willing to do whatever I have to do to renovate that building to make it useful and make it go with the historic district in Spencer, but at the same time, I'm not going to get bullied..."

Staff added that the Town, the owner of 200 South Salisbury, and the owner of 109 2nd Street would all have to agree to the alley closure. The Fire Chief would be consulted on the appropriateness of closing the alley.

Mr. King said, "Like I said, at this point, I could care less if [the alley] was closed, if it wasn't closed, for the simple fact that, all my stuff, when it's no overflowing because of delayed parts, you can't see anything."

Mosher added, "So, at the end of the day, whether you have the alley or not, there's a fence going in the back...they're not going to see what you're doing."

Mr. King said, "Yeah, you're not going to see anything I am doing...to be completely honest with you, if I keep those [bay] doors shut, you don't hear anything, you don't even know I'm there."

Staff asked the board if they have any additional questions. The board had no additional questions.

Staff noted that he received an additional public comment from Wendy Spry who owns property at 110 South Yadkin Avenue. Ms. Spry had attended the neighborhood meeting on 11/03 but was unable to attend the Planning Board meeting. She requested that staff read the following statement on her behalf: [Video recording time-stamp: 54:00]

"Wendy Spry
110 S. Yadkin Avenue

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A Vehicle Service and Repair use at 200 S. Salisbury Avenue does not appear to be consistent with long range planning nor the intent of our Downtown Historic Preservation area. The use seems to be more in line with major vehicle services and would be more suitable within an industrial type zoning classification and not within our local historic downtown area. As the business grows and outgrows vehicle storage area this could turn into an eye sore for residents and visitors coming into Town.

Thank you.

Wendy” [Video recording time-stamp 55:30]

Mosher followed-up to ask Mr. King how many vehicle bays he has. Mr. King responded, “There’s a total of four bays that you can drive a car into, but there’s a total of twelve work areas that you can get cars to.”

Mosher asked, “So, do you see yourself ever outgrowing this [location]?”

Anthony Nero asked, “Do you have a long-range plan if you do [outgrow the location]?”

Mr. King responded, “If I outgrow this building, I’m leaving. The building can only hold so much. To be completely honest with you, the only reason I got the building was because you can’t find any other buildings out there. And I’m putting up-teen thousands of dollars into this building just to get it to where we can use it as a vehicle repair. Because at some point somebody decided to make it into apartments, and we had to bring in crews to do the demolition of that and clean everything up and get it back to where it was a repair facility. Because if you look at the front of the building, there’s two windows right there. If you go in the attic, the garage doors are still there. So, at one point this building was services for a vehicle service repair because there’s an oil change pit that we put the paint booth in. There’s an oil change pit that’s in the ground in that room. So if it get’s too big, I’m leaving, I’m not going to lie. Or I’ll buy a piece of property and put up another building. But as of right now, with all that’s going on, I couldn’t find anything. And I had to do something before there was nothing.”

Mosher said, “So obviously, in your mind, you saw Spencer, you’re renting a building that’s commercial.”

Mr. King responded, “Exactly. The Transportation Museum is right there. I was like, okay, you go down the road five-hundred feet, you got a gas station, you got cars, you got people repairing...I didn’t think anything about it.”

Mosher said, “Well, this town is a little different because it is a historic town, it’s a smaller town, it’s not like going to Charlotte where you rent a commercial building, it’s pretty much a free-for-all.”

Mr. King responded, “That’s my fault, and I’ll take full responsibility for that, I should have done my research before I pulled the trigger.”

The board expressed that the landlord should have advised Mr. King about the zoning of the property before allowing him to use it for automobile repairs.

Mr. King acknowledge there may be some days here’s there outside of regular hours, but he will not create any noise or disturbances. He said, “I try to stay my best between 10 and 5, and I’m not going to lie to anybody, there’s going to be some days that I run over past five. Why? Just like any other job, there’s overtime. If you’re home at 10:00 [AM], at this point, you should be up. So I’m not trying to annoy anybody by coming in at 7:00 in the morning and waking people up. And I’m not trying to stay later than 5:00 when everybody gets home, so I annoy them, when they’re...trying to relax. I try to get out of there, and if I have to be there after hours, the doors are shut, and you can’t even hear it. Because the compressors are all insulated. You can’t even hear the air.”

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Mosher asked staff about the nature of conditions/limitations on business hours. Does that still allow the applicant to remain on the property to finish, for example, paperwork?

Staff responded that a reasonable interpretation would be that the applicant could stay after hours to do paperwork, for example, if needed, but any use of the property outside of business hours for a use that causes some type of noise or traffic or other adverse impact, should be limited to the hours agreed upon.

Mr. King said, "Like I said, once those bay doors are closed, because that building is very well insulated, for that exact reason, you don't hear anything...you can't tell I'm there."

Mosher said, "So, the opposition that I'm hearing from Mrs. Everhart is, you don't want to turn down your block and see a junkyard...but Mr. King's telling me he's not in the junkyard business, and you're not going to see anything because it's all going to be fenced in."

Mr. Everhart added, "I'm also interested in maintaining Spencer as an up-and-coming community, not sliding back."

Mosher responded, "With all due respect, I don't see...how we'd be sliding back by having someone coming in here that already has a well-established business from another town, bringing clients into this Town, that will spend money, and eat, etcetera. I don't see it as sliding backwards at all."

Anthony Nero said, "I agree. Mr. King is willing to work. He has a lot of rules to follow here. As long as he does what he's supposed to do, I don't see an issue with it. He says he's already cleaned up the place some, he's going to clean it up more. And we do need business. It seems like a reputable business."

Mosher added, "As long as these standards are followed. As long as he lives up to the agreement."

Staff summarized: "Obviously, my role as the Planning & Zoning Administrator is to be completely neutral. My role is to facilitate the process as it's laid out by the ordinance. So, to summarize what I've heard so far, I've heard some property owners speaking in support. And some, especially tonight, speaking in opposition to the proposal. What I would say specifically to those who oppose this, the Town will of course be following up on any decision, whether it is in favor or opposition, to ensure enforcement of our codes, specifically as they relate to the parking of vehicles, and noise. The Town, outside the zoning ordinance, has a number of codes for how automobiles can be stored on properties, what qualifies as a junked vehicle versus what qualifies as an operable vehicle. And so, I will be working closely with our Code Enforcement officer to ensure that the Town's ordinances...are followed. And if the rezoning is approved, the applicant will of course be obligated to follow the list of conditions that he proposed, and those include screening of all vehicle storage and all work areas. And so, regardless of the outcome, the Town will continue to have its eyes on the property to make sure that it's being used in a way that does not create any negative impacts to the neighborhood. And anyone listening to me say this can feel free to reach out to me and I'll be happy to have that conversation. Again, I try to remain neutral and facilitate a process, and I'm doing my best to make sure that anyone who has a concern has that concern addressed. At the end of the day, the Planning Board's decision tonight is advisory, and the Board of Aldermen will ultimately make the decision. And there will be a legislative hearing where additional public input can be heard at that time. I know I can't make everyone happy, I know that during this process there will be some winners and losers, but this is the process as it's laid out by ordinance, so we'll see what outcome is decided upon tonight."

Jimm Mosher, Chair, summarized: "I think there can be a win-win for everyone here. I don't want to see a junkyard. But I don't believe this gentleman is opening up a junkyard. I've driven by his business; I see what he's trying to do. I think it can be a good thing for the community as long as it doesn't look like a junkyard, at the end of the day."

Mr. King, Applicant, summarized: "I don't want anybody upset with me, and I'm not trying to annoy anybody, like I said. When it's all said and done, I don't make my money outside the building,

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everything is inside the building. No parts are stored outside. If the cars are outside, they're either being washed, or they're being stripped or something like that. But ultimately everything goes inside...I'm not scrapping anything, it's not a junkyard, nor will it ever be a junkyard. I don't make money doing that. The cars sit there for more than ten days, I'm losing money. So, they're in and out. Does it look like there's always cars there? Yes, because people keep bringing me cars. Right now, the cars that are in that shop are all from within two miles of that building. And Spencer is feeding me...Spencer is paying my bills because you guys are bringing me work... [Spencer] is feeding the business."

The board proceeded to deliberations.

Staff reminded the board that as they consider recommending approval or denial, they should consider the "consistency" of the rezoning with the Town's Future Land Use Plan and the "reasonableness" if the request. The consensus of the board was that the rezoning is consistent with the Town's goals and is both reasonableness and in the public interest.

Jimm Mosher made the following motion:

"I move to recommend adoption of the proposed Consistency Statement dated November 8, 2021, contained in the agenda materials and to recommend approval of the Conditional Zoning Amendment.

Future Land Use Plan Consistency Statement

November 8, 2021

CONDITIONAL REZONING CASE # CZ-21-001
200 SOUTH SALISBURY AVENUE (PARCEL # 032 164)
APPLICANT: MIKE KING

After considering the polices, maps, and other materials included as part of the agenda materials, the *Spencer Planning Board* determines that the proposed Conditional Zoning Amendment is CONSISTENT with the Future Land Use Plan and other adopted plans, CONSISTENT with the Future Land Use Map, and should be APPROVED.

"After considering the polices, maps, and other materials included as part of the agenda materials, the *Spencer Planning Board* determines that the proposed Conditional Zoning Amendment is CONSISTENT with the Future Land Use Plan and other adopted plans, CONSISTENT with the Future Land Use Map, and should be APPROVED.

The proposed amendment is consistent with the Future Land Use Plan because:

- The proposed rezoning will allow the property to be used for automobile repair services. The property has been vacant and/or underutilized for a substantial period of time. The owner has had difficulty attracting a tenant to use the building. The rezoning will allow the property to be occupied by a business that will invest in the building and make improvements to the site and will therefore help to improve and revitalize Spencer's downtown commercial district (Future Land Use Goal # 1).
- The proposed rezoning will improve the public perception of Spencer by helping to reduce the number of vacant and/or underutilized buildings in the downtown area (Future Land Use Goal # 2).
- Through the Conditional Zoning process, the applicant has agreed to a list of conditions and limitations on the use and development of the property to ensure compatibility with the surrounding area. Adjacent properties include historic residential homes and civic sites such as the Spencer Community Garden. The applicant has proposed limitations on automobile work areas, vehicle storage areas, hours of operation, and has proposed site and landscaping

improvements and construction of fencing to screen and buffer the vehicle service use from adjacent uses.

The proposed amendment is reasonable and in the public interest because:

- Through the Conditional Zoning process, the applicant has agreed to a list of conditions and limitations on the use and development of the property to mitigate adverse impacts and detriments to adjacent landowners, neighbors, and the surrounding community.
- A neighborhood meeting was held on November 3, 2021, at which two (2) individuals owning property immediately abutting the subject property spoke in support of the rezoning. One individual raised several concerns about the number of vehicles that will be parked on the lot and how they will be screened from view but did not speak in opposition to the rezoning. There was no clear opposition to the proposed rezoning at the neighborhood meeting.
- The use of the property for vehicle services is compatible with Spencer's perception as a center of transportation, evidenced by the Transportation Museum and the town's many transportation-themed events, such as the classic vehicle cruise-ins."

Jimm Mosher made a motion to approve the Consistency & Reasonableness statement as presented. With Anthony Nero seconding, the motion was passed. 2-0 Aye. The board recommended approval of the rezoning as presented.

Old Business

No old business.

Public Comment

No additional public comments.

Comments from Board Members

No comments from the board.

Announcement

No meeting in December.

Adjourn

The meeting was adjourned at approximately 8:20 P.M.

Motion to Recommend Approval

"I move to recommend adoption of the proposed Consistency Statement dated November 8, 2021, contained in the agenda materials and to recommend approval of the Conditional Zoning Amendment."

Future Land Use Plan Consistency Statement

November 8, 2021

CONDITIONAL REZONING CASE # CZ-21-001

200 SOUTH SALISBURY AVENUE (PARCEL # 032 164)

APPLICANT: MIKE KING

After considering the polices, maps, and other materials included as part of the agenda materials, the *Spencer Planning Board* determines that the proposed Conditional Zoning Amendment is CONSISTENT with the Future Land Use Plan and other adopted plans, CONSISTENT with the Future Land Use Map, and should be APPROVED.

The proposed amendment is consistent with the Future Land Use Plan because:

- The proposed rezoning will allow the property to be used for automobile repair services. The property has been vacant and/or underutilized for a substantial period of time. The owner has had difficulty attracting a tenant to use the building. The rezoning will allow the property to be occupied by a business that will invest in the building and make improvements to the site and will therefore help to improve and revitalize Spencer's downtown commercial district (Future Land Use Goal # 1).
- The proposed rezoning will improve the public perception of Spencer by helping to reduce the number of vacant and/or underutilized buildings in the downtown area (Future Land Use Goal # 2).
- Through the Conditional Zoning process, the applicant has agreed to a list of conditions and limitations on the use and development of the property to ensure compatibility with the surrounding area. Adjacent properties include historic residential homes and civic sites such as the Spencer Community Garden. The applicant has proposed limitations on automobile work areas, vehicle storage areas, hours of operation, and has proposed site and landscaping improvements and construction of fencing to screen and buffer the vehicle service use from adjacent uses.

The proposed amendment is reasonable and in the public interest because:

- Through the Conditional Zoning process, the applicant has agreed to a list of conditions and limitations on the use and development of the property to mitigate adverse impacts and detriments to adjacent landowners, neighbors, and the surrounding community.
- A neighborhood meeting was held on November 3, 2021, at which two (2) individuals owning property immediately abutting the subject property spoke in support of the rezoning. One individual raised several concerns about the number of vehicles that will be parked on the lot and how they will be screened from view but did not speak in opposition to the rezoning. There was no clear opposition to the proposed rezoning at the neighborhood meeting.
- The use of the property for vehicle services is compatible with Spencer's perception as a center of transportation, evidenced by the Transportation Museum and the town's many transportation-themed events, such as the classic vehicle cruise-ins.

Jim Mosher


**CONDITIONAL DISTRICT ZONING CONDITIONS, PURSUANT TO ARTICLE 5 OF THE
SPENCER DEVELOPMENT ORDINANCE, SPECIFICALLY SUB-SECTION 5.4.**

CONDITIONAL REZONING CASE # CZ-21-001
200 SOUTH SALISBURY AVENUE (PARCEL # 032 164)
APPLICANT | AUTHORIZED AGENT: MIKE KING
OWNER: TYLER WEANT (FOXX PROPERTIES GROUP, LLC)

The following conditions have been proposed and agreed upon by the Applicant:

Clear & Detailed Statement(s) of Proposed Condition(s)

Limitation on Automobile Work Area:

- All auto work will be performed only in the work bay area located at the rear of the building. The work bay will be screened from view behind a 6' privacy fence or screening that meets the Town's standards. The work area will be totally screened from street view with fencing or a combination of fencing and screening vegetation, as permitted.
- No auto work will be carried out in the front or side yards of the building.
- No auto work will be performed in any location visible from the street or in any location that is not screened from view by an opaque privacy fence.

Limitation on Vehicle Storage Area(s):

- Applicant will remove all vehicles from the site that are not currently being serviced or awaiting service. Vehicles will not be parked or stored on the lot purely for display, except as provided below.
- There shall be a maximum of one (1) display car located on the property. The display car will be located in front of the building and will be parked on gravel or pavement (not on grass).
- The shop will implement a policy for vehicle storage. Specifically, the shop will have an internal written policy to store vehicles only in designated storage areas that are completely screened from view from the street. No cars will be parked on the 2nd Street side yard of the building in any circumstance.
- Cars being serviced will be located only in designated, properly screened vehicle storage areas on the west side of the building (screened with fencing) and in the rear of the building (screened with fencing, pending approval of a fence permit and alley closure request).
- The shop's front parking lot will be for employees or visitors only. The front parking lot will not be used for the storage of vehicles awaiting service.

**CONDITIONAL DISTRICT ZONING CONDITIONS, PURSUANT TO ARTICLE 5 OF THE
SPENCER DEVELOPMENT ORDINANCE, SPECIFICALLY SUB-SECTION 5.4.**

Hours:

- The shop's hours will be limited from 10 AM to 5 PM, M-F, and 10 AM to 3 PM Saturday. The shop will be closed on Sundays. No work will be performed outside of these established hours.

Site & Landscape Improvements:

- Front parking area will be improved with paved concrete or crushed stone (gravel) meeting the Town's standards.
- Applicant will seek to close the existing front driveway (at corner of 2nd Street and Salisbury Avenue) and landscape the front side yard (corner) in a way that improves the overall appearance of the corner.
- (The Town will study making improvements to the 2nd Street/Salisbury Avenue intersection. The Town will study feasibility of installing planter or other landscaping improvements here.)
- Applicant will improve the 2nd Street side yard with additional landscaping, such as trees, bushes, flowers, etc.
- Applicant will plant bushes and other vegetation along any new portion of fencing to improve the appearance of and "soften" the fencing.

Public Alley Closure:

- Applicant will submit to the Town an alley closure petition and, if approved, will, with the consent of the adjacent property owner, install a fence to completely obstruct the rear storage/work area from view.

NEIGHBORHOOD MEETING SUMMARY
WEDNESDAY, NOVEMBER 3, 2021
6:00 PM
(Meeting Duration: approx. 50 mins.)

The meeting began at approximately 6:00 P.M.

The meeting was facilitated by Kyle Harris, Planning & Zoning Administrator.

Town staff attending were Peter Franzese, Town Manager; Jay Dees, Town Attorney; Steve Miller, Town Alderman; and Bob Bish, Town Alderman.

The Rezoning Applicant (Case # CZ-21-001) was in attendance, Mike King, along with his business partner, Arthur Waszcyszak.

Neighborhood property owners in attendance were: Wendy Spry (110 South Yadkin Avenue); Dan Patterson (504 8th Street); Iris Cavin (108 2nd Street); and Thomas Ward (109 2nd Street).

Quick Summary of Meeting (Staff Summary): The Rezoning Applicant, Mike King, expressed that his goal is to use and develop the property in a way that does not disrupt the neighborhood. He said he was initially unaware of the Town's zoning and development regulations, but as soon as the Town informed him of the requirements, he didn't hesitate to cooperate with the process. Four (4) neighborhood property owners attended the meeting. Two individuals owning property immediately abutting the subject property spoke in support of the rezoning. One individual raised several concerns about the number of vehicles that will be parked on the lot and how they will be screened from view, but she did not speak in opposition to the rezoning. Another individual attended the meeting but did not speak. Overall, it is the Planning & Zoning Administrator's view that the meeting was favorable to the applicant, because there was no clear opposition to the rezoning proposal, and those who did speak spoke in favor of the proposal or asked questions that were addressed satisfactorily by the applicant.

(An audio and video recording of this meeting is available upon request.)

I. Staff Presentation

The meeting began with a staff presentation from Kyle Harris, Planning & Zoning Administrator. Staff provided a general overview of the case, noting the purpose of the meeting was to allow neighboring property owners an opportunity to directly ask questions to the rezoning applicant and to Town staff regarding the details of the proposed rezoning, the nature of the proposed land use, options for adding conditions or limitations on the use to ensure compatibility with surrounding uses and properties, and so on.

Exhibit 7: Neighborhood Meeting Report

Staff noted that a summary of the discussion, including any concerns, support, or opposition, expressed at the meeting would be submitted to the Planning Board and Board of Aldermen for consideration.

Staff informed attendees of the upcoming Planning Board meeting on November 8 at 7:00 P.M, at which the board will review the proposed rezoning and make a recommendation to approve or deny to the Board of Aldermen. The Board of Aldermen meeting will occur on December 14 at 6:00 P.M. at which the board will conduct a legislative hearing and consider approving or denying the proposed rezoning.

Staff provided a summary of the case: that Mike King, applicant, proposes to conditionally rezone the property at 200 South Salisbury Avenue (PID 032 164) from C-29 (US Highway 29 Commercial) to VSR (Vehicle Service & Repair) for the purpose of lawfully operating a vehicle service business.

Staff clarified that the property is currently zoned C-29, for which “automobile repair services” is not a permitted land use. If the rezoning is denied, the business will no longer be permitted to operate.

Staff provided an overview of Conditional Zoning, a type of zoning that allows the applicant and the Town an opportunity to negotiate conditions or limitations on the use or development of a property to ensure compatibility with neighboring uses. It is a type of zoning that affords a degree of certainty in land use decisions not possible when using conventional zoning. Conditions can be more restrictive than general use standards.

Staff noted that conditions can be proposed to mitigate a variety of concerns or adverse impacts, including visual clutter, noise, traffic, hours of operation, and so on.

Staff added that per SDO Sec. 5.4-3(H), if the applicant fails to accept or abide by any conditions formally agreed upon, the entire Conditional Zoning ordinance becomes null and void, the property reverts back to its previous zoning classification. In this case, the zoning would revert back to the C-29 district, for which “automobile repair service” is not a permitted land use, and the building would not be permitted to continue operating.

Staff presented a detailed overview the conditions that the applicant has proposed and agreed to. Those conditions are not reiterated here. A copy of the proposed conditions is available in the case record.

Staff mentioned that it would likely be necessary to close the rear alley in order to install the required screening/fencing/buffering for the rear vehicle work and storage area. Per SDO Sec. 10.1-4(B)(3), outdoor automobile...work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a type D buffer”.

II. Statement from the Applicant (Mike King)

The applicant followed the staff presentation with a statement on his proposed rezoning. He noted that he “is not trying to disrupt anybody’s life...I’m just trying to be able to provide for my family, and this is how I know how to do it. I figured, open up a shop in Spencer with the Transportation Museum right there, I figured it was a good idea. You guys seemed like a car town...when all this happened, I didn’t realize what was going on with the zoning...as soon as I found out what was going on, I didn’t hesitate to cooperate with anybody and...start the process...if I’m affecting anybody, please speak up, and I apologize if I am.”

III. Input from Neighboring Property Owners

Thomas Ward (109 2nd Street):

“My name is Thomas Ward, I live at 109 2nd Street, which is the property adjacent, right next to the service business that Mike is operating. I will say that Mike has been there for maybe four or five months, he’s the first tenant of that property that’s been there in the three plus years that I’ve been there at 109 2nd Street, and as far as I can tell the first tenant in quite some time, in nine or ten years. The building is clearly set up for vehicle service. My understanding in speaking with Tyler [property owner] is that the building was set up as a service bay for the vehicles [when] the building was used for the pest control company. Mike has put a tremendous amount of work in the building trying to improve it, and I can definitely tell he is trying to do what he can, to, I guess, not invest so much that he’s at a huge loss if this rezoning doesn’t go through, but definitely trying to put a good faith effort, and trying to make it happen. They’re good people. I haven’t had any problems with them, not any noise or anything. That’s pretty much it.”

Iris Cavin (108 2nd Street):

“My name is Iris Cavin, at 108 [2nd Street], which is across from the street from Tom [Thomas Ward], and I have no problems with it being here. I think they’re really trying to be good neighbors. They’ve walked over a couple times and asked if there was anything that was bothering me...they’ve already done several things that have improved the building. So, I certainly have no objections.

Wendy Spry (110 South Yadkin Avenue):

“Wendy Spry, 110 South Yadkin Avenue. I’m just curious...I was reading through some of the special landscaping [conditions] that you’ve agreed to. Will there be a timeframe put on when they have to have things installed?”

Mike King, applicant, responded: “They’re going to be done as quick as possible. The only thing I’m waiting on right now for the front driveway is for them to actually come out and do it, and grade everything, and that’ll be done hopefully by the end of this month.”

Exhibit 7: Neighborhood Meeting Report

Wendy continued, “I’m just curious, too... I’ve been noticing, because I go in and out that way, to and from my house, there’s always been at least five, sometimes eight, cars, parked out front...how are you going to fit all those in the back?”

Mike King, applicant, responded: “The cars that are parked in the front, some of them are customers...some of them are employees that work there. They’re not always there. Right now, there’s three cars there. And then there’s one on the side waiting for pickup, and I already put storage papers in on that.”

Wendy said, “So employees will park out front? They won’t be counted in the number of cars out front? Because it looks like a lot.”

Mike King, applicant, responded: “Right now, there’s two trucks parked there that are both owned personally by me. And then there’s a Mustang that...that’s been out there, and I’ve been waiting on the storage people from the DMV to come out and inspect it so I can get the lien put on the car.”

Kyle Harris, Planning & Zoning Administrator, stated: “Yes, the front lot can be used for customers and employees. But what it will be important to do is make sure that the front is not being used for storage of any vehicles because...it is a small lot. But...as long as the front lot is only being used for transitional parking, that should be fine.”

There was some additional discussion regarding the fact that because Mike does not own the property, he has been doing his best to clean up the lot without investing too much of his own money into the projects, given the uncertainty about whether the rezoning will be approved or not.

Mike stated the following regarding his investments in the building: “I’m trying to do what they’re asking me to do...but I don’t own the property. I’m renting the property. So, I’m still paying rent on a property that I’m upgrading for somebody else to meet my zoning needs...I’ve already dumped twenty-five grand into this building, updating the electrical, trying to get it back up to code. The fence, just by itself, was two-thousand dollars...so I’m trying not to put a hundred grand into a building that I could get thrown out of next month. If everything goes the way...I hope it goes, you’ll see [improvements] go very quickly. I want to pressure wash the building...put new siding up...we’re trying to fix all the wood that was literally falling off the building, we’ve already re-faced the entire front of the building because it was literally falling off, we had squirrels running through the building. We got new poles...[for] the new porch...so we’re trying to do it...but if I have to leave, I have to be able to move an entire business to another property...it’s twenty-five to thirty-thousand dollars to set everything up...I’m trying not to...bankrupt myself.”

Regarding the cars parked out front, Mike said: “The cars are there for less than three to four days at a shot so, yes, you always see cars there, but unless they’re owned by [my partner] and myself, they’re always rotating in and out. Other than right now, we have a couple projects that are sitting there we’re waiting on parts for, because they’re sitting in some dock somewhere...it’s hard to get parts right now...I can’t help shipping and the pandemic...nothing’s there that doesn’t run...”

Wendy asked about the alley closure project and requirements for screening/fencing.

Exhibit 7: Neighborhood Meeting Report

Kyle Harris, Planning & Zoning Administrator, responded that as long as the property owner and neighboring property owner are in support of the alley closure, the alley could at least be partially closed up to the middle of the block, which would allow the construction of all required fencing/screening/buffering.

Kyle added that he had been in contact with the Salisbury-Rowan Utilities Assistant Director, Jason Wilson, who informed him that there was a water line in the alley. If the alley were to be closed, then SRU would need an easement to access and maintain the line.

The meeting concluded at approximately 6:50 P.M.

August 13, 2021

Owner's Affidavit

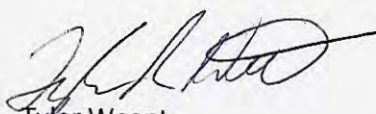
To Whom it may concern;

Address of Subject Property:
200 S. Salisbury Ave.
Spencer, NC 28159
(PID) 032 164
(Deedbook/Page) 1234/859

Foxx Properties Group, LLC is the legal and rightful owner of the property located at 200 S. Salisbury Ave. Spencer, NC 28159, and as Managing partner Tyler Weant is authorized to act on behalf of Foxx Properties Group, LLC. The Owner, Foxx Properties Group, LLC., hereby grants authorization and permission to Michael King to submit to the Town of Spencer an application to rezone the above-described property.

The Property Owner, Foxx Properties Group, LLC., understands and acknowledges that zoning conditions must be signed, approved, and consented to by the property owner.

Authorized by:

 8/13/2021
Tyler Weant
Managing Partner
Foxx Properties Group, LLC
4965 Phillip Creek Ln.
Sugar Hill, GA 30518





PLANNING & DEVELOPMENT SERVICES

**Rezoning Application****Petition to Amend the Official Zoning Map**

Spencer Town Hall • 600 South Salisbury Ave, Spencer NC 28159

Office: (704)-633-2231 ext. 28 • kharris@townofspencer.com

Petitions to amend the Official Zoning Map are considered by the Town according to the procedures established in Article 5 of the Spencer Development Ordinance (SDO), *Amendments to Development Ordinance and Zoning Map*. Applicants are required to read Article 5 prior to initiating the rezoning process. (Available at www.spencernc.gov.)

Pre-Filing Meeting Required. Applicants are required to meet with the Town's Planning & Zoning Administrator before filing a rezoning application to become more familiar with the applicable requirements and approval procedures.

Filing Deadline. Completed applications must be submitted by 12:00 noon on the 15th day of any calendar month to be considered at the next month's regular meeting of the Spencer Planning Board.

Incomplete Applications Not Accepted. A rezoning application will not be considered complete unless it contains or is accompanied by all information required on this application form and all necessary fees have been paid.

OFFICE USE ONLY		Rezoning Fee: General Use Zoning \$500 + \$50 advertising costs	Rezoning Fee: Conditional Zoning \$600 + \$50 advertising costs
Filing Date:			
Case #			
Fees Per Town Budget Ordinance			
REZONING REQUEST			
Existing & Proposed Base Zoning District		Rezoning Type (select one)	
Existing Zoning District:	☐ General	☐ Conditional	
Proposed Zoning District:			
<u>Note:</u> For information on the difference between General Use and Conditional Zoning, see SDO Section 5.4.			
GENERAL INFORMATION			
Property Address:		Rowan County Parcel ID:	
Deed Reference (book/page):		Property Size (in acres):	
Property Owner Name:		Property Owner Phone:	
Property Owner Email:			
Property Owner Mailing Address (City, State, Zip):			
APPLICANT INFORMATION (if different from owner)			
Applicant Name:		Applicant Phone:	
Applicant Email:			
Property Owner Mailing Address (City, State, Zip):			
SIGNATURE			
Signature of Applicant:			
Printed Name:		Date:	
<u>Note:</u> If the applicant is not the property owner, then the owner's notarized affidavit is required. See additional owner authorization requirements on the following page.			

Exhibit 9: Applicant-Submitted Rezoning Application

OWNER AUTHORIZATION	
Select one:	
☐	The applicant is the property owner having a legal or equitable interest in the property.
☐	The applicant is an agent acting on behalf of the property owner(s) with an executed owner's affidavit. The affidavit clearly authorizes the agent to submit this application and to act on the owner(s) behalf in pursuing this rezoning. A copy of the owner's affidavit is attached. See requirements below.
☐	The applicant is an attorney acting on behalf of the property owner with an executed power of attorney.
☐	The applicant has an option to purchase/lease the property. A copy of the offer to purchase/lease is attached. An executed owner's affidavit is also required (see requirements below).
☐	The applicant is a resident of the Town's jurisdiction having a legal or equitable interest in land affected by the proposed amendment.
☐	The application is being initiated by the <i>Spencer Town Board of Aldermen</i> , the <i>Spencer Planning Board</i> , or the <i>Spencer Planning, Zoning & Subdivision Administrator</i> .
Owner's Affidavit Checklist (if affidavit required) <i>An owner's affidavit must be made under oath, property notarized and, at minimum including the following information:</i>	
☐	The property owner's name and, if applicable, the property owner's title and organization name.
☐	The address, Rowan County Parcel ID (PID), and Deed Book/Page Number of the property.
☐	A statement that the person listed as the property owner is the legal owner of the property described.
☐	The name of the person authorized to act on behalf of the property owner as the applicant. If applicable, the authorized person's title and organization name.
☐	A statement that the property owner, as legal owner of the described property, hereby gives authorization and permission to the authorized person, to submit to the Town of Spencer an application to rezone the described property.
☐	A statement that the property owner understands and acknowledges that zoning conditions must be signed, approved, and consented to by the property owner.
☐	The property owner's signature and the date the property owner signed the affidavit.
OTHER PROJECT CONTACTS	
Contact 1 Name:	Contact 1 Phone:
Contact 1 Email:	
Contact 1 Role/Involvement (<i>Please Describe</i>):	
Contact 2 Name:	Contact 2 Phone:
Contact 2 Email:	
Contact 2 Role/Involvement (<i>Please Describe</i>):	
ADDITIONAL DETAILS	
Use the space below to provide any additional details or information about your proposed rezoning that is not captured or specified elsewhere on this application form: _____ _____ _____ _____ _____ _____	

Exhibit 9: Applicant-Submitted Rezoning Application

CONDITIONAL DISTRICT ZONING CONDITIONS (for Conditional Zoning Only)		
Filing Date:	Address:	Existing Zoning:
Case #	Parcel ID(s):	Proposed Zoning:
What is Conditional Zoning? Conditional zoning is a legislative zoning map amendment with site-specific conditions. It is established to provide for flexibility in the development of property while ensuring that the development is compatible with neighboring land uses. Conditional Zoning affords a degree of certainty in land use decisions not possible when rezoning to a Primary General Use District. Additional standards and conditions, mutually agreed upon in writing by the Town of Spencer and the petitioner, may be attached to a proposed development or land use to ensure compatibility with the surrounding uses and with applicable adopted plans. What types of conditions can the property owner offer? The property owner can offer any number of conditions or additional standards that would limit the use or development of the property for the purpose of convincing the Spencer Planning Board and Spencer Board of Aldermen that the rezoning would not negatively impact surrounding properties or otherwise harm the public interest. For examples, see SDO Sec. 5.4-3(E). When applying for Conditional Zoning, the application shall specify the nature of the proposed use or development and shall propose conditions to ensure compatibility with the surrounding uses and consistency with adopted plans.		
Clear & Detailed Statement of Proposed Conditions		
OWNER'S SIGNATURE (must be signed by owner)		
<i>The property owner(s) hereby offers, consents to, and agrees to abide, if the rezoning request is approved, the conditions written above. All property owners must sign each condition page. This page may be photocopied if additional space is needed.</i>		
Property Owner(s) Signature:		Date:
Property Owner(s) Printed Name(s):		

REZONING APPLICATION ADDENDUM #1	
Future Land Use Plan <i>Analysis</i>	Case #
When considering a Zoning Map amendment, the Planning Board and Board of Aldermen will consider both the consistency and reasonableness of the amendment with the adopted Future Land Use Plan. The boards may consider, among other factors: ▪ The size, physical conditions, and other attributes of the are proposed to be rezoned; ▪ The benefits and detriments to the landowners, the neighbors, and the surrounding community; ▪ The relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; ▪ Why the action taken is in the public interest; and ▪ Any changed conditions warranting the amendment. In this section, the applicant is asked to analyze the impact of the rezoning request and its consistency with the Future Land Use Plan. The applicant is also asked to explain how the rezoning request is reasonable and in the public interest. The applicant's response to the questions below will be made part of the public record.	
Statement of Consistency	
Provide brief statements regarding whether the rezoning request is consistent with the Town's Future Land Use Plan, which is available on the Town's website at www.spencernc.gov. ----- ----- ----- ----- ----- ----- ----- ----- ----- ----- ----- -----	
Public Interest	
Provide brief statements explaining how the rezoning request is reasonable and in the public interest. ----- ----- ----- ----- ----- ----- ----- ----- ----- ----- ----- -----	

Exhibit 9: Applicant-Submitted Rezoning Application

REZONING CHECKLIST			
Site Plan Requirements	Completed by Applicant	Completed by Planning & Development Staff	
General Requirements – General Use or Conditional Rezoning	YES	YES	NO
1. I have referenced this Rezoning Checklist and by using it as a guide, I have ensured that the application form will be complete when I submit it to the <i>Planning & Zoning Administrator</i> .	☐	☐	☐
2. I have read the entirety of Article 5 (Amendments to Development Ordinance and Zoning Map) of the Spencer Development Ordinance. (Available on Town's website at www.spencernc.gov .)	☐	☐	☐
3. Pre-filing meeting (required per SDO Sec. 5.3-1).	☐	☐	☐
4. If applicable, the owner's notarized affidavit or power of attorney is attached, meeting the requirements outlined on p. 2 of this form. Any person designated by the owner(s) of the property included in the petition to serve as agent for the owner shall submit such authorization in writing with the application.	☐	☐	☐
5. Neighborhood meeting (required per SDO Sec. 5.3-1(B)). (The neighborhood meeting must be conducted prior to the date of the Board of Aldermen legislative hearing. It is also recommended, but not required, that this meeting also be conducted prior to Planning Board review. It is not required that the neighborhood meeting be conducted prior to submittal of this application.)	☐	☐	☐
6. Zoning Map Amendment fee (per Town Budget Ordinance). <u>General Use Rezoning Fee:</u> \$500 + \$50 for advertising costs <u>Conditional Zoning Fee:</u> \$600 + \$50 for advertising costs	☐	☐	☐
7. Completed Future Land Use Plan Analysis (Addendum #1)	☐	☐	☐
8. Completed application submitted to the <i>Planning & Zoning Administrator</i> . Retain a copy for your records.	☐	☐	☐
9. Not required but recommended: a survey of the property or area involved, and/or a legal description of the property or area.	☐	☐	☐
For Conditional Zoning Applications			
10. Completed zoning conditions, signed by property owner(s).	☐	☐	☐
11. The application clearly specifies the nature of the proposed development or land use and proposes conditions to ensure compatibility with surrounding land uses and consistency with adopted Town plans.	☐	☐	☐

Exhibit 9: Applicant-Submitted Rezoning Application

Template Letter to Adjacent Property Owners & Neighborhood Landowners

Note: It is the responsibility of the petitioner to draft a notification letter, using this template as a basis, and mail it to adjacent property owners and owners of nearby properties in the neighborhood. At least ten (10) days prior to the scheduled neighborhood meeting date, the applicant must notify the owners of property about the meeting using the mailing addresses listed on the county property tax cards. Notice must be by first class mail or certified mail return receipt. If notification is to be by first class mail, the applicant must deliver the sealed, addressed, and stamped envelopes to the *Planning & Zoning Administrator* prior to the aforementioned 10-day period. If notification is to be by certified mail return receipt, copies of the return receipts shall be given to the *Planning & Zoning Administrator*.

Per SDO Sec. 5.3-1(B), it is required that the applicant for a zoning map amendment (rezoning) meet with representatives and/or landowners of the neighborhood in which the property for which the proposed map amendment (rezoning) is located. The applicant shall coordinate the time and date of the meeting to enable the Planning, Zoning, & Subdivision Administrator to attend and address procedural questions that arise. The neighborhood meeting shall be conducted prior to the date of the legislative hearing at which comments on the application will be heard. This meeting may be held either before or after, but not on, the date of the meeting at which the Planning Board review and recommendation is scheduled.

Date:

Re: (SITE LOCATION)

Neighboring Property Owners and Tenants:

You are invited to attend a neighborhood meeting on (MEETING DATE). The meeting will be held at (MEETING LOCATION, INCLUDING ADDRESS) and will begin at (TIME).

The purpose of this meeting is to discuss a potential rezoning of the property located at (SITE ADDRESS, PROPERTY DESCRIPTION, IDENTIFYING NEARBY LANDMARKS). This property is currently zoned (CURRENT ZONING DISTRICT) and I am proposing to rezone the property to (PROPOSED ZONING DISTRICT).

(Please provide a clear and detailed description of your proposed rezoning petition, including the nature of the proposed land use or development for which you are proposing the rezoning. Please also include a statement regarding any conditions or limitations on the use or development that you are proposing to ensure compatibility with surrounding uses/properties and consistency with adopted Town plans, including the Future Land Use Plan.)

The Town of Spencer requires that I facilitate a neighborhood meeting to meet with representatives and/or landowners of the neighborhood. The purpose of the meeting is to discuss the proposed rezoning, including the nature of the proposed land use or development, and to explore ways to ensure compatibility with surrounding uses and properties.

If you have any concerns or questions I (we) can be reached at: (CONTACT INFORMATION)

If you have further questions about the rezoning process, please contact the Town of Spencer's Planning & Zoning Administrator at kharris@townofspencer.com or (704)-633-2231 ext. 28.

Thank you.

(SIGNATURE)

This image shows a full page of white paper with horizontal dashed lines. The lines are evenly spaced and run across the entire width of the page, providing a guide for handwriting or typing. There are no margins, text, or other markings on the page.

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Exhibit 10: Staff Photographs (taken on 12/3/2021)



Exhibit 10: Staff Photographs (taken on 12/3/2021)

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Exhibit 10: Staff Photographs (taken on 12/3/2021)

AGENDA ITEM

Council Meeting Date: 12/14/2021

Agenda Item No: TBD	INSERT AGENDA ITEM HERE
Issue under Consideration:	Board to consider appointing Jessica Klaus (301 4 th Street) to the Spencer Planning Board / Board of Adjustment.
Current Status:	The Planning Board conducted a formal interview with Mrs. Klaus on 10/11/2021. Jimm Mosher, Board Chair, submitted a positive letter of recommendation to staff on 11/03/21.
Points to Consider:	The Board is currently down to three (3) members. The Governing Board will consider appointing two (2) new members on December 14, which would fill all of the Board's in-Town vacancies. The Board's two (2) vacancies for extra-territorial (ETJ) representation will remain vacant. For more information on the Planning Board / Board of Adjustment, including powers and duties, appointments, etc., see Spencer Development Ordinance (SDO) Article 4.
Financial Impact:	N/A
Options:	The Board can appoint Jessica Klaus to the Board, deny the application, or send the application back to staff for further study.
Recommendations:	Planning & Development Services recommends that the governing board appoint Mrs. Klaus to the Board.
Department:	PLANNING & DEVELOPMENT SERVICES

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____

Note: Planning Board / Board of Adjustment members serve terms of three (3) years.

**TOWN OF SPENCER
BOARDS AND COMMISSIONS APPLICATION**
(Attach any additional sheets necessary)

NAME: Jessica Klaus

MAILING ADDRESS:

301 4th Street
Spencer, NC 28159

STREET ADDRESS:

301 4th Street
Spencer, NC 28159

HOME PHONE: n/a

WORK
PHONE:

n/a

CELL PHONE: 704-819-2998

EMAIL: artmailjessica@yahoo.com

I AM INTERESTED IN SERVING ON:



COMMUNITY APPEARANCE COMMISSION



HISTORIC PRESERVATION COMMISSION

☒ PLANNING AND ZONING BOARD

PERSONAL INFORMATION

HIGH SCHOOL ATTENDED: Gaston Day School, Gastonia, NC

COLLEGE ATTENDED: Hollins University, Roanoke, VA

DEGREE: Art - Art History - Studio - Design

EMPLOYER: Designer with husband/contractor Tim Klaus

JOB TITLE: Interior Designer

SPOUSE NAME: Tim Klaus

→ Syracuse University - Interior Design/Architecture
Florence, Italy *PRIOR PUBLIC SERVICE*

BOARD / COMMISSION / CIVIC GROUP

FROM:

TO:

COMMENT

(Statement of why you want to serve on this group and any experience you have that will be relevant to the group)

I care about the town of Spencer because we
own a home here and a business. I see so much
potential here because of the architecture &
quaint feel of the town. I believe Spencer can
improve without losing the small town feel. I
would love an opportunity to help achieve that.

Jessica Klaus

11/03/2021

Jimm Mosher
Chair, Town of Spencer Planning and Zoning Board
121 5th Street, Spencer, NC 28159

**Mayor Williams and Board of Alderman
Town of Spencer, North Carolina**

Greetings Mayor Williams and Board of Alderman,

I am writing to you in support of a new applicant to our Planning and Zoning Board. I hope you will welcome Jessica Klaus to our Town of Spencer Planning and Zoning Board. Jessica is a resident of Spencer, owns several commercial properties in this town, and is an enthusiastic individual with an extensive background in design, art, and architecture. She is smart, hardworking, creative, and a team player that will be beneficial to this board.

We have had a vacancy on this Planning Board for an extended time. As we move forward, Spencer will continue to gain more interest from outside contractors, new homeowners, and businesses. It is more important now than ever to retain qualified, interested, driven, and capable board members for the Planning and Zoning Board. Please approve Jessica Klaus to fill this vacant seat.

Sincerely,

Jimm Mosher

Chair, Town of Spencer Planning and Zoning Board



Jessica Klaus Statement to the Planning Board / Board of Adjustment

Transcript from Audio/Video Recording

Interview Date: October 11, 2021

Full Interview was approx. 30 minutes

(Full recording available upon request to the Planning & Zoning Administrator.)

“My name is Jessica Klaus and I moved here about six years ago. I grew up in Gastonia, North Carolina, and I went to school at Hollins University in Roanoke, Virginia, where I studied art [and] interior design. Then, I went to Florence, Italy, through Syracuse University, to study art, interior design, garden design, and some city planning. So, my focus in moving to Spencer was to help restore Spencer. Architecturally, I think it is just the most beautiful town and there is so much potential here. I’d like to keep this small town feel and quaintness, but watch it grow and come alive again, the way it used to be. And I think we have good bones to do that, but I think you need some really thoughtful people on the Board that think about all situations and all ideas. So, I’d like to use my architectural background, common sense, and help make Spencer the fun, family town that it used to be... I hope that I can be of some benefit.”

Respectfully submitted,

Kyle Harris
Planning & Zoning Administrator
Town of Spencer, NC

AGENDA ITEM

Council Meeting Date: 12/14/2021

Agenda Item No: TBD	INSERT AGENDA ITEM HERE
Issue under Consideration:	Board to consider appointing Tim Witkowski (400 Steeplechase Trail) to the Spencer Planning Board / Board of Adjustment.
Current Status:	The Planning Board conducted a formal interview with Mr. Witkowski on 10/25/2021. Jimm Mosher, Board Chair, submitted a positive letter of recommendation to staff on 11/03/21.
Points to Consider:	The Board is currently down to three (3) members. The Governing Board will consider appointing two (2) new members on December 14, which would fill all of the Board's in-Town vacancies. The Board's two (2) vacancies for extra-territorial (ETJ) representation will remain vacant. For more information on the Planning Board / Board of Adjustment, including powers and duties, appointments, etc., see Spencer Development Ordinance (SDO) Article 4.
Financial Impact:	N/A
Options:	The Board can appoint Tim Witkowski to the Board, deny the application, or send the application back to staff for further study.
Recommendations:	Planning & Development Services recommends that the governing board appoint Mr. Witkowski to the Board.
Department:	PLANNING & DEVELOPMENT SERVICES

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____
Against: _____

Passes: _____
Fails: _____

Note: Planning Board / Board of Adjustment members serve terms of three (3) years.

SEE ATTACHED INFO

TOWN OF SPENCER
BOARDS AND COMMISSIONS APPLICATION
(Attach any additional sheets necessary)

NAME: _____

MAILING ADDRESS: _____

STREET ADDRESS: _____

HOME PHONE: _____

WORK
PHONE: _____

CELL PHONE: _____

EMAIL: _____

I AM INTERESTED IN SERVING ON:

☒

COMMUNITY APPEARANCE COMMISSION
PLANNING AND ZONING BOARD

☐

HISTORIC PRESERVATION COMMISSION

PERSONAL INFORMATION

HIGH SCHOOL ATTENDED: _____

COLLEGE ATTENDED: _____

DEGREE: _____

EMPLOYER: _____

JOB TITLE: _____

SPOUSE NAME: Paula M Witkowski

PRIOR PUBLIC SERVICE

BOARD / COMMISSION / CIVIC GROUP

FROM:

TO:

_____	_____	_____
_____	_____	_____
_____	_____	_____

COMMENT

(Statement of why you want to serve on this group and any experience you have that will be relevant to the group)

TIMOTHY S. WITKOWSKI

400 STEEPLECHASE TRAIL • SALISBURY, NC 28144

PHONE: (704) 213-8570

timwitkowski@carolina.rr.com

Energetic and solid team player in the electrical utilities field with diverse and practical knowledge of the industry. Helped to grow and manage a company of 65 employees in a variety of roles including Company President, Vice President and Field Service Operations Manager. Thorough understanding of electrical utilities maintenance and administration. Experienced leader with an excellent track record of employee relations and employee safety.

WORK EXPERIENCE

Enerco Energy Services

Salisbury, NC

2007 - 2014 President & Director of Operations

Served in the roles of Company President and Director of Operations for a 65 person company simultaneously. Responsibilities included contract administration, business development, customer relations, equipment management, human resource management and supervision of operations and field staff throughout Virginia, North and South Carolina.

- Along with the CFO, negotiated company healthcare plans and created incentives for employees to care about their health and wellness
- Administered contracts for large scale projects including Duke Energy, Progress Energy and SCE&G.
- Managed all company purchases, maintenance, and logistics for projects throughout the Southeast
- Developed asset management inspection programs for handheld field computers that improved efficiency of our operations.
- Presented quarterly reports to the Board of Directors and participated in all high level conversations regarding the direction of the company as a stockholder

2006 - 2007 Vice President & Director of Operations

Managed business development, customer relations, project planning and equipment requisition and maintenance.

- Developed relationships and secured a substantial value of contracts for our services
- Worked within company's strategic goals to plan and negotiate for multi-year contracts
- Managed all equipment requisitions and maintenance.
- Successfully coordinated storm response crews from Florida to Virginia that excelled in service and profitability
- In addition to the above, I continued with my duties of being Director of Field Services

2000 - 2006 Director of Field Services

Coordinated all details of field projects including:

- Coordination of field schedules for major multi-year projects
- Delivery of field data in accurate and timely manner to clients
- Recruitment, hiring and training of field staff, sometimes on very short notice in remote areas
- Quality assurance of field staff to meet timelines and exceed customer expectations
- Training of staff on safety guidelines for substation, transmission and distribution line inspections

Exhibit A: Candidate's Board Application Form

- Providing assistance to Client Solutions (sales and marketing) with presentations and customer questions
- Assistance with work projections for bid development
- Informing management of equipment needs, maintenance schedules, and upgrades
- Procurement and maintenance of field equipment to ensure that field personnel were equipped for work

Duke Energy

Salisbury, NC

1983 - 1999 Power Systems Metering Technician - 1983 – 1999

Responsible for all metering and billing in a 5-county area consisting of 82,000 customers; Contacting and communicating with large account industrial customers; Customer assistance with billing and load-management; Ordering/distributing electric meters for five distribution offices. Order/stock all metering equipment for assigned distribution work area. Assist with engineering to establish power distribution stations. Troubleshoot with marketing department pertaining to customer high bill accounts.

1980 – 1983 Distribution Line Technician

Duties included construction and maintenance of distribution power circuits

1979 – 1980 North Carolina Finishing Co. Salisbury, NC

Turbine / Boiler Room Operator

- Responsible for starting, operating, and maintaining three electric turbines; Monitored control room operations.

1976– 1979 United States Coast Guard

Search and Rescue

- Stationed at United States Coast Guard Training Center in Yorktown, VA. Duties included Boat Navigating, plotting and piloting 41ft. motor patrol boat in the Chesapeake Bay area.
- Stationed at Search and Rescue Station, Ft. Macon, Atlantic Beach, NC. Duties: same as above.
- Stationed at United States Coast Guard shipyard, Curtis Bay, MD. Honorable discharge – November, 1979.

EDUCATION

1996	Electronic Solid State Meter School	Charlotte, NC
1989 – 1990	Duke Power Electronic School	Charlotte, NC
1987	Duke Power Electrical Metering School	Charlotte, NC
1985 – 1986	Electronic Engineering – Rowan-Cabarrus Community College	Salisbury, NC
1984	AC/DC Electric Circuits School	Charlotte, NC
1980	Duke Power Dist. Line Technician School	Charlotte, NC
1977 – 1979	U.S. Coast Guard Boating Schools	Yorktown, VA
1975	Graduated – North Rowan High School	Spencer, NC

COMMUNITY INVOLVEMENT & ACTIVITIES

- Served 4 terms as Alderman for the Town of Spencer, NC. One term as Mayor Pro-Tem
- Delegate for the Centralina Council of Governments
- Delegate for the North Carolina League of Municipalities
- Involved with Rowan Country, Town of Spencer Economic Development
- Town of Spencer Planning and Zoning Board
- Member of the Rowan County Sustainable Community Development Commission.
- Chairman of the Urban Redevelopment Commission.

OTHER RELATED INVOLVEMENT

Active citizen with long history of volunteer work and contribution to the community including participation in Rowan Country Volunteer Summit, Rowan County United Way, Catawba College Chiefs Club, Spencer Steamfest Committee, Town of Spencer Community Appearance Commission, Spencer Partners Inc. and head coach for the Sacred Heart Catholic Middle School Tennis Team.

INTERESTS AND ACTIVITIES

Cooking, golf, boating, spending time with family and exercising regularly. Active around town supporting various events and activities that promote economic development and contribute to our community's quality of life.

AWARDS RECEIVED

- Duke Power W.S. O'B. Robinson Award in Recognition of Outstanding Achievement
- Rowan County Optimist Citizen of the Year Award
- Duke Power Excellence Award
- Jaycees John Wesley Withers Award

REFERENCES AVAILABLE UPON REQUEST

11/03/2021

Jimm Mosher
Chair, Town of Spencer Planning and Zoning Board
121 5th Street, Spencer, NC 28159

**Mayor Williams and Board of Alderman
Town of Spencer, North Carolina**

Greetings Mayor Williams and Board of Alderman,

I am writing to you in support of a new applicant to our Planning and Zoning Board. I hope you will welcome Timothy Witkowski to our Town of Spencer Planning and Zoning Board. Timothy is a resident of Spencer and has an extensive background in local government. He also has many years of experience working as a Director of Operations with companies such as Enerco Energy Services and Duke Power. His vast understanding of municipalities and infrastructure will be an asset to the Town of Spencer Planning and Zoning Board.

We have had a vacancy on this Planning Board for an extended time. As we move forward, Spencer will continue to gain more interest from outside contractors, new homeowners, and businesses. It is more important now than ever to retain qualified, interested, driven, and capable board members for the Planning and Zoning Board. Please approve Timothy Witkowski to fill this vacant seat.

Sincerely,

Jimm Mosher

Chair, Town of Spencer Planning and Zoning Board

AGENDA ITEM

Council Meeting Date: 12/14/2021

Agenda Item No: TBD	INSERT AGENDA ITEM HERE
Issue under Consideration:	Board to consider re-appointing Nancy Boyd (400 3 rd Street) to the Spencer Historic Preservation Commission (HPC) for a 4-year term expiring 12/31/2025.
Current Status:	Nancy is currently serving a 4-year term that began 12/31/2017 and ends 12/31/2021. The HPC currently has no vacancies (7 members). Jacquelyn Jensen, HPC Chair, has submitted to staff a positive letter of recommendation for Nancy's re-appointment.
Points to Consider:	According to Spencer Code Sec. 32.53(C), "Members of the Commission shall serve terms of four years...a member may be reappointed for a second consecutive term, but after two consecutive terms a member shall be ineligible for reappointment until one calendar year has elapsed from the date of the termination of his or her second term." If re-appointed, her second 4-year term will end 12/31/2025.
Financial Impact:	N/A
Options:	The Board can re-appoint Nancy Boyd to the HPC, deny the application, or send the application back to staff for further study.
Recommendations:	Planning & Development Services recommends that the governing board re-appoint Nancy Boyd to the HPC. She is an excellent member and contributes greatly to discussions.
Department:	PLANNING & DEVELOPMENT SERVICES

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____

Exhibit A: HPC Chair Letter of Recommendation

Jacquelyn Jensen
Chair, Historic Preservation Commission of Spencer, NC
505 7th Street
Spencer, NC 28159
11/30/2021

Town of Spencer
Spencer, NC
28159

To Mayor Williams and Board of Alderman:

This letter is to support the re-appointment of HPC board member Nancy Boyd. Nancy has been a board member since 2017. Her new term would be a 4-year term expiring on 12/31/2025. Kyle Harris has expressed to me that Nancy desires to be reappointed to serve a new term.

Nancy is an intelligent and engaged member of our board. She is extremely valuable to our HPC because of her deep knowledge of our historic district. Her main residence is centrally located in the Library Park area, and she regularly makes time to walk our district. Nancy is always aware of new and ongoing projects. Nancy has helped with the development of our brochure and our new historic preservation guidelines, among other projects.

As part of her current responsibilities, Nancy has taken up the charge of spearheading and organizing a sub-committee to review past COA's. This committee will help to follow through with proper and timely completion of COA's within our district. I am often impressed with her dedication to the town and her willingness to take on new tasks. She has a great ability to develop quality relationships with our residents, which directly furthers our mission to preserve the unique history of Spencer. Nancy has made consistent and meaningful contributions to every case that comes before our commission. She has a creative nature, and a strong passion for preservation in the highest standard.

If you would like additional information about Nancy, I would be happy to speak on this more. Please help our HPC to continue our mission to preserve Spencer's unique railroad history. Spencer continues to grow as a community year over year, and it is pivotally important to retain qualified and motivated members on this commission. Nancy Boyd is someone we cannot afford to lose at this juncture.

Sincerely,

Jacquelyn Jensen

Chair, Historic Preservation Commission

AGENDA ITEM

Council Meeting Date: 12/14/2021

Agenda Item No: TBD	INSERT AGENDA ITEM HERE
Issue under Consideration:	Board to consider re-appointing Leslie Talbott (308 N. Salisbury Ave.) to the Spencer Historic Preservation Commission (HPC) for a 4-year term expiring 12/31/2025.
Current Status:	Leslie is currently serving out an unfinished term that began 4/15/2019 and ends 12/31/2021. The HPC currently has no vacancies (7 members). Jacquelyn Jensen, HPC Chair, has submitted to staff a positive letter of recommendation for Leslie's re-appointment.
Points to Consider:	According to Spencer Code Sec. 32.53(C), "Members of the Commission shall serve terms of four years...a member may be reappointed for a second consecutive term, but after two consecutive terms a member shall be ineligible for reappointment until one calendar year has elapsed from the date of the termination of his or her second term." If re-appointed, her 4-year term will end 12/31/2025.
Financial Impact:	N/A
Options:	The Board can re-appoint Leslie Talbott to the HPC, deny the application, or send the application back to staff for further study.
Recommendations:	Planning & Development Services recommends that the governing board re-appoint Leslie Talbott to the HPC. She is an excellent member and very much values Spencer's historic resources.
Department:	PLANNING & DEVELOPMENT SERVICES

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____

To: The Board of Alderman,
Spencer, North Carolina

Date: December, 01, 2021

Spencer Town Council Members,

In 2019 I was appointed to complete Judy Stoner's term on the Historic Perseveration Committee (HPC). Ms. Stoner's term expires effective 12/31/2021. I am interested in being appointed to the HPC for a full term beginning 01/01/2022.

I have attached a copy of my original application for your review.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie Ann Talbott", written in a cursive style.

Leslie Ann Talbott



Post Office Box 45 Spencer, NC 28159-0045
 704.633.2231 Office
 704.633.3837 Fax
<http://www.ci.spencer.nc.us>

TOWN OF SPENCER
BOARDS AND COMMISSIONS APPLICATION
 (Attach any additional sheets necessary)

Name: Leslie Ann Talbott

Mailing Address:
 308 N. Salisbury Ave.
 Spencer, NC 28159
 Home Phone:
 931 639-2779
 Email: latalbott@att.net

Street Address:
 308 N. Salisbury Ave.
 Spencer, NC 28159
 Work Phone:
N/A

I AM INTERESTED IN SERVING ON:

- | | |
|--|--|
| ☒ Historic Preservation Commission | ☐ Planning Board |
| ☐ Board of Adjustment | ☐ Community Appearance Commission |

PERSONAL INFORMATION

Spouse Name: Mark K. Raboy

High School Attended: Milford Mill HS, Randallstown, MD

College: Catonsville Community College, Baltimore, MD

Degree: A.A -English/Theater; Certified Tech Writer & Instructor by AT&T

Employer: AT&T

Job Title: Quality Control Manager of Financial Project & Process Development

PRIOR PUBLIC SERVICE

Board/Commission/Civic	From	To
Nelson, Ga Zoning Board	<u>2001</u>	<u>2002</u>
_____	_____	_____
_____	_____	_____

COMMENT

(Statement of why you want to serve on this board or commission)

I want to help Spencer tell its story by honoring and preserving its architectural legacy.

Exhibit B: HPC Chair Letter of Recommendation

Jacquelyn Jensen
Chair, Historic Preservation Commission of Spencer, NC
505 7th Street
Spencer, NC 28159
12/03/2021

Town of Spencer
Spencer, NC
28159

To Mayor Williams and Board of Alderman:

This letter is to support the re-appointment of HPC board member Leslie Talbott. Leslie was appointed to fill the expiring term of Judy Stoner. Her new term would be a 4-year term expiring on 12/31/2025. Kyle Harris has expressed to me that Leslie desires to be reappointed to serve a new term.

Leslie is one of the most dedicated members of our board. She is extremely valuable to our HPC because of her deep knowledge of our historic district, and her experience renovating historic homes. Her main residence is the Keever house beside Bojangles, which she has restored beautifully with her husband. Leslie has spent countless hours helping to develop our brochure. She is also responsible for collecting information to edit and produce our new historic preservation guidelines.

Leslie has participated in many site visits to our more challenging COA's. She has provided guidance to homeowners that is extremely valuable. I am always impressed with her work ethic, and I cannot recall a meeting that she has missed. She regularly helps to encourage the entire board to strive for more, even in the smallest details – this is especially important on our COA's that need extra attention. Her spirit and friendly nature combined are important qualities that help her succeed in developing meaningful relationships with the residents in our community.

If you would like additional information about Leslie, I would be happy to speak on this more. Please help our HPC to continue our mission to preserve Spencer's unique railroad history. Spencer continues to grow as a community year over year, and it is pivotally important to retain qualified and motivated members on this commission. Leslie Talbott is someone we cannot afford to lose at this juncture.

Sincerely,

Jacquelyn Jensen

Chair, Historic Preservation Commission

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: 12/14/2021

Issue under Consideration:	Mayor and Board of Aldermen to consider authorizing the Town Staff to apply for a T-Mobile Hometown Grant for Improvements to 8th Street Park
Current Status:	Town Staff have prepared a grant application for renovations to the 8 th Street Ball Park. The deadline for submittal of qualifications December 31, 2021
Points to Consider:	Improvements to 8 th Street Ball Park are needed including upgrades to the grandstand, concession area, gravel parking lot, playground equipment, signage and playing surface.
Financial Impact:	Available grants are up to \$50,000 with no local match require
Options:	Permission to apply requires approval by the Mayor and Board of Aldermen.
Recommendations:	Staff recommends that the Mayor and Board of Aldermen receive the presentation regarding the grant program and authorize the Town Staff to submit a grant application
Department:	Special Projects Planning



Rowan's Original Gateway.

LAND MANAGEMENT – PLANNING & ZONING

Post Office Box 45 Spencer, NC 28159-0045

704.633.2231 Ext. 28 Ofc.

704.633.3837 Fax

Monthly Report – November 2021

This report provides a summary of all development, planning, and zoning-related activity occurring in the Town of Spencer in the month of October. The report describes the issuance of any zoning permits, event permits, subdivision permits, as well as the activities of the Planning & Zoning Board, Historic Preservation Commission, and Community Appearance Commission. For more information on any of the activities described, please contact the Planning & Zoning Administrator.

Permit Applications (Issued or Pending)

Date Approved	Permit #	Description	Street Address	Permit Type
Pending	Z-21-069	Zoning Permit for Detached Accessory Structure	453 Steeple. Tr.	Zoning
Pending	Z-21-070	Zoning Permit for New Permanent Dumpster	300 N. Salis. Ave.	Zoning/COA
Pending	CZ-21-001	Rezoning from C-29 to VSR	200 S. Salis. Ave.	Rezoning
11/15/21	COA-21-026	Certificate of Appropriateness (New Const.)	0 6 th Street	COA
11/15/21	COA-21-027	Certificate of Appropriateness (New Const.)	119 6 th Street	COA
11/01/21	COA-21-028	Certificate of Appropriateness (Minor Work)	704 4 th Street	COA
11/04/21	COA-21-029	Certificate of Appropriateness (Minor Work)	502 S. Rowan Ave.	COA
Pending	COA-21-030	Certificate of Appropriateness (Minor Work)	806 S. Carol. Ave.	COA
11/03/21	Z-21-075	Zoning Permit for Detached Accessory Structure	705 N. Salis. Ave.	Zoning
11/04/21	Z-21-076	Demolition Permit for Accessory Bldgs.	806 S. Carol. Ave.	Zoning/Demo
11/15/21	COA-21-031	Certificate of Appropriateness (Minor Work)	121-123 5 th Street	COA
11/15/21	COA-21-032	Certificate of Appropriateness (Major Work)	403 S. Rowan Ave.	COA
Pending	Z-21-077	Exception Plat (Subdivision)	610 4 th Street	Subdivision
11/16/21	Z-21-078	Zoning Permit for New Single-Family Residential	Hawkins Loop	Zoning
11/16/21	Z-21-079	Zoning Permit for New Single-Family Residential	Hawkins Loop	Zoning
11/16/21	Z-21-080	Zoning Permit for New Single-Family Residential	Hawkins Loop	Zoning
Pending	Z-21-081	Subdivision Review	Whitehead Ave.	Subdivision

11/19/21	Z-21-082	Zoning Permit for New Fence	110 Hillcrest Dr.	Zoning/Fence
Pending	Z-21-083	Exception Plat (Subdivision)	310 Snider Street	Subdivision
Pending	Z-21-084	Subdivision Review	Meadow Street	Subdivision
Approved	E-21-009	Winterfest (Special Event)		Event
Approved	E-21-010	Christmas/Thanksgiving Parade (Special Event)		Event
Pending	E-21-011	Spring 2022 Cycling Competition		Event

Other Highlights:

- Business Retention & Communication: During my outreach for the Hometown Innovation grant, I had the opportunity to meet with many local business owners. The general sentiment expressed to me was that the Town should better support and communicate with its businesses. I spoke with the owner of a local business who expressed concern about business retention in Spencer, lack of incentives, and lack of coordination with the Town. The Town may wish to consider exploring options to better communicate with its local businesses, especially those Downtown. I chose to highlight this issue in my report because of how widespread these sentiments are, and also because the Town's move to Park Plaza represents a good opportunity to focus more on supporting local businesses.
- Hometown Innovation Grant: The response to the grant has been overwhelming. I have received more than twenty (20) applications for projects both Downtown and up and down Salisbury Avenue. I anticipate submitting the applications to the CAC for review on December 13. The Board of Aldermen will review the applications in January, followed by HPC review of any projects needing a COA. Please refer to the Hometown Innovation Grant Program Guidelines for more details on the program.
- Text Amendments to Signage Ordinance: I will be proposing an amendment to SDO Article 17 (Sign Regulations) that would reduce the maximum allowed size of temporary signs to between 3-6 ft. to better regulate signs placed during election season. The amendment will be submitted to the Planning Board for review in January and the Board of Aldermen in February.

Respectfully Submitted,

Kyle Harris
Planning & Zoning Administrator



Code Enforcement Office

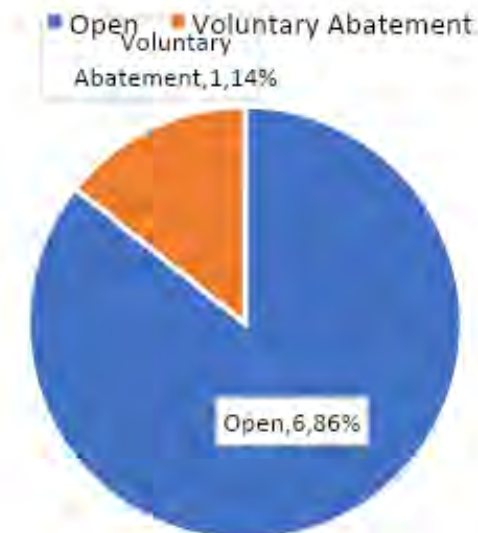
MH - Minimum Housing / OL - Overgrown Lot / HD - Historic District/ JV - Junk Vehicle / JP - Junk Pile / AWG - Abandoned White Goods / AC - Animal Control / IP - Illegal Parking /AB - Abandoned Building / ZV - Zoning Violation / CM - Commercial Maintenance/ Open Red - Open Active Case / Abated Green - Case Closed & Cleared / Unfounded Blue - No Violation Found,

Monthly Report

November Highlights

- October: 7 total Cases, 6 Open, 1 Abated
- Voluntary Abatement: 1
- 2021 Total Cases: 424
- Notices of Lien: 7
- Liens Filed: 8
- Case Reconciliation
- Code Enforcement Citizen Portal complete

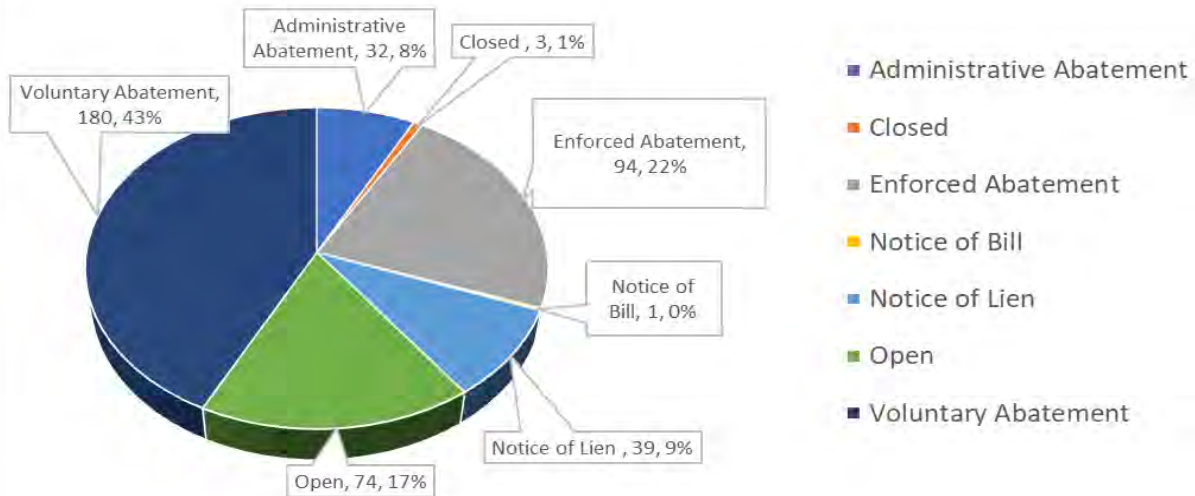
NOVEMBER 2021 TOTAL: 7





Code Enforcement Office

2021 OVERVIEW



2020 Open Cases

Case Number	Address	Violation	Status
202001014	403 S Rowan Ave	MH	OPEN
202001016	600 3rd St	MH	OPEN
202001017	409 S Rowan Ave	MH	OPEN
202008018	155 Lee St ©	JP	OPEN
202010017	502 S Carolina	JP	OPEN
202012010	115 Alexander St	MH	OPEN
202012011	504 1st St	MH	OPEN
202012012	116 11th St	MH	OPEN

2019 Open Cases

Case Number	Address	Violation	Status
201906025	613 5th St (HD)	MH	OPEN
201909032	303 S Iredell (HD)	MH/OL	OPEN
201906004	119 N Salisbury Ave (HD)	MH	OPEN
201909034	509 S Iredell (HD)	MH/OL	OPEN



November Monthly Report

11/1/2021 - 11/30/2021

Case #	Violation Address	Violation Name	Main Status
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Group: DA - Domestic Animals

202107140	1515 Salisbury Ave apt #1	DA - Domestic Animals	Voluntary Abatement

Group Total: 1

Group: JP - Junk Pile

202107138	1515 Salisbury Ave apt #2	JP - Junk Pile	Open
202107139	1515 Salisbury Ave apt #1	JP - Junk Pile	Open
202107137	208 Henderson St	JP - Junk Pile	Open

Group Total: 3

Group: MH - Minimum Housing 160.53

202107142	110 11th St	MH - Minimum Housing 160.53	Open
202107136	817 5th St Apt 4	MH - Minimum Housing 160.53	Open

Group Total: 2

Group: OL - Overgrowth Lot

202107143	116 11th St	OL - Overgrowth Lot	Open

Group Total: 1

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Total Records: 7

11/30/2021

Activity Log Event Summary (Totals)

Spencer Police Department

(11/01/2021 - 11/30/2021)

<No Event Type Specified>	1	911 Hang-Up	9
Administrative Work	25	Alarm - Hold-up	1
Alarm - Other	14	Animal Complaint	1
Assault - In-Progress	2	Assault - Report	3
Assist - East Spencer Police	18	Assist - EMS	2
Assist - Fire Department	8	Assist - Motorist/Public	2
Assist - NCHP	1	Assist - Other Agency	4
Assist - Other Officer	17	Assist - Sheriff's Office	3
B&E/Burglary - Commercial, Report	1	B&E/Burglary - Residential, Report	2
B&E-Vehicle, Report	1	Business Check-Drive Through	236
Calls For Service (General)	7	Child Abuse/Neglect	1
Court	1	Disturbance	7
Disturbance- Verbal	9	Disturbance-Physical	2
Domestic - Property Pick-up	1	Domestic Dispute	1
Domestic Violence	1	Drug Offense on School Property	1
Fight - In-Progress	2	Follow-up Investigation - Outside Town Limits	1
Follow-up Investigation- Spencer	11	Foot Patrol - Business	120
Foot Patrol - School	1	Found Property	1
House Check	17	Involuntary Commitment	8
Juvenile Complaint	3	Larceny - In-Progress	1
Larceny - Report	3	Magistrate's Office	1
Maintenance - Equipment	1	Maintenance - Vehicle	11
Meeting	18	Missing Juvenile	2
NCTM - Bank Escort	6	NCTM - Drive Through	156
NCTM - Foot Patrol	29	NRES- School Check Drive Through	21
NRHS-School Check Drive Through	21	NRMS-School Check Drive Through	21
Ordinance Violation	2	Park Check	175
Property - Recovered Stolen	1	Public Service	8
Search	1	Security Check/Standby	29
Shots Fired	1	Special Assignment - Drugs	1
Special Assignment - Other	9	SRO Duties	34
Subpoena Service	13	Suicide Threat	2
Suspicious - Activity	8	Suspicious - Person	6

Activity Log Event Summary (Totals)

Spencer Police Department

(11/01/2021 - 11/30/2021)

Suspicious - Vehicle	2	Traffic Accident - PD	7
Traffic Accident - PI	1	Traffic Complaint	1
Traffic Control	3	Traffic Enforcement	11
Training - PD	11	Training - Range	5
Training - School	4	Trespassing - In-Progress	3
Unattended Death	3	Unlock Vehicle	2
Vehicle Stop	10	Warrant Service	2
Welfare Check	19		

Total Number Of Events: 1,211

Staffing Update: Rowan County Sheriff's Office has covered a total of 8 shifts in the month of November 2021.



OFFICE OF THE FIRE CHIEF

Post Office Box 45 Spencer, NC 28159-0045

704.637.6135

<http://www.ci.spencer.nc.us/fire>

AGENDA ITEM

Council Meeting Date: 12/14/2021

(Attach relevant documentation)

Agenda Item No: TBD	December 2021 Fire Department Board Report
Issue under Consideration:	December 2021 Monthly Board Report
Current Status:	N/A
Points to Consider:	N/A
Financial Impact:	N/A
Options:	Review Only
Recommendations :	N/A
Department:	Fire Department

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____
Against: _____

Passes: _____
Fails: _____



We're on the Right Track



OFFICE OF THE FIRE CHIEF

Post Office Box 45 Spencer, NC 28159-0045
704.637.6135

<http://www.ci.spencer.nc.us/fire>

December 2021 Monthly Report

Calls for Service-As of 11/30/21

Fire: 27

EMS: 38

Total: 65

2021 Total: 618

ATTENTION

To avoid unneeded exposure to COVID-19 positive patients, Spencer Fire Department will stage approximately one block away on any call that has a positive screening. We will remain staged unless EMS needs assistance or they clear us from the call.

Apparatus:

Surplus of Ladder 75- Working with Stacy on this issue.

Our departmental truck committee is awaiting the apparatus specification sheet from Pierce Manufacturing.

Equipment:

N/A.

Special Events:

Public Education

- Coffee with the Chief- December 13th at 0900.

Personnel:

Staffing remains the same.

Continuous posting for staff positions.

Station:

No Updates.



We're on the Right Track

Special Information:



We're on the Right Track



Public Works Department

Post Office Box 45 Spencer, NC 28159-0045
704.633.2231 Ofc.
704.633.3837 Fax
<http://www.ci.spencer.nc.us>

AGENDA ITEM

Council Meeting Date: 12 /14/2021

(Attach relevant documentation)

Agenda Item No:	Public Works Monthly Report
Issue under Consideration:	Board of Alderman Review
Current Status:	N/A
Points to Consider:	N/A
Financial Impact:	N/A
Options:	No approval needed. This item is for information only.
Recommendations:	N/A
Department:	Public Works Department

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____
Against: _____

Passes: _____
Fails: _____



DIRECTOR OF PUBLIC WORKS

Post Office Box 45 Spencer, NC 28159-0045

704.633.2231 Ext. 50 Ofc.

704.633.3837 Fax

<http://www.ci.spencer.nc.us>

December 2021 Board of Alderman Meeting

- 1) Regular services (Sanitation, Brush) are running on schedule. Leaf pick-up is running a little behind due to the Thanksgiving Holiday and one of our units being down due to clutch failure. We are in the process of trying to access the parts needed to repair the unit and get it back in service as soon as possible.

Note: Trash Service will be running one day late the week after Christmas, due to the Christmas holiday being on Monday.

Christmas	Friday	December 24th	Town Hall Closed. No change in Trash Schedule
	Monday	December 27th	*** Monday will run on Tuesday (December 28th)
			*** Tuesday will run on Wednesday (December 29th)
			*** Wednesday will run on Thursday (December 30th)
			NO BULKY ITEM PICK-UP THIS WEEK
New Year's	Friday	December 31st	Town Hall Closed, No change in Trash Schedule
*** Denotes change from regular schedule			

- 2) The Leaf vac will continue to run through the week after New Year's, after this time leaves will need to be bagged for pick-up.

NOTE: Please make sure to stack all leaves, and loose material, on top of the curb and not in the gutter. This is so when it rains the leaves do not wash and stop up the storm drains.

- 3) The majority of this month has been spent getting Town decorated for Christmas, preparation for the Christmas parade, setting up for the Winterfest event, and picking up leaves. The parade went very well, with great weather and a very good attendance.
- 4) We have had several sections of poor sidewalk replaced this month. Both areas are on Salisbury Avenue with the first being just past 11th Street, and the other being just North of Jefferson Street.
- 5) We received news that the NCDOT will be improving two of our intersections to new ADA requirements. One intersection will be Salisbury Avenue and 6th Street, and the other is 7th Street and Carolina Avenue. This work is scheduled to begin after the first of the year.

- 6) We continue to work to get the CCAP project started. We have made contact with all of the surrounding property owners except one, with all of them excited with the preliminary info. We are diligently working to get in touch with this owner, so that we can have a formal meeting with them and get this project under way.
- 7) The project that was scheduled to begin on 17th Street is still on hold, waiting on supplies. We have been in touch with the contractor and should have an update from him by our regular monthly meeting.
- 8) **Since last report:**
There were 0 abatements issued for Chronic Properties.
There was 1 abatement issued for other properties.
- 9) **Work Orders were completed as necessary.**

Monthly Events:

December 3rd	- Town Hall Open House
December 3rd	- Christmas Tree Lighting
December 4th	- 5K run
December 3-5	- Winterfest
December 10-12	- Winterfest
December 24 & 27	- Christmas Holidays
December 31st	- New Year's Holiday



We're on the Right Track

Town of Spencer

Fiscal Period - Park Plaza Municipal Project Date Range - 2020-12-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
<u>Reporting Fund: 80-PARK PLAZA MUNICIPAL COMPLEX PROECT</u>							
0000-80-Revs							
-							
80-3831-000 INVESTMENT EARNINGS	\$0.00	\$0.00	\$0.00	\$216.33	\$21.58	\$216.33	0
80-3894-010 CANNON FOUNDATION GR	\$222,974.00	\$75,000.00	\$0.00	\$75,000.00	\$0.00	\$0.00	100
80-3984-000 INSTALLMENT DEBT PRO	\$2,826,202.00	\$2,826,202.00	\$0.00	\$2,820,302.00	\$2,820,302.00	\$5,900.00	100
80-3984-010 GENERAL FUND CONTRIB	\$0.00	\$157,974.00	\$0.00	\$100,000.00	\$100,000.00	\$57,974.00	63
0000-80-Revs	\$3,049,176.00	\$3,059,176.00	\$0.00	\$2,995,518.33	\$2,920,323.58	\$64,090.33	98

Town of Spencer

Fiscal Period - Park Plaza Municipal Project Date Range - 2020-12-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4200-80-PARK PLAZA							
-							
80-4200-192 PROFESSIONAL SERV-LE	\$20,000.00	\$20,000.00	\$0.00	\$6,759.37	\$6,759.37	\$13,240.63	34
80-4200-193 ADMINISTRATIVE SERVI	\$10,000.00	\$10,000.00	\$0.00	\$2,000.00	\$1,250.00	\$8,000.00	20
80-4200-555 FURNISHINGS AND EQUI	\$274,900.00	\$274,900.00	\$152,396.58	\$106,987.74	\$0.00	\$15,515.68	39
80-4200-580 CAPITAL OUTLAY-BLDG,	\$2,526,489.00	\$2,636,359.00	\$595,725.45	\$1,959,772.55	\$0.00	\$80,861.00	74
80-4200-585 ARCHITECT FEES	\$27,130.00	\$27,130.00	\$5,406.90	\$21,723.10	\$1,931.67	\$0.00	80
80-4200-594 SPECIAL INSPECTIONS	\$0.00	\$15,721.00	\$0.00	\$10,336.75	\$0.00	\$5,384.25	66
80-4200-780 INTEREST	\$50,657.00	\$50,657.00	\$0.00	\$0.00	\$0.00	\$50,657.00	0
80-4200-999 CONTINGENCY	\$140,000.00	\$24,409.00	\$0.00	\$0.00	\$0.00	\$24,409.00	0
4200-80-PARK PLAZA	\$3,049,176.00	\$3,059,176.00	\$753,528.93	\$2,107,579.51	\$9,941.04	\$198,067.56	94

Town of Spencer

Fiscal Period - Park Plaza Municipal Project Date Range - 2020-12-01 - 2021-12-01

Account		Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 80-PARK PLAZA MUNICIPAL COMPLEX PROECT								
	FundRevTot	\$3,049,176.00	\$3,059,176.00	\$0.00	\$2,995,518.33	\$2,920,323.58	\$64,090.33	98
	FundExpTot	\$3,049,176.00	\$3,059,176.00	\$753,528.93	\$2,107,579.51	\$9,941.04	\$198,067.56	94
Grand Totals:								
	TotalRev	\$3,049,176.00	\$3,059,176.00	\$0.00	\$2,995,518.33	\$2,920,323.58	\$64,090.33	98
	TotalExp	\$3,049,176.00	\$3,059,176.00	\$753,528.93	\$2,107,579.51	\$9,941.04	\$198,067.56	94

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 10-GENERAL FUND							
0000-10-Revs							
-							
10-3100-000 TAXES, PRIOR YEARS	\$3,500.00	\$3,500.00	\$0.00	\$0.00	\$0.00	\$3,500.00	0
10-3194-000 TAXES, 3RD PRIOR YR	\$2,800.00	\$2,800.00	\$0.00	\$0.00	\$0.00	\$2,800.00	0
10-3195-000 TAXES, 2ND PRIOR YR	\$8,000.00	\$8,000.00	\$0.00	\$0.00	\$0.00	\$8,000.00	0
10-3196-000 TAXES, FIRST PRIOR Y	\$39,000.00	\$39,000.00	\$0.00	\$12,018.22	\$0.00	\$26,981.78	31
10-3197-100 AD VALOREM TAXES CUR	\$1,433,143.00	\$1,433,143.00	\$0.00	\$1,013,816.85	\$0.00	\$419,326.15	71
10-3197-101 AD VALOREM TAXES VEH	\$134,779.00	\$134,779.00	\$0.00	\$51,338.02	\$0.00	\$83,440.98	38
10-3197-102 MUNICIPAL VEHICLE TA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3197-180 TAX INTEREST & PENAL	\$10,000.00	\$10,000.00	\$0.00	\$2,489.01	\$0.00	\$7,510.99	25
10-3197-190 DOG TAX	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3231-000 1% SALES TAX (ART 39	\$319,795.00	\$319,795.00	\$0.00	\$53,470.06	\$0.00	\$266,324.94	17
10-3232-000 1/2% SALES TAX (ART	\$189,902.00	\$189,902.00	\$0.00	\$35,451.01	\$0.00	\$154,450.99	19
10-3233-000 1/2% SALES TAX (ART	\$156,581.00	\$156,581.00	\$0.00	\$26,323.02	\$0.00	\$130,257.98	17
10-3234-000 TELECOMM.SALES TAX	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3235-000 1/2% SALES TAX (ART	\$261,422.00	\$261,422.00	\$0.00	\$49,756.78	\$0.00	\$211,665.22	19
10-3260-000 PRIVILEGE LICENSE FE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3261-000 CABLE TV FRANCHISE F	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3314-004 FED.DRUG SEIZURE REV	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3317-004 STATE DRUG SEIZURE R	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3318-000 INTANGIBLES TAX REIM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3322-000 BEER & WINE TAX	\$14,100.00	\$14,100.00	\$0.00	\$0.00	\$0.00	\$14,100.00	0
10-3324-000 UTILITY FRANCHISE TA	\$188,000.00	\$188,000.00	\$0.00	\$0.00	\$0.00	\$188,000.00	0
10-3325-000 FOOD STAMP REIMBURSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3326-000 SOLID WASTE DISPOSAL	\$1,200.00	\$1,200.00	\$0.00	\$639.07	\$0.00	\$560.93	53
10-3327-000 INVENTORY TAX REIMBU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3431-000 COURT, PKG FEES, REP	\$2,000.00	\$2,000.00	\$0.00	\$828.98	\$0.00	\$1,171.02	41
10-3436-000 FIRE PROTECT.-EAST S	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3437-000 FIRST RESPONDER FEES	\$4,020.00	\$4,020.00	\$0.00	\$1,675.00	\$0.00	\$2,345.00	42
10-3437-001 Rowan County Fire De	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3438-000 ROWAN-SALIS SCHOOLS	\$120,400.00	\$120,400.00	\$0.00	\$120,358.06	\$0.00	\$41.94	100
10-3439-000 NCTM PAYMENTS	\$29,247.00	\$29,247.00	\$0.00	\$7,311.99	\$0.00	\$21,935.01	25
10-3440-000 WATER BOND FROM SALI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3491-000 ZONING FEES	\$5,000.00	\$5,000.00	\$0.00	\$1,840.00	\$0.00	\$3,160.00	37
10-3491-001 LIEN PAYMENTS	\$9,000.00	\$9,000.00	\$0.00	\$4,701.82	\$0.00	\$4,298.18	52
10-3500-510 SOL/WASTE COLLECTION	\$219,300.00	\$219,300.00	\$0.00	\$74,120.22	\$0.00	\$145,179.78	34
10-3500-530 BULKY ITEM COLLECTIO	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3500-540 RECYCLING FEES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3500-550 YARD WASTE SALES	\$1,000.00	\$1,000.00	\$0.00	\$45.00	\$0.00	\$955.00	5
10-3831-000 INVESTMENT EARNINGS	\$1,000.00	\$1,000.00	\$0.00	\$247.85	\$0.00	\$752.15	25
10-3833-001 Donations-Police Dep	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3833-002 Donations-Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3833-003 FIRE DEPT MEMORIALS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3833-004 DONATIONS-FIRE DEPAR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3833-005 Donations-Arbor Day	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3835-000 SALES-FIXED ASSETS	\$24,000.00	\$24,000.00	\$0.00	\$4,023.00	\$0.00	\$19,977.00	17
10-3837-000 ABC REVENUES	\$12,000.00	\$12,000.00	\$0.00	\$3,606.71	\$0.00	\$8,393.29	30
10-3838-000 INSURANCE REIMBURSEM	\$0.00	\$23,760.00	\$0.00	\$23,760.46	\$0.00	\$0.46	100
10-3839-000 MISCELLANEOUS REVENU	\$24,500.00	\$124,500.00	\$0.00	\$106,014.80	\$0.00	\$18,485.20	85
10-3839-001 CIVIL CITATIONS - PO	\$100.00	\$100.00	\$0.00	\$0.00	\$0.00	\$100.00	0
10-3839-002 CIVIL CITATIONS - LA	\$100.00	\$100.00	\$0.00	\$0.00	\$0.00	\$100.00	0
10-3840-000 LIBRARY PARK RES.FEE	\$50.00	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00	0
10-3840-001 STANBACK FOREST RES.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
10-3841-000 STATE SHARED REVENUE	\$14,116.00	\$14,116.00	\$0.00	\$0.00	\$0.00	\$14,116.00	0
10-3920-000 Lease Proceeds-Suntr	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3984-000 PROCEEDS FROM LOAN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3984-050 TRF.FROM SEWER FUND	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3984-060 RES EQTY TRF-SOL WAS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3984-070 TRF FROM CAPITAL RES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-000 FEDERAL GRANT - COPS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-001 OTHER FIN.SOR-CAP LE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-002 OTHER GRANTS	\$20,000.00	\$30,000.00	\$0.00	\$10,250.00	\$0.00	\$19,750.00	34
10-3985-003 GRANTS-STANBACK FORE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-050 RES.EQUITY TRF.-SEWE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-060 TRANSF FROM POWELL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3985-070 RESTRICTED REVENUE F	\$0.00	\$0.00	\$0.00	\$0.79	\$0.00	\$0.79	0
10-3986-001 SCHOOL RESOURCE OFFI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-3991-000 APPROPRIATED FUND BA	\$287,349.00	\$287,349.00	\$0.00	\$0.00	\$0.00	\$287,349.00	0
10-3991-001 APPROPRIATED CAPITAL	\$185,245.00	\$185,245.00	\$0.00	\$0.00	\$0.00	\$185,245.00	0
0000-10-Revs	\$3,720,649.00	\$3,854,409.00	\$0.00	\$1,604,086.72	\$0.00	\$2,250,324.78	42

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4110-10-GOVERNING BODY							
-							
10-4110-121 SALARIES/WAGES-REGUL	\$23,501.00	\$23,501.00	\$0.00	\$9,791.70	\$0.00	\$13,709.30	42
10-4110-181 FICA	\$1,798.00	\$1,798.00	\$0.00	\$749.15	\$0.00	\$1,048.85	42
10-4110-185 WORKERS COMPENSATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-186 UNEMPLOYMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-191 SERVICES-ACCOUNTING	\$10,100.00	\$10,100.00	\$0.00	\$3,563.00	\$0.00	\$6,537.00	35
10-4110-192 SERVICES-LEGAL	\$27,500.00	\$27,500.00	\$9,250.00	\$14,634.44	\$0.00	\$3,615.56	53
10-4110-194 CONTRACT SERVICES	\$9,000.00	\$9,000.00	\$0.00	\$0.00	\$0.00	\$9,000.00	0
10-4110-212 UNIFORMS	\$280.00	\$280.00	\$0.00	\$0.00	\$0.00	\$280.00	0
10-4110-291 SUPPLIES DATA PROCES	\$2,000.00	\$2,000.00	\$2,247.00	\$0.00	\$0.00	(\$247.00)	0
10-4110-299 SUPPLIES AND MATERIA	\$500.00	\$500.00	\$0.00	\$83.46	\$0.00	\$416.54	17
10-4110-311 TRAVEL	\$4,500.00	\$4,500.00	\$0.00	\$0.00	\$0.00	\$4,500.00	0
10-4110-321 TELEPHONE & INTERNET	\$300.00	\$300.00	\$0.00	\$40.50	\$0.00	\$259.50	14
10-4110-329 OTHER COMMUNICATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-370 ADVERTISING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-395 TRAINING	\$2,700.00	\$2,700.00	\$0.00	\$132.32	\$0.00	\$2,567.68	5
10-4110-399 OTHER SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-451 INSURANCE-PROP/GEN/P	\$1,815.00	\$1,815.00	\$0.00	\$1,815.00	\$0.00	\$0.00	100
10-4110-491 DUES AND SUBSCRIPTIO	\$11,530.00	\$11,530.00	\$0.00	\$10,579.71	\$0.00	\$950.29	92
10-4110-498 Spencer Business Ass	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-499 MISCELLANEOUS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-550 CO-EQUIPMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-570 CO-LAND	\$5,000.00	\$5,000.00	\$0.00	\$5,000.00	\$0.00	\$0.00	100
10-4110-580 CO-INFRASTRUCTURE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-600 NONPROFIT GRANTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-610 COMMUNITY APPEARANCE	\$10,000.00	\$10,000.00	\$0.00	\$500.00	\$0.00	\$9,500.00	5
10-4110-620 HISTORIC PRESERVATIO	\$10,300.00	\$10,300.00	\$0.00	\$0.00	\$0.00	\$10,300.00	0
10-4110-625 DONATION-LIBRARY PAR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-630 ROWAN COUNTY ELECTIO	\$3,200.00	\$3,200.00	\$0.00	\$0.00	\$0.00	\$3,200.00	0
10-4110-631 ROWAN COUNTY TAX COL	\$13,000.00	\$13,000.00	\$0.00	\$9,286.01	\$0.00	\$3,713.99	71
10-4110-640 TOURISM AND EVENTS	\$15,000.00	\$15,000.00	\$0.00	\$9,361.64	\$0.00	\$5,638.36	62
10-4110-645 SPENCER PARTNERSHIP	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-650 FACADE GRANT -COMM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-651 FACADE GRANT-RESIDEN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-660 TRF.TO SOLID WASTE F	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-665 RES EQUITY TRF-FLEET	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-983 TRF.TO CAP.RES.(FIRE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4110-999 CONTINGENCIES	\$25,000.00	\$24,000.00	\$0.00	\$0.00	\$0.00	\$24,000.00	0
4110-10-GOVERNING BODY	\$177,024.00	\$176,024.00	\$11,497.00	\$65,536.93	\$0.00	\$98,990.07	44

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4130-10-ADMINISTRATION							
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10-4130-121 SALARIES/WAGES-REGUL	\$242,398.00	\$242,398.00	\$0.00	\$90,069.95	\$0.00	\$152,328.05	37
10-4130-122 SALARIES/WAGES-OVERT	\$13,476.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-126 SALARIES/WAGES/TEMPO	\$0.00	\$9,446.00	\$0.00	\$869.95	\$0.00	\$8,576.05	9
10-4130-127 SALARIES/WAGES-BONUS	\$2,700.00	\$2,700.00	\$0.00	\$0.00	\$0.00	\$2,700.00	0
10-4130-133 401K Town Match	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-181 FICA	\$19,785.00	\$19,785.00	\$0.00	\$6,778.44	\$0.00	\$13,006.56	34
10-4130-182 RETIREMENT	\$28,050.00	\$28,050.00	\$0.00	\$10,414.64	\$0.00	\$17,635.36	37
10-4130-183 GROUP INSURANCE	\$39,800.00	\$39,800.00	\$0.00	\$14,853.78	\$0.00	\$24,946.22	37
10-4130-184 401K CONTRIBUTION	\$12,300.00	\$12,300.00	\$0.00	\$4,136.66	\$0.00	\$8,163.34	34
10-4130-185 WORKERS COMPENSATION	\$900.00	\$900.00	\$0.00	\$815.99	\$0.00	\$84.01	91
10-4130-186 UNEMPLOYMENT	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	0
10-4130-191 SERVICES-ACCOUNTING	\$2,400.00	\$2,400.00	\$0.00	\$0.00	\$0.00	\$2,400.00	0
10-4130-193 MEDICAL SERVICES	\$2,800.00	\$2,800.00	\$0.00	\$557.00	\$0.00	\$2,243.00	20
10-4130-194 CONTRACT SERVICES	\$142,490.00	\$143,220.00	\$41,370.00	\$42,116.27	\$0.00	\$59,733.73	29
10-4130-198 SERVICES-ENGINEERING	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00	0
10-4130-211 JANITORIAL SUPPLIES	\$1,000.00	\$1,000.00	\$0.00	\$205.03	\$0.00	\$794.97	21
10-4130-212 UNIFORMS	\$320.00	\$320.00	\$0.00	\$0.00	\$0.00	\$320.00	0
10-4130-220 FOOD & PROVISIONS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-260 SUPPLIES-OFFICE	\$4,500.00	\$4,500.00	\$0.00	\$1,201.39	\$0.00	\$3,298.61	27
10-4130-270 COVID	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-291 SUPPLIES-DATA PROCES	\$5,250.00	\$5,250.00	\$0.00	\$0.00	\$0.00	\$5,250.00	0
10-4130-296 SUPPLIES-MEDICAL	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	0
10-4130-299 MISCELLANEOUS SUPPLI	\$2,300.00	\$3,800.00	\$389.69	\$1,682.86	\$0.00	\$1,727.45	44
10-4130-311 TRAVEL	\$3,250.00	\$3,250.00	\$0.00	\$37.24	\$0.00	\$3,212.76	1
10-4130-321 TELEPHONE AND INTERN	\$6,235.00	\$6,235.00	\$600.00	\$2,744.85	\$0.00	\$2,890.15	44
10-4130-325 POSTAGE	\$4,800.00	\$4,800.00	\$0.00	\$1,579.84	\$0.00	\$3,220.16	33
10-4130-329 OTHER COMMUNICATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-331 UTILITIES	\$19,200.00	\$19,200.00	\$0.00	\$7,508.89	\$0.00	\$11,691.11	39
10-4130-332 WATER/SEWER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-341 PRINTING	\$1,100.00	\$1,100.00	\$0.00	\$235.64	\$0.00	\$864.36	21
10-4130-351 MAINTENANCE-BUILDING	\$2,500.00	\$2,000.00	\$0.00	\$27.56	\$0.00	\$1,972.44	1
10-4130-352 MAINT & REPAIRS - EQ	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-370 ADVERTISING	\$2,000.00	\$2,000.00	\$0.00	\$1,215.91	\$0.00	\$784.09	61
10-4130-394 CLEANING SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-395 TRAINING	\$4,200.00	\$4,200.00	\$0.00	\$2,817.00	\$0.00	\$1,383.00	67
10-4130-396 MEDICAL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-397 TECHNOLOGY SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-398 PROFESSIONAL SERVICE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-399 OTHER SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-400 DAVID TREME EDUCATIO	\$3,000.00	\$3,000.00	\$0.00	\$0.00	\$0.00	\$3,000.00	0
10-4130-439 EQUIPMENT RENTAL	\$0.00	\$3,300.00	\$0.00	\$1,972.38	\$0.00	\$1,327.62	60
10-4130-440 MAINTENANCE CONTRACT	\$16,200.00	\$16,200.00	\$0.00	\$9,422.30	\$0.00	\$6,777.70	58
10-4130-441 LICENSE FEE	\$22,197.00	\$22,197.00	\$4,879.00	\$14,969.60	\$0.00	\$2,348.40	67
10-4130-451 INSURANCE-PROP/GEN/P	\$10,026.00	\$10,026.00	\$0.00	\$9,503.69	\$0.00	\$522.31	95
10-4130-453 INSURANCE - BONDS	\$550.00	\$550.00	\$0.00	\$550.00	\$0.00	\$0.00	100
10-4130-491 DUES AND SUBSCRIPTIO	\$1,525.00	\$1,525.00	\$0.00	\$240.00	\$0.00	\$1,285.00	16
10-4130-492 WATER/SEWER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-499 MISCELLANEOUS	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00	0
10-4130-521 CAPITAL SOFTWARE	\$12,695.00	\$12,695.00	\$3,312.50	\$9,382.50	\$0.00	\$0.00	74
10-4130-540 BOND PRINCIPAL/INTER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-550 CAP. OUTLAY-OTHER EQ	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-580 CAP.OUT-BLDG.STRUCT.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0

Town of Spencer

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Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
10-4130-590 PARK PLAZA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-610 ECONOMIC DEV.COMM.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-620 ECON.DEV.ACTIVITIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-710 PRINICPAL	\$51,920.00	\$51,920.00	\$0.00	\$0.00	\$0.00	\$51,920.00	0
10-4130-720 INTEREST	\$108,565.00	\$108,565.00	\$0.00	\$0.00	\$0.00	\$108,565.00	0
10-4130-740 PARK PLAZZA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-750 LEASE PAYMENTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-800 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-850 TRANSFER TO PARK PLA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-851 TRANSFER TO CORONAVI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4130-999 CREDIT CARD CHARGES	\$0.00	\$0.00	\$0.00	(\$1,000.00)	\$0.00	\$1,000.00	0
4130-10-ADMINISTRATION	\$803,932.00	\$804,932.00	\$50,551.19	\$234,909.36	\$0.00	\$519,471.45	35

Town of Spencer

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Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4310-10-POLICE OPERATIONS							
10-4310-121 SALARIES/WAGES-REGUL	\$682,118.00	\$677,118.00	\$0.00	\$244,426.32	\$0.00	\$432,691.68	36
10-4310-122 SALARIES/WAGES-OVERT	\$0.00	\$5,000.00	\$0.00	\$1,677.49	\$0.00	\$3,322.51	34
10-4310-126 PART-TIME/TEMPORARY	\$2,000.00	\$1,760.00	\$0.00	\$192.00	\$0.00	\$1,568.00	11
10-4310-127 SALARIES/WAGES-BONUS	\$9,600.00	\$9,600.00	\$0.00	\$0.00	\$0.00	\$9,600.00	0
10-4310-131 SUPPLEMENTAL LAW RET	\$7,108.00	\$7,108.00	\$0.00	\$2,651.76	\$0.00	\$4,456.24	37
10-4310-133 LAW ENF.OFFICERS-401	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-181 FICA	\$53,650.00	\$53,650.00	\$0.00	\$18,621.90	\$0.00	\$35,028.10	35
10-4310-182 RETIREMENT	\$83,300.00	\$83,300.00	\$0.00	\$29,452.35	\$0.00	\$53,847.65	35
10-4310-183 GROUP INSURANCE	\$133,650.00	\$133,650.00	\$0.00	\$49,781.24	\$0.00	\$83,868.76	37
10-4310-184 401K CONTRIBUTION	\$34,600.00	\$34,600.00	\$0.00	\$11,900.69	\$0.00	\$22,699.31	34
10-4310-185 WORKERS COMPENSATION	\$23,000.00	\$23,000.00	\$0.00	\$16,813.25	\$0.00	\$6,186.75	73
10-4310-193 SERVICES-MEDICAL	\$3,500.00	\$3,500.00	\$0.00	\$85.00	\$0.00	\$3,415.00	2
10-4310-194 CONTRACT SERVICES	\$10,000.00	\$10,240.00	\$0.00	\$1,227.90	\$0.00	\$9,012.10	12
10-4310-212 UNIFORMS	\$10,700.00	\$10,700.00	\$0.00	\$3,029.57	\$0.00	\$7,670.43	28
10-4310-213 SUPPLIES-SAFETY	\$1,900.00	\$1,900.00	\$0.00	\$0.00	\$0.00	\$1,900.00	0
10-4310-231 DARE PROGRAM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-241 K-9 PROGRAM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-251 MOTOR FUEL AND LUBRI	\$24,000.00	\$24,000.00	\$0.00	\$11,050.81	\$0.00	\$12,949.19	46
10-4310-259 OTHER VEHICLE SUPPLI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-260 SUPPLIES-OFFICE	\$2,500.00	\$2,500.00	\$0.00	\$117.69	\$0.00	\$2,382.31	5
10-4310-292 SAFETY SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-299 SUPPLIES AND MATERIA	\$9,600.00	\$9,600.00	\$0.00	\$4,128.51	\$0.00	\$5,471.49	43
10-4310-311 TRAVEL	\$1,500.00	\$1,500.00	\$0.00	\$367.80	\$0.00	\$1,132.20	25
10-4310-321 TELEPHONE AND INTERN	\$14,500.00	\$14,500.00	\$0.00	\$3,500.42	\$0.00	\$10,999.58	24
10-4310-329 OTHER COMMUNICATION	\$4,000.00	\$4,000.00	\$0.00	\$3,374.58	\$0.00	\$625.42	84
10-4310-352 MAINTENANCE-EQUIPMEN	\$4,500.00	\$4,500.00	\$0.00	\$208.96	\$0.00	\$4,291.04	5
10-4310-353 MAINTENANCE-VEHICLES	\$11,000.00	\$11,000.00	\$0.00	\$1,344.44	\$0.00	\$9,655.56	12
10-4310-370 ADVERTISING	\$200.00	\$200.00	\$0.00	\$0.00	\$0.00	\$200.00	0
10-4310-395 TRAINING	\$8,025.00	\$8,025.00	\$0.00	(\$295.00)	\$0.00	\$8,320.00	-4
10-4310-396 MEDICAL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-440 MAINTENANCE CONTRACT	\$24,948.00	\$24,948.00	\$1.68	\$12,824.32	\$0.00	\$12,122.00	51
10-4310-441 LICENSE FEE	\$3,204.00	\$3,204.00	\$0.00	\$3,204.00	\$0.00	\$0.00	100
10-4310-451 INSURANCE-PROP/GEN/P	\$10,416.00	\$10,416.00	\$0.00	\$10,415.70	\$0.00	\$0.30	100
10-4310-452 INSURANCE-VEHICLES	\$13,208.00	\$13,208.00	\$0.00	\$12,686.32	\$0.00	\$521.68	96
10-4310-491 DUES AND SUBSCRIPTIO	\$380.00	\$380.00	\$0.00	\$0.00	\$0.00	\$380.00	0
10-4310-499 MISCELLANEOUS	\$1,000.00	\$1,000.00	\$0.00	\$56.44	\$0.00	\$943.56	6
10-4310-540 CO-VEHICLES	\$49,100.00	\$49,100.00	\$33,977.00	\$5,020.00	\$0.00	\$10,103.00	10
10-4310-550 CAP.OUTLAY-OTHER EQU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-560 CAPITAL OUTLAY-BLDG.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-750 LEASE PYMTS-COMPUTER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-760 LEASE PYMTS-VEHICLES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-765 LEASE PYMTS-RADIOS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-770 STATE DRUG SEIZURE E	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-771 FED DRUG SEIZURE EXP	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4310-800 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
4310-10-POLICE OPERATIONS	\$1,237,207.00	\$1,237,207.00	\$33,978.68	\$447,864.46	\$0.00	\$755,363.86	39

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4340-10-FIRE OPERATIONS							
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10-4340-121 SALARIES/WAGES-REGUL	\$51,479.00	\$51,479.00	\$0.00	\$19,165.59	\$0.00	\$32,313.41	37
10-4340-122 OVERTIME	\$0.00	\$3,000.00	\$0.00	\$2,027.76	\$0.00	\$972.24	68
10-4340-125 SALARIES/WAGES-VOL F	\$18,370.00	\$18,370.00	\$0.00	\$4,220.47	\$0.00	\$14,149.53	23
10-4340-126 PART-TIME/TEMPORARY	\$174,105.00	\$171,105.00	\$0.00	\$45,246.64	\$0.00	\$125,858.36	26
10-4340-127 SALARIES/WAGES-BONUS	\$4,800.00	\$4,800.00	\$0.00	\$0.00	\$0.00	\$4,800.00	0
10-4340-180 FIREFIGHTER LIFE INS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-181 FICA	\$19,034.00	\$19,034.00	\$0.00	\$5,391.24	\$0.00	\$13,642.76	28
10-4340-182 RETIREMENT	\$6,046.00	\$6,046.00	\$0.00	\$2,192.56	\$0.00	\$3,853.44	36
10-4340-183 GROUP INSURANCE	\$8,010.00	\$8,010.00	\$0.00	\$3,138.56	\$0.00	\$4,871.44	39
10-4340-184 401K CONTRIBUTION	\$2,645.00	\$2,645.00	\$0.00	\$958.27	\$0.00	\$1,686.73	36
10-4340-185 WORKERS COMPENSATION	\$15,000.00	\$15,000.00	\$0.00	\$13,341.89	\$0.00	\$1,658.11	89
10-4340-194 CONTRACT SERVICES	\$5,600.00	\$5,600.00	\$0.00	\$856.00	\$0.00	\$4,744.00	15
10-4340-211 JANITORIAL SUPPLIES	\$1,800.00	\$1,800.00	\$0.00	\$267.93	\$0.00	\$1,532.07	15
10-4340-212 UNIFORMS	\$5,850.00	\$5,850.00	\$0.00	\$1,853.43	\$0.00	\$3,996.57	32
10-4340-213 SUPPLIES-SAFETY	\$19,605.00	\$19,605.00	\$11,675.00	\$701.21	\$0.00	\$7,228.79	4
10-4340-214 FEMA-PERS.PROTECTIVE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-215 PERSONAL PROTECTION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-220 FOOD & PROVISIONS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-230 SUPPLIES-EDUCATIONAL	\$1,150.00	\$1,150.00	\$0.00	\$0.00	\$0.00	\$1,150.00	0
10-4340-251 MOTOR FUEL AND LUBRI	\$4,500.00	\$4,500.00	\$0.00	\$2,523.89	\$0.00	\$1,976.11	56
10-4340-259 OTHER VEHICLE SUPPLI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-260 SUPPLIES-OFFICE	\$1,000.00	\$1,000.00	\$0.00	\$359.92	\$0.00	\$640.08	36
10-4340-265 POSTAGE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-270 DUES & SUBSCRIPTIONS	\$0.00	\$0.00	\$0.00	\$1,795.00	\$0.00	(\$1,795.00)	0
10-4340-291 SUPPLIES-DATA PROCES	\$1,000.00	\$1,000.00	\$0.00	\$619.99	\$0.00	\$380.01	62
10-4340-292 SAFETY SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-296 SUPPLIES-MEDICAL	\$2,340.00	\$2,340.00	\$1,000.00	\$666.37	\$0.00	\$673.63	28
10-4340-299 SUPPLIES AND MATERIA	\$3,800.00	\$12,400.00	\$7,603.87	\$1,012.64	\$0.00	\$3,783.49	8
10-4340-311 TRAVEL	\$300.00	\$300.00	\$0.00	\$0.00	\$0.00	\$300.00	0
10-4340-321 TELEPHONE AND INTE	\$7,500.00	\$7,500.00	\$0.00	\$2,594.25	\$0.00	\$4,905.75	35
10-4340-329 OTHER COMMUNICATION	\$3,280.00	\$1,730.00	\$0.00	\$149.90	\$0.00	\$1,580.10	9
10-4340-331 UTILITIES	\$7,160.00	\$7,160.00	\$0.00	\$2,990.86	\$0.00	\$4,169.14	42
10-4340-333 NATURAL GAS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-351 MAINTENANCE-BUILDING	\$3,000.00	\$26,760.00	\$3,359.65	\$22,666.76	\$0.00	\$733.59	85
10-4340-352 MAINTENANCE-EQUIPMEN	\$5,000.00	\$5,000.00	\$40.62	\$2,908.79	\$0.00	\$2,050.59	58
10-4340-353 MAINTENANCE-VEHICLES	\$15,500.00	\$15,500.00	\$72.74	\$1,275.60	\$0.00	\$14,151.66	8
10-4340-354 MAINTENANCE-GROUNDS	\$500.00	\$500.00	\$0.00	\$153.97	\$0.00	\$346.03	31
10-4340-370 ADVERTISING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-375 PUBLIC ED.PREV.MATER	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-395 TRAINING	\$4,250.00	\$4,250.00	\$277.29	\$487.76	\$0.00	\$3,484.95	11
10-4340-396 MEDICAL SERVICES	\$500.00	\$500.00	\$0.00	\$360.00	\$0.00	\$140.00	72

Town of Spencer

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Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
10-4340-750 LEASE PAYMENTS	\$18,251.00	\$18,251.00	\$0.00	\$18,250.71	\$0.00	\$0.29	100
10-4340-752 LEASE PMTS-UTILITY T	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-753 LEASE PAYMENTS-RADIO	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-755 LEASE PAYMENTS-FIRE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-765 LEASE PYMT-RADIOS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-775 LEASE PYMTS - EQUIPM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-785 LEASE PAYMT-UTILITY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-800 FIRE STATION LEASE P	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4340-810 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
4340-10-FIRE OPERATIONS	\$528,759.00	\$552,519.00	\$24,999.17	\$174,250.17	\$0.00	\$353,269.66	36

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4510-10-STREETS OPERATIONS							
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10-4510-121 SALARIES/WAGES-REGUL	\$154,108.00	\$154,108.00	\$0.00	\$38,851.59	\$0.00	\$115,256.41	25
10-4510-122 SALARIES/WAGES-OVERT	\$1,500.00	\$1,500.00	\$0.00	\$559.98	\$0.00	\$940.02	37
10-4510-126 PART-TIME/TEMPORARY	\$13,482.00	\$13,482.00	\$0.00	\$4,879.73	\$0.00	\$8,602.27	36
10-4510-127 SALARIES/WAGES-BONUS	\$3,260.00	\$3,260.00	\$0.00	\$0.00	\$0.00	\$3,260.00	0
10-4510-133 401-K MATCH	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-181 FICA	\$13,200.00	\$13,200.00	\$0.00	\$3,071.50	\$0.00	\$10,128.50	23
10-4510-182 RETIREMENT	\$18,180.00	\$18,180.00	\$0.00	\$4,483.42	\$0.00	\$13,696.58	25
10-4510-183 GROUP INSURANCE	\$58,800.00	\$58,800.00	\$0.00	\$21,476.07	\$0.00	\$37,323.93	37
10-4510-184 401K CONTRIBUTION	\$7,950.00	\$7,950.00	\$0.00	\$1,571.69	\$0.00	\$6,378.31	20
10-4510-185 WORKERS COMPENSATION	\$9,500.00	\$9,500.00	\$0.00	\$9,401.10	\$0.00	\$98.90	99
10-4510-211 JANITORIAL SUPPLIES	\$750.00	\$750.00	\$0.00	\$0.00	\$0.00	\$750.00	0
10-4510-212 UNIFORMS	\$4,500.00	\$4,500.00	\$0.00	\$959.97	\$0.00	\$3,540.03	21
10-4510-213 SUPPLIES-SAFETY	\$1,750.00	\$1,750.00	\$0.00	\$624.85	\$0.00	\$1,125.15	36
10-4510-230 SUPPLIES-EDUCATIONAL	\$1,000.00	\$1,000.00	\$0.00	\$89.01	\$0.00	\$910.99	9
10-4510-240 CONSTRUCT./REPAIR SU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-251 MOTOR FUEL AND LUBRI	\$15,000.00	\$15,000.00	\$0.00	\$4,276.03	\$0.00	\$10,723.97	29
10-4510-252 TIRES & TUBES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-253 PARTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-259 OTHER VEHICLE SUPPLI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-260 SUPPLIES-OFFICE	\$250.00	\$250.00	\$0.00	\$66.19	\$0.00	\$183.81	26
10-4510-291 SUPPLIES-DATA PROCES	\$200.00	\$200.00	\$0.00	\$0.00	\$0.00	\$200.00	0
10-4510-293 SAFETY SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-299 SUPPLIES AND MATERIA	\$5,750.00	\$5,750.00	\$0.00	\$1,914.10	\$0.00	\$3,835.90	33
10-4510-311 TRAVEL	\$100.00	\$100.00	\$0.00	\$0.00	\$0.00	\$100.00	0
10-4510-321 TELEPHONE AND INTERN	\$4,000.00	\$4,000.00	\$0.00	\$903.83	\$0.00	\$3,096.17	23
10-4510-329 OTHER COMMUNICATION	\$100.00	\$100.00	\$0.00	\$0.00	\$0.00	\$100.00	0
10-4510-331 UTILITIES	\$41,500.00	\$41,500.00	\$0.00	\$14,482.87	\$0.00	\$27,017.13	35
10-4510-332 FUEL OIL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-333 NATURAL GAS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-339 OTHER UTILITIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-351 MAINTENANCE-BUILDING	\$4,000.00	\$4,000.00	\$0.00	\$165.18	\$0.00	\$3,834.82	4
10-4510-352 MAINTENANCE-EQUIPMEN	\$4,500.00	\$4,500.00	\$0.00	\$324.80	\$0.00	\$4,175.20	7
10-4510-353 MAINTENANCE-VEHICLES	\$10,000.00	\$10,000.00	\$0.00	\$1,047.14	\$0.00	\$8,952.86	10
10-4510-354 MAINTENANCE GROUNDS	\$2,000.00	\$2,000.00	\$42.00	\$760.18	\$0.00	\$1,197.82	38
10-4510-356 MAINTENANCE-STREETS	\$2,000.00	\$2,000.00	\$1.90	\$888.10	\$0.00	\$1,110.00	44
10-4510-359 MAINT. & REPAIRS - O	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-370 ADVERTISING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-395 TRAINING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-396 MEDICAL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-397 PAVING SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-398 LANDSCAPING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-399 OTHER SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-439 EQUIPMENT RENTAL	\$250.00	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00	0
10-4510-440 MAINTENANCE CONTRACT	\$1,000.00	\$1,000.00	\$0.00	\$121.97	\$0.00	\$878.03	12
10-4510-451 INSURANCE-PRO/GEN/PR	\$2,000.00	\$2,000.00	\$0.00	\$1,550.89	\$0.00	\$449.11	78
10-4510-452 INSURANCE - VEHICLES	\$6,000.00	\$6,000.00	\$0.00	\$5,689.33	\$0.00	\$310.67	95
10-4510-480 INDIRECT COSTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-491 DUES & SUBSCRIPTIONS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-499 MISCELLANEOUS	\$1,600.00	\$1,600.00	\$0.00	\$0.00	\$0.00	\$1,600.00	0
10-4510-510 CAP.OUT.-OFFICE FURN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-540 CO-VEHICLES	\$30,000.00	\$30,000.00	\$0.00	\$0.00	\$0.00	\$30,000.00	0
10-4510-550 CAP.OUTLAY-OTHER EQU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0

Town of Spencer

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Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
10-4510-580 CO-INFRASTRUCTURE	\$37,000.00	\$37,000.00	\$0.00	\$0.00	\$0.00	\$37,000.00	0
10-4510-591 ROADWAY & PAVING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-593 LANDSCAPING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-750 LEASE PAYMENTS-COMPU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-770 LEASE PAYMENTS-BACKH	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-775 LEASE PAYMENTS-EQUIP	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4510-800 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
4510-10-STREETS OPERATIONS	\$455,230.00	\$455,230.00	\$43.90	\$118,159.52	\$0.00	\$337,026.58	26

Town of Spencer

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Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4710-10-SOLID/YARD OPERATIONS							
10-4710-121 SALARIES/WAGES-REGUL	\$199,635.00	\$199,635.00	\$0.00	\$66,549.20	\$0.00	\$133,085.80	33
10-4710-122 SALARIES/WAGES-OVERT	\$1,500.00	\$1,500.00	\$0.00	\$775.40	\$0.00	\$724.60	52
10-4710-127 SALARIES/WAGES-BONUS	\$3,255.00	\$3,255.00	\$0.00	\$0.00	\$0.00	\$3,255.00	0
10-4710-133 401-K MATCH	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-181 FICA	\$15,650.00	\$15,650.00	\$0.00	\$4,738.98	\$0.00	\$10,911.02	30
10-4710-182 RETIREMENT	\$23,400.00	\$23,400.00	\$0.00	\$7,732.65	\$0.00	\$15,667.35	33
10-4710-183 GROUP INSURANCE	\$59,500.00	\$59,500.00	\$0.00	\$18,008.12	\$0.00	\$41,491.88	30
10-4710-184 401K CONTRIBUTION	\$9,800.00	\$9,800.00	\$0.00	\$2,188.21	\$0.00	\$7,611.79	22
10-4710-185 WORKERS COMPENSATION	\$11,000.00	\$11,000.00	\$0.00	\$10,041.20	\$0.00	\$958.80	91
10-4710-193 SERVICES-MEDICAL	\$250.00	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00	0
10-4710-211 JANITORIAL SUPPLIES	\$500.00	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	0
10-4710-212 UNIFORMS	\$3,250.00	\$3,250.00	\$0.00	\$1,206.19	\$0.00	\$2,043.81	37
10-4710-213 SAFETY SUPPLIES	\$1,000.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00	0
10-4710-230 SUPPLIES-EDUCATIONAL	\$200.00	\$200.00	\$0.00	\$0.00	\$0.00	\$200.00	0
10-4710-240 CONSTRUCT./REPAIR SU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-251 MOTOR FUEL AND LUBRI	\$11,000.00	\$11,000.00	\$0.00	\$4,218.28	\$0.00	\$6,781.72	38
10-4710-252 TIRES & TUBES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-253 PARTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-260 OFFICE SUPPLIES/MATE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-270 CARTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-293 SAFETY SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-299 SUPPLIES AND MATERIA	\$400.00	\$400.00	\$0.00	\$0.00	\$0.00	\$400.00	0
10-4710-311 TR AVEL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-321 TELEPHONE AND INTERN	\$2,250.00	\$2,250.00	\$0.00	\$439.43	\$0.00	\$1,810.57	20
10-4710-329 OTHER COMMUNICATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-352 MAINTENANCE-EQUIPMEN	\$4,200.00	\$4,200.00	\$341.04	\$1,853.44	\$0.00	\$2,005.52	44
10-4710-353 MAINTENANCE-VEHILCES	\$8,100.00	\$8,100.00	\$7,114.94	\$247.37	\$0.00	\$737.69	3
10-4710-370 ADVERTISING	\$150.00	\$150.00	\$0.00	\$0.00	\$0.00	\$150.00	0
10-4710-395 TRAINING	\$250.00	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00	0
10-4710-396 MEDICAL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-397 LANDFILL SER TIPPING	\$50,000.00	\$50,000.00	\$0.00	\$19,491.06	\$0.00	\$30,508.94	39
10-4710-398 LANDFILL SER RECYCLI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-399 OTHER SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-438 TREE WORK	\$1,675.00	\$1,675.00	\$0.00	\$0.00	\$0.00	\$1,675.00	0
10-4710-440 MAINTENANCE CONTRACT	\$10,500.00	\$10,500.00	\$0.00	\$10,025.00	\$0.00	\$475.00	95
10-4710-451 INSURANCE-PROP/GEN/P	\$1,758.00	\$1,758.00	\$0.00	\$792.72	\$0.00	\$965.28	45
10-4710-452 INSURANCE-VEHICLES	\$3,300.00	\$3,300.00	\$0.00	\$1,364.96	\$0.00	\$1,935.04	41
10-4710-499 MISCELLANEOUS	\$325.00	\$325.00	\$0.00	\$0.00	\$0.00	\$325.00	0
10-4710-540 CAP OUT-MOTOR VEH	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-550 CAP.OUTLAY-OTHER EQU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-580 CAPITAL OUTLAY-BLDG,	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-750 LEASE PAYMENTS	\$14,885.00	\$14,885.00	\$0.00	\$6,202.05	\$0.00	\$8,682.95	42
10-4710-760 LEASE PAYMENTS-VEHIC	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-775 LEASE PAYMENTS-EQUIP	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4710-800 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
4710-10-SOLID/YARD OPERATIONS	\$437,733.00	\$437,733.00	\$7,455.98	\$155,874.26	\$0.00	\$274,402.76	37

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4910-10-LAND MANAGEMENT							
-							
10-4910-121 SALARIES & WAGES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-126 SALARIES-TEMP/PT TIM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-127 SALARIES & WAGES-LON	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-133 401-K MATCH	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-181 SOCIAL SECURITY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-182 RETIREMENT CONTRIBUT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-183 MEDICAL INSURANCE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-184 401K MATCH	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-185 WORKERS COMPENSATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-191 PROF.SERVICES-ENGINE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-240 YADKIN RIVER TRAIL H	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-251 Motor Fuel & Oil	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-260 OFFICE SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-291 DATA PROCESSING SUPP	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-299 MISCELLANEOUS SUPPLI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-311 TRAVEL	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-321 TELEPHONE & INTERNET	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-325 POSTAGE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-329 OTHER COMMUNICATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-341 PRINTING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-353 MAINT & REPAIR VEHIC	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-370 ADVERTISING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-395 TRAINING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-396 MEDICAL SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-397 DEMOLITION SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-398 PROFESSIONAL SERVICE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-399 OTHER SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-440 SERVICE & MAINT.CONT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-451 INSURANCE-PROPERTY &	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-452 INSURANCE-VEHICLES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-491 DUES & SUBSCRIPTIONS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-499 MISCELLANEOUS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-550 CAP.OUTLAY-OTHER EQU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-610 COMMUNITY APPEAR.COM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-620 HISTORIC PRESERV.COM	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-655 TOURISM EVENT COMMIT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-750 LEASE PAYMENTS-COMPU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-751 LEASE PAYMENTS-VEHIC	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-800 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-4910-850 TRANSFER TO YADKIN R	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
4910-10-LAND MANAGEMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
6110-10-LIBRARY							
-							
10-6110-121 SALARIES & WAGES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-126 PART-TIME/TEMPORARY	\$14,625.00	\$14,625.00	\$0.00	\$5,166.27	\$0.00	\$9,458.73	35
10-6110-127 SALARIES/WAGES-BONUS	\$600.00	\$600.00	\$0.00	\$0.00	\$0.00	\$600.00	0
10-6110-181 FICA	\$1,200.00	\$1,200.00	\$0.00	\$395.22	\$0.00	\$804.78	33
10-6110-194 CONTRACT SERVICES	\$1,700.00	\$1,680.00	\$0.00	\$0.00	\$0.00	\$1,680.00	0
10-6110-260 SUPPLIES-OFFICE	\$550.00	\$550.00	\$0.00	\$162.23	\$0.00	\$387.77	29
10-6110-291 SUPPLIES-DATA PROCES	\$1,650.00	\$1,650.00	\$0.00	\$8.50	\$0.00	\$1,641.50	1
10-6110-293 SAFETY SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-299 SUPPLIES	\$1,600.00	\$1,600.00	\$0.00	\$287.91	\$0.00	\$1,312.09	18
10-6110-311 TRAVEL	\$0.00	\$20.00	\$0.00	\$15.68	\$0.00	\$4.32	78
10-6110-321 TELEPHONE AND INTERN	\$2,000.00	\$2,000.00	\$0.00	\$623.36	\$0.00	\$1,376.64	31
10-6110-331 UTILITIES	\$8,300.00	\$8,300.00	\$0.00	\$2,115.05	\$0.00	\$6,184.95	25
10-6110-333 NATURAL GAS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-351 MAINTENANCE-BUILDING	\$26,900.00	\$26,900.00	\$0.00	\$15.19	\$0.00	\$26,884.81	0
10-6110-370 ADVERTISING	\$500.00	\$500.00	\$0.00	\$11.00	\$0.00	\$489.00	2
10-6110-395 TRAINING	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-440 MAINTENANCE CONTRACT	\$1,300.00	\$1,300.00	\$0.00	\$251.25	\$0.00	\$1,048.75	19
10-6110-451 INSURANCE-PRO/GEN/PR	\$1,893.00	\$1,893.00	\$0.00	\$1,892.75	\$0.00	\$0.25	100
10-6110-491 DUES & SUBSCRIPTIONS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-495 BOOKS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-497 PROGRAMS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-499 MISCELLANEOUS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-550 CAPITAL OUTLAY-BLDG	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-580 CAPITAL OUTLAY-BLDG	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-800 LIBRARY REPAIR LEASE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6110-999 Transfer To Cap. Fun	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
6110-10-LIBRARY	\$62,818.00	\$62,818.00	\$0.00	\$10,944.41	\$0.00	\$51,873.59	17

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
6120-10-RECREATION							
-							
10-6120-126 SALARIES-TEMP/PART-T	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-181 SOCIAL SECURITY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-299 SUPPLIES AND MATERIA	\$750.00	\$750.00	\$0.00	\$0.00	\$0.00	\$750.00	0
10-6120-331 UTILITIES	\$2,500.00	\$2,500.00	\$0.00	\$775.25	\$0.00	\$1,724.75	31
10-6120-355 MAINT & REPAIR-SPENC	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-356 MAINT & REPAIR-ROWAN	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-357 MAINTENANCE-PARKS AN	\$8,596.00	\$18,596.00	\$0.00	\$0.00	\$0.00	\$18,596.00	0
10-6120-358 MAINT & REPAIR-LIBRA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-359 MAINT. & REPAIR - OT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-399 OTHER SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-451 INSURANCE-PROP/GEN/P	\$100.00	\$100.00	\$0.00	\$100.00	\$0.00	\$0.00	100
10-6120-499 MISCELLANEOUS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-500 MAINT.LIBRARY PARK	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-501 MAINT SPENCER WOODS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-525 SENIOR CITIZEN PROGR	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-550 CAP.OUTLAY-OTHER EQU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-570 CAP OUT-LAND ACQ & D	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-580 CAPITAL OUTLAY-IMPRO	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-625 SENIOR CITIZENS COUN	\$6,000.00	\$6,000.00	\$0.00	\$0.00	\$0.00	\$6,000.00	0
10-6120-800 DEPRECIATION EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
10-6120-850 TRANSFER TO DOWNTOWN	\$0.00	\$100,000.00	\$0.00	\$100,000.00	\$0.00	\$0.00	100
6120-10-RECREATION	\$17,946.00	\$127,946.00	\$0.00	\$100,875.25	\$0.00	\$27,070.75	79

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 10-GENERAL FUND							
FundRevTot	\$3,720,649.00	\$3,854,409.00	\$0.00	\$1,604,086.72	\$0.00	\$2,250,324.78	42
FundExpTot	\$3,720,649.00	\$3,854,409.00	\$128,525.92	\$1,308,414.36	\$0.00	\$2,417,468.72	37
Reporting Fund: 20-POWELL BILL							
0000-20-Revs							
-							
20-3197-102 MUNICIPAL VEHICLE TA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-3328-000 POWELL BILL REVENUE	\$92,300.00	\$92,300.00	\$0.00	\$47,837.24	\$0.00	\$44,462.76	52
20-3831-000 INVESTMENT EARNINGS	\$70.00	\$70.00	\$0.00	\$9.81	\$0.00	\$60.19	14
20-3839-000 MISCELLANEOUS REVENUE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-3991-000 APPROPRIATED FUND BA	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
0000-20-Revs	\$92,370.00	\$92,370.00	\$0.00	\$47,847.05	\$0.00	\$44,522.95	52

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4510-20-STREET'S OPERATIONS							
-							
20-4510-000 TRANS TO/FROM GEN FU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-4510-121 SALARIES/WAGES-REGUL	\$9,680.00	\$9,680.00	\$0.00	\$4,188.57	\$0.00	\$5,491.43	43
20-4510-127 SALARIES/WAGES-BONUS	\$90.00	\$90.00	\$0.00	\$0.00	\$0.00	\$90.00	0
20-4510-181 FICA	\$740.00	\$740.00	\$0.00	\$320.38	\$0.00	\$419.62	43
20-4510-182 RETIREMENT	\$1,079.00	\$1,079.00	\$0.00	\$474.72	\$0.00	\$604.28	44
20-4510-183 GROUP INSURANCE	\$2,167.00	\$2,167.00	\$0.00	\$725.56	\$0.00	\$1,441.44	33
20-4510-184 401K CONTRIBUTION	\$489.00	\$489.00	\$0.00	\$209.41	\$0.00	\$279.59	43
20-4510-191 PROF.SERV.-ENGIN. FE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-4510-198 SERVICES-ENGINEERING	\$4,000.00	\$4,000.00	\$0.00	\$0.00	\$0.00	\$4,000.00	0
20-4510-294 STREET SUPPLIES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-4510-299 SUPPLIES AND MATERIA	\$2,000.00	\$2,000.00	\$0.00	\$0.00	\$0.00	\$2,000.00	0
20-4510-355 MAINTENANCE-SIDEWALK	\$12,000.00	\$12,000.00	\$0.00	\$0.00	\$0.00	\$12,000.00	0
20-4510-356 MAINTENANCE-STREETS	\$16,000.00	\$16,000.00	\$0.00	\$8,250.00	\$0.00	\$7,750.00	52
20-4510-540 CAP OUTLAY - VEHICLE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
20-4510-580 CO-INFRASTRUCTURE	\$44,125.00	\$44,125.00	\$0.00	\$0.00	\$0.00	\$44,125.00	0
4510-20-STREET'S OPERATIONS	\$92,370.00	\$92,370.00	\$0.00	\$14,168.64	\$0.00	\$78,201.36	15

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 20-POWELL BILL							
FundRevTot	\$92,370.00	\$92,370.00	\$0.00	\$47,847.05	\$0.00	\$44,522.95	52
FundExpTot	\$92,370.00	\$92,370.00	\$0.00	\$14,168.64	\$0.00	\$78,201.36	15
Reporting Fund: 70-HEALTH INSURANCE REIMBURSEMENT							
0000-70-Revs							
-							
70-3839-000 Miscellaneous Revenu	\$0.00	\$0.00	\$0.00	\$20,000.00	\$0.00	\$20,000.00	0
0000-70-Revs	\$0.00	\$0.00	\$0.00	\$20,000.00	\$0.00	\$20,000.00	0

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4130-70-ADMINISTRATION							
-							
70-4130-187 INSURANCE REIMBURSEM	\$0.00	\$0.00	\$0.00	\$19,694.61	\$0.00	(\$19,694.61)	0
4130-70-ADMINISTRATION	\$0.00	\$0.00	\$0.00	\$19,694.61	\$0.00	(\$19,694.61)	0

Town of Spencer

Fiscal Period - FY 2021-2022 Date Range - 2021-07-01 - 2021-12-01

Account		Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 70-HEALTH INSURANCE REIMBURSEMENT								
	FundRevTot	\$0.00	\$0.00	\$0.00	\$20,000.00	\$0.00	\$20,000.00	0
	FundExpTot	\$0.00	\$0.00	\$0.00	\$19,694.61	\$0.00	(\$19,694.61)	0
Grand Totals:	TotalRev	\$3,813,019.00	\$3,946,779.00	\$0.00	\$1,671,933.77	\$0.00	\$2,314,847.73	42
	TotalExp	\$3,813,019.00	\$3,946,779.00	\$128,525.92	\$1,342,277.61	\$0.00	\$2,475,975.47	37

Town of Spencer

Fiscal Period - CORONAVIRUS ARPA GRANT PROJECT Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
<u>Reporting Fund: 91-CORONAVIRUS ARPA GRANT PROJECT</u>							
0000-91-Revs							
-							
91-3831-000 INVESTMENT EARNINGS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
91-3984-000 CSLRF FUNDS-GRANT	\$1,037,997.00	\$1,037,997.00	\$0.00	\$518,998.00	\$0.00	\$518,999.00	50
0000-91-Revs	\$1,037,997.00	\$1,037,997.00	\$0.00	\$518,998.00	\$0.00	\$518,999.00	50

Town of Spencer

Fiscal Period - CORONAVIRUS ARPA GRANT PROJECT Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
4210-CORONAVIRUS ARPA							
-							
91-4210-580 CO-INFRASTRUCTURE-CS	\$1,037,997.00	\$1,037,997.00	\$0.00	\$0.00	\$0.00	\$1,037,997.00	0
4210-91-CORONAVIRUS ARPA	\$1,037,997.00	\$1,037,997.00	\$0.00	\$0.00	\$0.00	\$1,037,997.00	0

Town of Spencer

Fiscal Period - CORONAVIRUS ARPA GRANT PROJECT Date Range - 2021-07-01 - 2021-12-01

Account		Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 91-CORONAVIRUS ARPA GRANT PROJECT								
	FundRevTot	\$1,037,997.00	\$1,037,997.00	\$0.00	\$518,998.00	\$0.00	\$518,999.00	50
	FundExpTot	\$1,037,997.00	\$1,037,997.00	\$0.00	\$0.00	\$0.00	\$1,037,997.00	0
Grand Totals:								
	TotalRev	\$1,037,997.00	\$1,037,997.00	\$0.00	\$518,998.00	\$0.00	\$518,999.00	50
	TotalExp	\$1,037,997.00	\$1,037,997.00	\$0.00	\$0.00	\$0.00	\$1,037,997.00	0

Town of Spencer

Fiscal Period - DOWNTOWN PARK PROJECT Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
<u>Reporting Fund: 92-DOWNTOWN PARK PROJECT</u>							
0000-92-Revs							
-							
92-3985-241 DOWNTOWN PARK DONATI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0
92-3985-850 GENERAL FUND TRANSFE	\$100,000.00	\$100,000.00	\$0.00	\$100,000.00	\$0.00	\$0.00	100
0000-92-Revs	\$100,000.00	\$100,000.00	\$0.00	\$100,000.00	\$0.00	\$0.00	100

Town of Spencer

Fiscal Period - DOWNTOWN PARK PROJECT Date Range - 2021-07-01 - 2021-12-01

Account	Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
6120-RECREATION							
-							
92-6120-580 CO-INFRASTRUCTURE	\$100,000.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00	0
6120-92-RECREATION	\$100,000.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00	0

Town of Spencer

Fiscal Period - DOWNTOWN PARK PROJECT Date Range - 2021-07-01 - 2021-12-01

Account		Original Budget	Amended Budget	Encumbered YTD	Activity YTD	Activity MTD	Current Balance	Used Pct
Reporting Fund: 92-DOWNTOWN PARK PROJECT								
	FundRevTot	\$100,000.00	\$100,000.00	\$0.00	\$100,000.00	\$0.00	\$0.00	100
	FundExpTot	\$100,000.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00	0
Grand Totals:								
	TotalRev	\$100,000.00	\$100,000.00	\$0.00	\$100,000.00	\$0.00	\$0.00	100
	TotalExp	\$100,000.00	\$100,000.00	\$0.00	\$0.00	\$0.00	\$100,000.00	0

November Library Report



Two main events were the highlight of our month in November. On November 16th two local children's authors, Dicy McCullough and Sherry Kepley, shared stories real and imaginary, concerning life and children. Both women had experienced tragedy which inspired them to write children's books. Dicy has written a series of children's books which were all entitled Tired of.... She got this idea from being an elementary school teacher who heard children saying... I am tired of being different or tired of baths or tired of school etc. She displayed and sold her books to parents and grandparents who bought them for gifts. Sherry Kepley, a newbie to the world of writing, presented her published children's book entitled Down by the Praise Pond. The audience was delighted by the stories of otters and ducks and frogs who learned valuable life lessons at the Praise Pond. Refreshments were served and the authors signed purchased books.

The second event featured a local artist and actress who shared an artist's worldview with a local private school. Salisbury Christian School had heard about the event which Essie Academy and North

Middle School had enjoyed in October. The principal asked if we could recreate this event and also, add the historical reenactment of Whistler's mother. Lady Sarah Paris brought her dog with her whom she had painted so that the children could see the dog in real life. She had painted two pictures of the dog, one real and one surreal. After discussing art and various types of art for twenty minutes, the children, parents and teachers shared a cookie, lemonade and some crackers. Meanwhile, Lady Sarah got into the character of Whistler's mother, and she shared the main facts of her life. Each participant had been given a bag with important copies of pictures of Whistler's mother, the boat which she traveled on eleven times across the ocean and the signature of Whistler, himself. Since Whistler's mother had been born in Wilmington and later resided in Rowan County, the link with our local history became apparent. George Washington Whistler, the father of the famous artist, had been a railroad engineer and eventually moved to Russia with his family to help the Czar establish a railway line there.

Afterwards, the children asked some very pertinent questions which showed that they were really listening to the program. Then the little ones played for awhile, and then everyone checked out more than twenty books.

We plan to tell Christmas stories for the Winterfest on December 4th at two pm and December 11th at three pm. Our theme in the library is The Grinch so we will pass out Grinch related bookmarks and toys to the children who come. Kim Sheeks will read Grinch books and Leslie Talbott will read Frozen themed books. We will also read Yes, Virginia There is a Santa Claus, The Nutcracker and many more. Come and join us there at Park Plaza.

DAY		Door Count	Adult Circulation	Children Circulation	Research Questions	New Cards Issued	Students Tutored	Volunteers/ Tutors	Corres. Due Date
MONTH NAME 2021 STATISTICS									
11/1/2021	Mon.	4	16	0	0	0	0	0	11/15/2021
11/2/2021	Tues.	7	7	0	0	0	0	0	11/16/2021
11/3/2021	Wed.	4	3	0	0	0	1	1	11/17/2021
11/4/2021	Thurs.	0	0	0	0	0	0	0	11/18/2021
11/5/2021	Fri.	0	0	0	0	0	0	0	11/19/2021
WEEK TOTAL:		15	26	0	0	0	1	1	-----
11/8/2021	Mon.	3	0	0	0	0	0	0	11/22/2021
11/9/2021	Tues.	5	1	2	0	0	0	0	11/23/2021
11/10/2021	Wed.	4	4	0	0	1	1	1	11/24/2021
11/11/2021	Thurs.	0	0	0	0	0	0	0	11/25/2021
11/12/2021	Fri.	0	0	0	0	0	0	0	11/26/2021
WEEK TOTAL:		12	5	2	0	1	1	1	-----
11/15/2021	Mon.	5	0	0	0	0	0	0	11/29/2021
11/16/2021	Tues.	10	3	3	0	2	0	0	11/30/2021
11/17/2021	Wed.	7	0	0	0	0	0	0	12/1/2021
11/18/2021	Thurs.	0	0	0	0	0	0	0	12/2/2021
11/19/2021	Fri.	0	0	0	0	0	0	0	12/3/2021
WEEK TOTAL:		22	3	3	0	2	0	0	-----
11/22/2021	Mon.	5	12	2	0	0	0	0	12/6/2021
11/23/2021	Tues.	30	5	20	5	3	0	2	12/7/2021
11/24/2021	Wed.	closed	0	0	0	0	0	0	12/8/2021
11/25/2021	Thurs.	0	0	0	0	0	0	0	12/9/2021
11/26/2021	Fri.	0	0	0	0	0	0	0	12/10/2021
WEEK TOTAL:		35	17	22	5	3	0	2	-----
11/29/2021	Mon.	0	0	0	0	0	0	0	12/13/2021
11/30/2021	Tues.	0	0	0	0	0	0	0	12/14/2021
12/1/2021	Wed.	0	0	0	0	0	0	0	12/15/2021
12/2/2021	Thurs.	0	0	0	0	0	0	0	12/16/2021
12/3/2021	Fri.	0	0	0	0	0	0	0	12/17/2021
WEEK TOTAL:		0	0	0	0	0	0	0	-----
MONTH TOTAL:		84	51	27	5	6	2	4	-----

October 26- November 22 our Facebook page reached 2,363 viewers (7% increase) and 730 post engagements (47% increase). We also had 25 page likes (79% increase)

DAY		Door Count	Adult Circulation	Children Circulation	Research Questions	New Cards Issued	Students Tutored	Volunteers/ Tutors	Corres. Due Date
MONTH NAME 2021 STATISTICS									
10/4/2021	Mon.	3	0	0	0	0	0	0	10/18/2021
10/5/2021	Tues.	4	4	0	0	0	0	0	10/19/2021
10/6/2021	Wed.	5	5	0	0	0	1	1	10/20/2021
10/7/2021	Thurs.	0	0	0	0	0	0	0	10/21/2021
10/8/2021	Fri.	0	0	0	0	0	0	0	10/22/2021
WEEK TOTAL:		12	9	0	0	0	1	1	-----
10/11/2021	Mon.	3	3	0	0	2	0	0	10/25/2021
10/12/2021	Tues.	3	1	0	0	0	0	0	10/26/2021
10/13/2021	Wed.	11	19	2	2	2	1	1	10/27/2021
10/14/2021	Thurs.	0	0	0	0	0	0	0	10/28/2021
10/15/2021	Fri.	0	0	0	0	0	0	0	10/29/2021
WEEK TOTAL:		17	23	2	2	4	1	1	-----
10/18/2021	Mon.	4	3	8	0	0	0	0	11/1/2021
10/19/2021	Tues.	42	12	0	0	2	0	2	11/2/2021
10/20/2021	Wed.	10	3	0	0	2	1	1	11/3/2021
10/21/2021	Thurs.	0	0	0	0	0	0	0	11/4/2021
10/22/2021	Fri.	0	0	0	0	0	0	0	11/5/2021
WEEK TOTAL:		56	18	8	0	4	1	3	-----
10/25/2021	Mon.	1	0	0	0	0	0	0	11/8/2021
10/26/2021	Tues.	2	0	0	0	0	0	0	11/9/2021
10/27/2021	Wed.	1	2	0	0	0	0	0	11/10/2021
10/28/2021	Thurs.	0	0	0	0	0	0	0	11/11/2021
10/29/2021	Fri.	0	0	0	0	0	0	0	11/12/2021
WEEK TOTAL:		4	2	0	0	0	0	0	-----
11/1/2021	Mon.	4	16	0	0	0	0	0	11/15/2021
11/2/2021	Tues.	7	7	0	0	0	0	0	11/16/2021
11/3/2021	Wed.	4	3	0	0	0	1	0	11/17/2021
11/4/2021	Thurs.	0	0	0	0	0	0	0	11/18/2021
11/5/2021	Fri.	0	0	0	0	0	0	0	11/19/2021
WEEK TOTAL:		15	26	0	0	0	1	0	-----
MONTH TOTAL:		104	78	10	2	8	4	5	-----

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: 12/14/2021

(Attach relevant documentation)

Issue under Consideration:	Town Manager Report
Current Status:	N/A
Points to Consider:	N/A
Financial Impact:	N/A
Options:	N/A
Recommendations:	For Information & Discussion
Department:	Town Manager

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

To: Mayor Williams and Members of the Board of Aldermen
From: Peter Franzese, Town Manager
Date: November 30, 2021
Re: November 2021 Town Manager Report

Gratitude for teamwork

In the last month, Town staff across the board have worked diligently to facilitate both the Tis the Season Spectacular on November 24 and the Winterfest events held on December 3, 4, 10, and 11. I have appreciated the teamwork and collaboration of Town staff, elected officials, and volunteers to work together to make these events successful!

Our Town Hall and Police Department is being unveiled to the public with a ribbon cutting ceremony and Open House on the first evening of Winterfest, and after hosting the December Board meetings in the new space, we will begin our office move on December 16.

A debt of gratitude goes to Sherry Mason Brown who volunteered her services to assist the Town with interior furnishings and finishes for the project, including the outstanding artwork created by local students with Fresh Artists. Sherry was also one of the key members of the Winterfest planning group, which also included Kim Lentz, Corinne Mauldin, Sherry Morgan, and countless others!

Update on ARPA and Centralina

Laying the groundwork for Spencer's approximately \$1 million of ARPA State and Local Fiscal Recovery Funding continues. After receiving a proposal from Centralina related to ARPA support services, we begin the process in the new year to survey the community for feedback and align identified needs with eligible uses. The first step would be a community survey to receive input/data on community-level COVID-19 impacts and priorities for recovery. After receiving this feedback, Centralina would assist us with two facilitated sessions to develop a local spending plan. They are also able to assist us with administration of the funding, including compliance and reporting, as recommended by the School of Government and others. More information about this process is attached.

Staffing update

Effective November 29, Christie Hutchinson is Acting Finance Officer and John Sofley is once again assisting the town with book-keeping and financial consulting services to ensure our processes continue seamlessly while we search for a new Finance Officer.

I am awaiting a proposal from PTRC for their assistance with searches for Police Chief, Finance Officer, as well as enhanced recruiting services such as an online portal.

I am pleased to report that Steve Blount will join as Planning and Zoning Administrator beginning in January 2022. Steve brings a wealth of experience to our team from the private and public sector, along with the requisite educational background. He also has experience with Comprehensive Plan Updates and could help us efficiently manage the budget for this process by having a lead role in many aspects of the process. He would work with the Town an average of 24 hours per week and handle our day-to-day Planning/Zoning/Permitting needs, as well as the staff liaison to the Planning and Zoning Board/Board of Adjustment.

Kyle Harris will remain focused on work related to the Historic Preservation and Community Appearance Commissions, as well as other planning support roles. Of course, the CDBG process will also be an area where Kyle works with us once that kicks off. Joe Morris rounds out the planning team, focused on special projects planning and advancing our recreation infrastructure in particular.

2022 Holiday Schedule

The Town's Holiday Schedule is established in the Personnel Policy, and we publish a calendar each year for the public's benefit as some holidays create additional service impacts. The 2022 Holiday Schedule is attached for your reference.



To: Peter Franzese, Town Manager, Spencer
From: Geraldine Gardner, Executive Director, Centralina Regional Council
Date: 11/29/2021
RE: ARPA SLFRF Planning

Centralina is pleased to collaborate with the Town to determine the best path forward for developing a spending plan to guide its SLFRF allocation. Our call on November 1st was helpful in understanding your needs and concerns.

Key Considerations

- The ARPA legislation and Treasury guidance for SLFRF is focused on:
 - Response: “turn the tide” on the pandemic, i.e. investments to bring it under control
 - Recovery: “address impacts of the pandemic,” i.e. local revenue loss, service impacts, economic stabilization
 - Resilience: “lay the foundation” for a strong and equitable future, i.e. address systemic challenges and infrastructure needs “that have contributed to the inequal impact of the pandemic”
- Spending plans should align with these intentions (where applicable) and tell a story about how the proposed investments will accomplish response, recovery and/or resilience.
- The use of data (quantitative and qualitative) and community engagement to ground decisions is highly encouraged by the federal government.
- There will be some flexibility or “gray” areas since Treasury is not intending to provide an exhaustive list of what you can do with the funds.
- We will work with you to consider the opportunities to layer other state and federal investments through ARPA and other competitive grants so as to avoid duplication.

We’ve put together this planning process concept outlined below for your consideration. We can adjust it according to your needs and feedback. It is designed to support the Town in developing a defensible and outcome-oriented process that identifies opportunities for investment that respond to your Town’s needs and COVID-19 impacts. The proposed Work Sessions can be staff-only or include members of the Board. As mentioned, some communities have created a Working Group that includes staff and elected officials to engage them during the process. We recommend an optional community feedback survey to identify needs by involving your community. If you opt to the community feedback survey, two work sessions will follow. This will get the process started and allow for adjustment and final decision making with the benefit of the final guidance.

SLFRF Spending Plan Development Process

(Optional) **Develop a Community Survey:**

Centralina can assist in developing a community survey to engage community stakeholders in identifying impacts from COVID-19 and priorities for recovery. The survey can also be useful as a preparatory step for your forthcoming Comprehensive Plan update. Centralina would work with the Town to design a series of questions that could meet both needs. Ideally the survey would be completed before Work Sessions 1 and 2. The purpose of the survey would be to: (1) receive input/data on community-level COVID-19 impacts, which helps respond to the Treasury's "strong encouragement" for participation; (2) test concepts in the Recovery and Resilience investment opportunities list – could ask importance, priority or ranking of themes or ideas being considered (not specific projects). The Town would be responsible for dissemination. Centralina will conduct an analysis of the survey and prepare a summary of results.

Work Session #1: For the purposes of the planning process, Centralina proposes to bifurcate the eligible use categories into two groups that align with the federal government's intent for the funds:

- **"Response & Recovery"** Eligible use categories: revenue replacement, premium pay and the public health response. These are generally more specific, short term and potentially easier to identify in the planning process.
- **"Recovery & Resilience"** Eligible use categories: negative economic impacts from the pandemic and infrastructure/broadband. These are generally more long-term, more complex and may require additional project or program development that is outside of the typical services, responsibilities of many local governments.

The first half of the session will focus the "Response" eligible use types and refine what may be appropriate for investment based on local pandemic impacts. Centralina will ask the Town to prepare materials in advance of the meeting that will help to define the impact of the pandemic and need for investment in these eligible use categories. The group will work collectively to define a menu of Response investments; for example, revenue replacement may not be necessary, but you may institute an employee vaccine incentive and identify upgrades to your virtual meeting AV system in Town Hall. The second half of the session will focus on the long-term, more flexible "Recovery and Resilience" type eligible uses. To initiate the discussion, we will discuss current and future challenges that the Town is facing and how ARPA investments can be used to "lay the foundation for a strong and equitable future." The goal of the second half of the conversation will be to generate a list of opportunities that resonate with Town goals but may require additional research and development.

Session Deliverables & Follow-Up/Homework for Town & Centralina

- *Ideas "menu" for Response eligible use types*
 - *Town Homework for Session 2: For each idea in the menu, define a concept budget*
- *Opportunity scan for Recovery and Resilience eligible use types – list of investment opportunities that may be eligible and are aligned with Town needs, COVID-19 impacts*
 - *Centralina Homework for Session 2: Review eligibility and identify good practice*

Work Session #2: In a second facilitated discussion we will work with the Town to refine the ideas from Session #1 and homework activities. The Town will present the concept budgets for ideas in the Response menu and complete a prioritization exercise; the resulting deliverable would be a prioritized list of Response investments with concept budgets. In the second half of the session,

Centralina will present on the eligibility and good practice review of the Recovery and Resilience investment opportunities, identifying any challenges or areas of concern. The goal of the second half of the session will be to generate an ideas “menu” that allocates the remaining SLFRF funds not committed to Response investments. The group would then work to organize the projects in a spending plan matrix and prioritize the Recovery and Resilience menu of ideas. Note, Centralina expects that the level of specificity may differ between the two lists. By nature, the Response investment list will be more specific and targeted, (i.e. \$X in revenue replacements). Recovery and Resilience ideas may require further project or program development after the work sessions. Based on Work Session #2 deliverables, the Town should have the ingredients to propose a spending plan to the Board.

Session Deliverables

- *Spending plan components for recommendation to the Board*
 - *Prioritized list of Response investments and budgets*
 - *Prioritized “menu” for Recovery and Resilience investments and related funding allocations*

(Optional) **Work Session #3:** Centralina would be available to support staff in facilitating a prioritization and spending plan decision making process with the Board.

Projected Cost:

- Work Sessions 1 & 2: \$750 for two Centralina facilitators for two, 90-min work sessions
- *(Optional)* Work Session 3: \$250
- *(Optional)* Community Survey: \$1,500

2021 CENTRALINA DELEGATES

1. **Anson County**, *Commissioner Jarvis Woodburn*
2. **Cabarrus County**, *Commissioner Lynn Shue*
3. **Gaston County**, *Commissioner Bob Hovis*
4. **Iredell County**, *Commissioner Gene Houpe*
5. **Lincoln County**, *Commissioner Cathy Davis*
6. **Mecklenburg County**, *Commissioner Elaine Powell*
7. **Stanly County**, *Commissioner Peter Asciutto*
8. **Union County**, *Commissioner David Williams*
9. **Albemarle**, *Council Member Martha Sue Hall*
10. **Ansonville**, *No appointment made to date*
11. **Badin**, *Mayor Pro Tem Deloris Chambers*
12. **Belmont**, *Mayor Charlie Martin*
13. **Bessemer City**, *Council Member Kay McCathen*
14. **Charlotte**, *Council Member Larken Egleston*
15. **Cherryville**, *Mayor H.L. Beam*
16. **Cleveland**, *No appointment made to date*
17. **Concord**, *Council Member Andy Langford*
18. **Cornelius**, *Commissioner Thurman Ross*
19. **Cramerton**, *Mayor Will Cauthen*
20. **Dallas**, *Mayor Rick Coleman*
21. **Davidson**, *Commissioner Autumn Michael*
22. **East Spencer**, *Alderman Deloris High*
23. **Faith**, *Alderman Matthew Lyerly*
24. **Gastonia**, *Council Member Jennifer Stepp*
25. **Granite Quarry**, *Mayor Bill Feather*
26. **Harrisburg**, *Council Member Troy Selberg*
27. **Huntersville**, *Commissioner Lance Munger*
28. **Indian Trail**, *Council Member Mike Head*
29. **Kannapolis**, *Mayor Darrell Hinnant*
30. **Kings Mountain**, *No appointment made to date*
31. **Landis**, *Alderwoman Katie Sells*
32. **Lincolnton**, *Council Member Christine Poinsette*
33. **Locust**, *Council Member Rusty Efird*
34. **Lowell**, *Mayor Sandy Railey*
35. **Marshville**, *Mayor Pro Tem Virginia Morgan*
36. **Marvin**, *Council Member Jamie Lein*
37. **Matthews**, *Commissioner Ken McCool*
38. **McAdenville**, *Mayor Pro Tem Jay McCosh*
39. **Midland**, *Mayor John Crump*
40. **Mineral Springs**, *Mayor Pro Tem Valerie Coffey*
41. **Mint Hill**, *Commissioner Tony Long*
42. **Misenheimer**, *Mayor Pro Tem Jeff Watson*
43. **Monroe**, *Council Member Angelia James*
44. **Mooreville**, *Commissioner Bobby Compton*
45. **Morven**, *Council Member Corinthia Lewis-Lemon*
46. **Mount Holly**, *Council Member Christina Pawlish*
47. **Norwood**, *No appointment made to date*
48. **Oakboro**, *No appointment made to date*
49. **Pineville**, *Council Member Amelia Stinson-Wesley*
50. **Ranlo**, *Commissioner Effie Locklear*
51. **Richfield**, *No appointment made to date*
52. **Salisbury**, *Mayor Karen Alexander*
53. **Spencer**, *Mayor Jonathan Williams*
54. **Stallings**, *Council Member David Scholl*
55. **Stanley**, *No appointment made to date*
56. **Statesville**, *Council Member William Morgan*
57. **Troutman**, *Council Member George Harris*
58. **Wadesboro**, *Mayor Bill Thacker*
59. **Waxhaw**, *Commissioner Pedro Morey*
60. **Wingate**, *Commissioner Bart Farmer*

As of February 1, 2021

Centralina Board of Delegates

Board of Delegates Key Facts & Responsibilities

- **Who?** Each member government appoints an elected official to serve on the Board of Delegates and another elected official to serve as an Alternate to attend meetings in the Delegate's absence.
- **Why?** The Board of Delegates is the governing and decision-making body for Centralina. The Board approves the organization's policies, budget, and goals.
- **When?** The Board of Delegates meets four times per year in February, May, August, and October.
- **Leadership:** The Board of Delegates elects officers from the Board's membership to serve as Chair, Vice Chair, Secretary, and Treasurer. The Board of Delegates also appoints members to serve on the Executive Board. These appointments are made at the February meeting.
- **Subcommittees:** The current subcommittees of the Board are the Finance Committee and the Strategic Plan Subcommittee.

Delegate Roles and Expectations

When selecting a Delegate and Alternate, member governments are encouraged to consider the following roles and expectations. Please also identify potential scheduling conflicts that may prevent elected officials from regularly attending Board of Delegates meetings.

- **Decision Maker:** Approve an annual budget, member dues assessment, Bylaws amendments, federal action agenda and state engagement plan;
- **Advisor:** Identify opportunities for the region to work together more effectively, efficiently, and affordably;
- **Connector:** Serve as the communication link to the member government on Centralina issues and services;
- **Champion:** Communicate the value of Centralina and regional cooperation; and
- **Representative:** Serve on Standing or Ad Hoc committees, or if appointed, on the Executive Board to provide additional guidance and direction for Centralina activities.

2022 Centralina Board of Delegates Meeting Schedule

What to Expect? Meetings are held to accomplish the organization's key business, including decision-making and discussing issues of regional importance. The Board of Delegates is often asked to provide input on critical business items, making it essential that each member government is represented at these meetings. Without a quorum, the Board cannot take official actions.

Meetings will be held at 5:00 p.m. on the following dates. Due to COVID-19, the February 9th meeting will be held via Zoom. The Board will resume in-person meetings beginning with the May 11th meeting with a virtual attendance option available for Delegates who need to attend remotely.

- Wednesday, February 9, 2022
- Wednesday, May 11, 2022
- Wednesday, August 10, 2022
- Wednesday, October 12, 2022



Expense Reimbursement

Centralina reimburses Delegates, or in their absence, an Alternate, for travel expenses for attending regular and special meetings of the Board of Delegates, the Executive Board, or their committees. The amount of the reimbursement is based on the roundtrip mileage from the Delegate's government center to the meeting location. The reimbursement is calculated using the standard mileage rate published by the Internal Revenue Service. Alternatively, Delegates can donate their mileage reimbursement to the Centralina Foundation, which is an affiliated 501(c)(3) non-profit organization which supports activities and initiatives of regional collaboration.

2022 BOARD MEETING SCHEDULE

Executive Board Meeting Dates

These meetings will be held at 5:00 p.m. via Zoom until June. The Executive Board will resume in-person meetings beginning with the June 8, 2022 meeting. A virtual attendance option will be available for Executive Board members who need to attend remotely.

Wednesday, January 12, 2022
Wednesday, March 9, 2022
Wednesday, April 13, 2022
Wednesday, June 8, 2022
Wednesday, September 14, 2022
Wednesday, November 9, 2022

Board of Delegates Meeting Dates

These meetings will be held at 5:00 p.m. via Zoom until May. The Board of Delegates will resume in-person meetings beginning with the May 11, 2022 meeting. A virtual attendance option will be available for Delegates and Alternates who need to attend remotely.

Date

Wednesday, February 9, 2022

Tentative Agenda Topics

Annual Meeting & Delegate
Orientation

Wednesday, May 11, 2022

Region of Excellence Awards

Wednesday, August 10, 2022

FY23 Workplan Presentation

Wednesday, October 12, 2022

Annual Report Presentation



704-372-2416 | info@centralina.org | www.centralina.org
9815 David Taylor Drive, Suite 100 | Charlotte, NC 28262

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

2022 Town of Spencer Holiday Schedule

Town offices will be closed for various holidays, as noted in the following schedule. Please note there may be other service impacts as indicated for each holiday. Please call Town Hall with questions at 704-633-2231.

Week of	Holiday	Date(s) Observed	Additional Service Impacts
Dec 27 2021	Christmas, New Year	Mon/Fri Dec 27, 31	• One day delay in Trash collection • Library open Tues-Thurs • No Bulky collection this week
Jan 17 2022	Martin Luther King Day	Mon Jan 17	• One day delay in Trash collection • Library open Tues-Thurs
April 11	Good Friday	Fri April 15	
May 30	Memorial Day	Mon May 30	• One day delay in Trash collection • Library open Tues-Thurs
July 4	Independence Day	Mon July 4	• One day delay in Trash collection • Library open Tues-Thurs
Sept 5	Labor Day	Mon Sept 5	• One day delay in Trash collection • Library open Tues-Thurs
Nov 7	Veterans Day	Fri Nov 11	
Nov 21	Thanksgiving	Thurs/Fri Nov 24, 25	• No Bulky collection this week • Town Hall closes at noon on Wed November 23 for Parade
Dec 19	Christmas Eve	Fri Dec 23	
Dec 26	Christmas	Mon Dec 26	• One day delay in Trash collection • Library open Tues-Thurs
Jan 2 2023	New Year's Day	Mon Jan 2	• One day delay in Trash collection • Library open Tues-Thurs



CODE ENFORCEMENT

Post Office Box 45 Spencer, NC 28159-0045

704.633.3574 Ofc.

704.633.3837 Fax

<http://www.ci.spencer.nc.us>

AGENDA ITEM

Council Meeting Date: 12/14/2021

(Attach relevant documentation)

Agenda Item No: TBD	Code Enforcement Monthly
Issue under Consideration:	Liens for Mowing Abatements
Current Status:	Pending Board confirmation
Points to Consider:	No response from property owner or heirs
Financial Impact:	\$1954.50
Options:	NA
Recommendations :	Confirm Liens
Department:	Police Department/Code Enforcement

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____



FINANCE DEPARTMENT

Post Office Box 45 Spencer, NC 28159-0045

704.633.2231 Ofc.

704.633.3837 Fax

<http://www.ci.spencer.nc.us>

AGENDA ITEM

Council Meeting Date: 12/14/2021

(Attach relevant documentation)

Agenda Item No: TBD	Project Budget Ordinance 21-023
Issue under Consideration:	To amend the FY 21-22 expense appropriations for Fire Department
Current Status:	N/A
Points to Consider:	N/A
Financial Impact:	To appropriate funds from Capital Outlay Land to Capital Outlay Vehicles for the purchase of Polaris Range UTV, trailer, and QTAC 85EMS-C Fire Rescue Skid for the Fire Department
Options:	(Approve/Amend/Deny/NA)
Recommendations:	Approve
Department:	Finance Department

ACTION TAKEN BY THE BOARD OF ALDERMEN

Motion Made By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Motion Seconded By:

- ☐ B. Bish
- ☐ S. Hovis
- ☐ S. Miller
- ☐ S. Morgan
- ☐ P. Secreast
- ☐ P. Sledge

Results of Voting

For: _____

Against: _____

Passes: _____

Fails: _____



AN ORDINANCE AMENDING
THE TOWN OF SPENCER, NORTH CAROLINA
GENERAL FUND FY 21-22 BUDGET
ORDINANCE 21-023
DECEMBER 14, 2021

BE IT ORDAINED, by the Governing Board of the Town of Spencer, North Carolina, that the following amendment of anticipated fund revenues and departmental expenditures, certain Fee and Charge Schedules, and with certain restrictions and authorizations, are hereby appropriated and approved for the operation of Town Government and its activities for the Fiscal Year beginning July 1, 2021 and ending on June 30, 2022:

Section 1. To amend the FY 21-22 expense appropriations as follows: Appropriate funds from Capital Outlay Land to Capital Outlay Vehicles for the purchase of a Polaris Range UTV, trailer, and QTAC 85EMS-C Fire Rescue Skid for the Fire Department.

Section 2. The following expenditure line items are amended as follows:

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
----------------	--------------	---------------------------	---------------------------	--------------------------------

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
10-4340-570	CO-Land	\$66,400	\$41,238	\$(25,162)
10-4340-540	CO-Vehicles	\$0	\$25,162	\$ 25,162

Section 3. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board, and to the Town Manager and the Finance Officer for record-keeping.

Adopted this 14th, day of December 2021.

Stacy Craven, Town Clerk

Jonathan Williams, Mayor



Polaris Sales Inc., Medina, MN 55340
gov.info@polaris.com
Phone: 866-468-7783 Fax: 763-847-8288
www.polaris.com/gov

QUOTE

Contact Information

Name: Michael Lanning
Email: firechief@ci.spencer.nc.us
Phone:
Fax:

Bill To: Spencer Fire Dept

Salisbury, NC 28144

Ship To:

Salisbury, NC 28144

Quote Number: QUO-32394-Z7Z0B2
Revision #: 0
Date: 11/12/2021 2:29 PM
Quote Expires: 12/12/2021

Contract Name: Polaris Direct
Contract #:
Expiration Date:

Cage: 3FP69
Duns#: 123399383
Tax ID#: 41-1921490
Customer#:

Freight	Delivery Terms	Payment Terms	Payment Methods
FOB Destination-CONUS US Continental (CONUS) Only	240 Days	Net 30	Visa Mastercard Wire Check

Item #	QTY	Description	MSRP	Discount Price	Extended
R22TAE99A7	1	RANGER 1000 EPS - Solar Red - 49 State	\$14,399.00	\$13,502.59	\$13,502.59
2882912	1	1000 / XP 1000 Poly Premium Roof (features roof liner)	\$559.99	\$468.30	\$468.30
2883278	1	1000's / Pro XD General Purpose Poly Windshield	\$419.99	\$351.23	\$351.23
2879969	1	K-MIRROR -RRVW -CAB -RGT	\$69.99	\$58.53	\$58.53
2889050	1	K-WINCH SWITCH -DASH -ZUS	\$69.99	\$58.53	\$58.53
2882763	1	K-LIGHTBAR -PA -40 -SINGLE	\$499.99	\$418.13	\$418.13
2882529	1	REAR BUMPER	\$249.99	\$209.06	\$209.06
2882714	1	K-WINCH -4500 HD -ZS	\$619.99	\$518.48	\$518.48



Polaris Sales Inc., Medina, MN 55340
gov.info@polaris.com
Phone: 866-468-7783 Fax: 763-847-8288
www.polaris.com/gov

QUOTE

Freight	Delivery Terms	Payment Terms	Payment Methods
FOB Destination-CONUS US Continental (CONUS) Only	240 Days	Net 30	Visa Mastercard Wire Check

Item #	QTY	Description	MSRP	Discount Price	Extended
2881360	1	K-WH/TR -SIXR/ATTACK -BLK	\$1,139.99	\$953.34	\$953.34
Comments:				SUBTOTAL	\$16,538.19
				INSTALL*	\$325.00
				FREIGHT	\$0.00
				TAX	\$0.00
				TOTAL	\$16,863.19

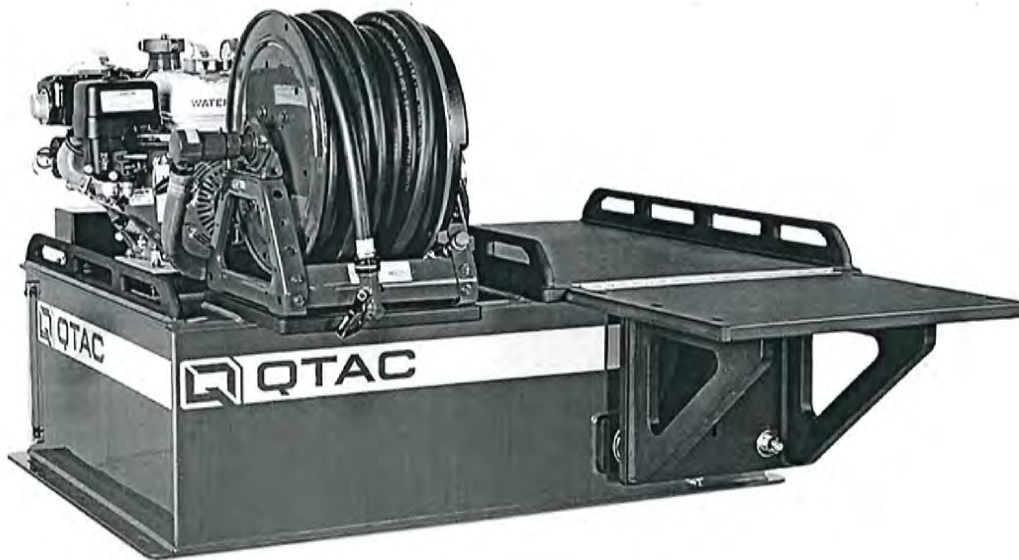
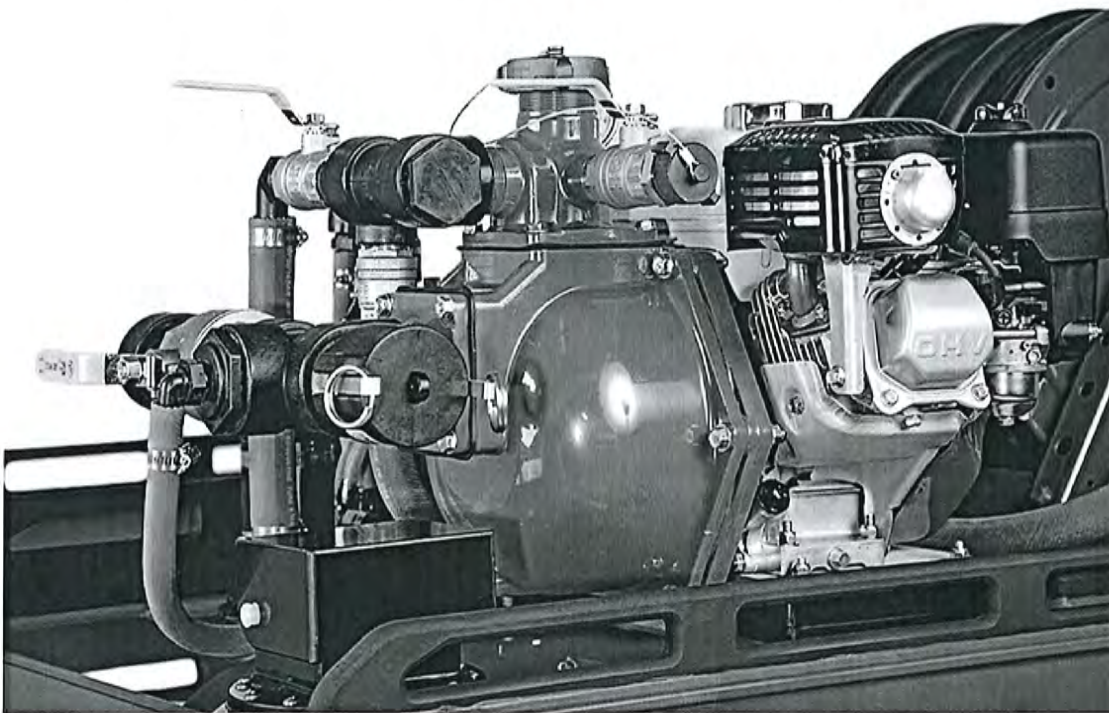
*Installation Pricing is Open Market

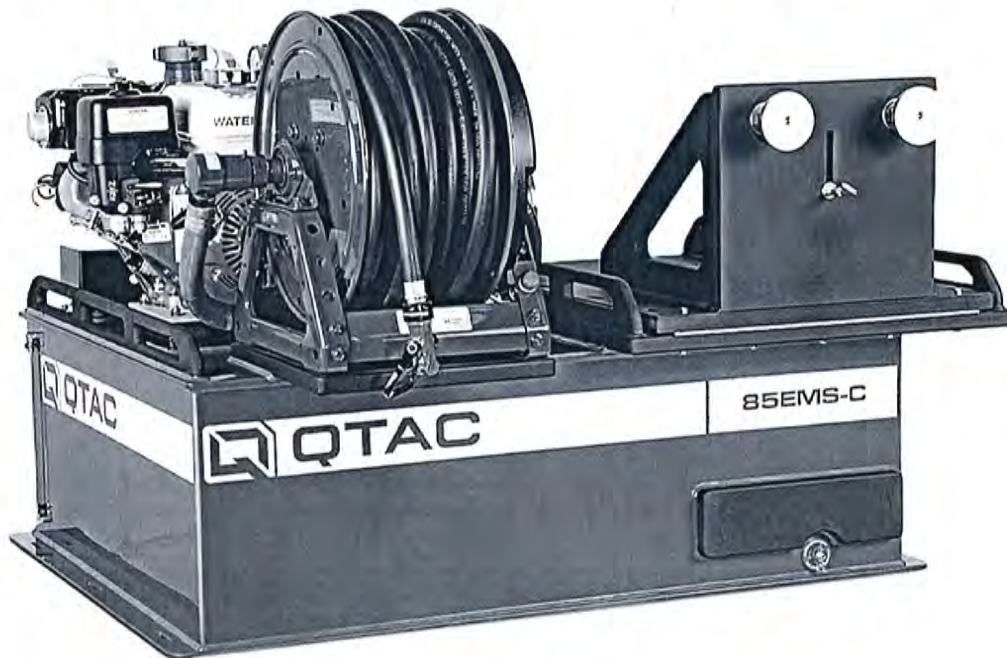
Acceptance and Payment Information

To accept the above quotation, please provide a purchase order via email (gov.info@polaris.com) and include the following:

- Bill to Address
- Billing Phone Number
- Ship to Address
- Point of Contact for Delivery
- Point of Contact E-Mail
- Point of Contact Phone
- Quote Number
- Alternate Point of Contact if applicable

If you would like to submit payment via credit card, please call (866) 468-7783 to process payment during our hours of operation from 8:30 AM to 4:30 PM CST Monday through Friday. We accept Visa, Mastercard & American Express.



[QTAC Fire - Firefighting Skids for UTV, ATV & Trucks Logo](#)[fire and rescue trucks](#)[Truck skids](#)[UTV SKIDS](#)[FIREFIGHTING](#)[QTAC 20S](#)[QTAC 40s](#)[QTAC 85S](#)[QTAC 85HP](#)[QTAC 75UHP](#)[QTAC 125HP](#)[QTAC 85C](#)[QTAC 85R](#)[QTAC Srt](#)[Fire rescue](#)[QTAC 70EMS-L](#)[QTAC 85EMS-C](#)[QTAC 85EMS](#)[EMS Rescue](#)[QTAC EMS-R](#)[QTAC EMS-F](#)[QTAC EMS-RG](#)[HDT TRAILER](#)[Explore All](#)[Optional Equipment](#)[UTV Guide](#)[MORE PRODUCTS](#)[RPD-18](#)[QTAC H2 CAF](#)[About](#)[Our Story](#)[PolyTough™ Construction](#)[Blog](#)[Contact](#)[Toll Free: 888-797-5100](#)[Local: 530-894-5091](#)[EMAIL: \[sales@qtacfire.com\]\(mailto:sales@qtacfire.com\)](#)[Live Chat](#)[Mon – Fri, 7:30AM to 4PM, PST](#)[Closed Saturdays and Sundays](#)[Home](#)[/](#)[UTV/ATV Skids](#)[/](#)[Fire & Rescue](#)[/](#)[QTAC 85EMS-C](#)



No items found.

QTAC 85EMS-C

Base Price
\$4,525.00

The QTAC 85EMS-C is a fire-rescue skid that features a unique, 'convertible' rescue litter platform that allows for the tailgate to be closed on most UTVs when not in use.

BASE PRICE WITH KOSHIN SEH-40H PUMP: \$4,525.00
BASE PRICE WITH WATERAX VERSAX 6 PUMP: \$5,895.00

Place Order

\$350 - \$400 flat rate shipping charge to any commercial address in the contiguous U.S., depending on location. Does not include additional services such as a liftgate or residential delivery.

[Photos](#)
[Overview](#)
[Specifications](#)
[Pump](#)
[ENGINEERING DRAWINGS](#)
[Place Order](#)



overview

QTAC 85EMS-C

The QTAC™ 85EMS-C is a UTV EMS firefighting skid system with a unique, flip-down rescue basket platform. This convertible design allows for a compact footprint that utilizes the standard 85 gallon tank, but still allows for a full-size rescue litter to be strapped into place once the platform is secured in the down position. When stored in the folded position, the top-mounted platform is compact enough for the tailgate to be closed on a standard-size, short-bed UTV. This makes the 85EMS-C the most versatile system in our line-up.

Like the standard 85, the EMS-C version features an 85-gallon, welded-copolymer tank, and can be purchased with either a medium-pressure Koshin SEH-40H pump, or the high pressure Waterax Versax 6. Both pumps are capable of drafting from an auxiliary water source.

Advantage

- Unique folding, "convertible" rescue litter platform allows the tailgate to be closed during firefighting operations
- Compact, versatile design
- Two available pump sizes
- Hannay hose reel comes as standard equipment

Optional Equipment

- Draft Hose Kit
- Forklift Runners
- Hannay Electric Hose Reel
- Hose Reel Line up to 100 feet of 3/4"
- Nozzle Upgrade
- Scotty Around-the-Pump Foam Eductor
- Scotty End-of-the-Line Foam
- Tank Capacity Restrictor
- 1-1/2" NST Discharge
- 2" NST Threaded Suction

Specifications

QTAC 85EMS-C

Engine

HIGH PRESSURE ENGINE & PUMP

- Model: Honda GX200 Series, 4-stroke horizontal shaft, OHV, air cooled gasoline

- Maximum Power: 5.5 hp (4.1 kW) @ 3,600 RPM
- Maximum Torque: 9.1 lb-ft (12.4 Nm) @ 2,500 RPM
- Starting System: Manual, Recoil
- Pump Type: Waterax Versax 6 Self-Priming 2-Stage Centrifugal
- Intake: 2" Male NPT
- Discharge: 1-1/2", 1", 1" Male NPT, 2" Male BSP

MEDIUM PRESSURE ENGINE & PUMP

- Model: Honda GXH50 Series, 4-stroke OHV, air cooled gasoline
- Maximum Power: 2.1 HP (1.6 kW) @ 7,000 rpm
- Maximum Torque: 2.0 lb-ft (2.7 Nm) @ 4,500 rpm
- Starting System: Manual, Recoil
- Pump Type: Koshin SEH-40H Single Stage Pump
- Intake: 1-1/2" Male NPT
- Discharge: 1-1/2", 1", 1" Male NPT, 2" Male BSP

Pump**Tank**

- Type: MTECH PolyTough™ welded copolymer, internally baffled
- Capacity: 85 U.S. GallonsF
- Fill Well: 4" fill tower, vented
- Drain: 1-1/2" plunger style
- Features: Grab rails, water level sight tube, mounting flanges
- Rescue Platform: Folding, fastens in the down position, welded copolymer with rails for securing patient litter

WEIGHT

- Dry weight, Koshin SEH-40H and manual hose reel: 251 lbs.
- Wet weight, Koshin SEH-40H and manual hose reel: 960 lbs.
- Dry weight, Waterax Versax 6 and manual hose reel: 281 lbs.
- Wet weight, Waterax Versax 6 and manual hose reel: 990 lbs.

Additional weight per component:

- Electric hose reel: 30 lbs.
- Around-the-Pump Foam
- 2.5-gallon
- Dry Weight: 7 lbs.
- Wet Weight: 28 lbs.
- 5-gallon
- Dry Weight: 11 lbs.
- Wet Weight: 53 lbs.

*All weights are approximate

Weight



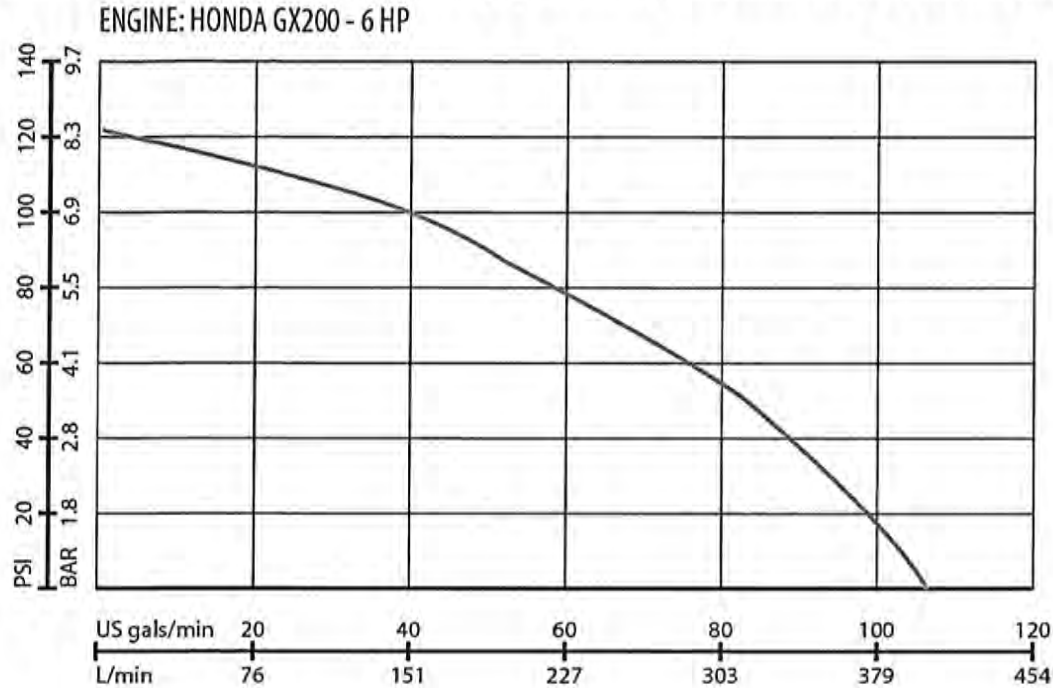
Pump

Pump Options

Waterax Versax High Pressure Pump (Waterax Versax-6)

Koshin Medium Pressure Pump (Koshin SEH-40H)

Compare this pump curve to any other small wildland firefighting pump on the market



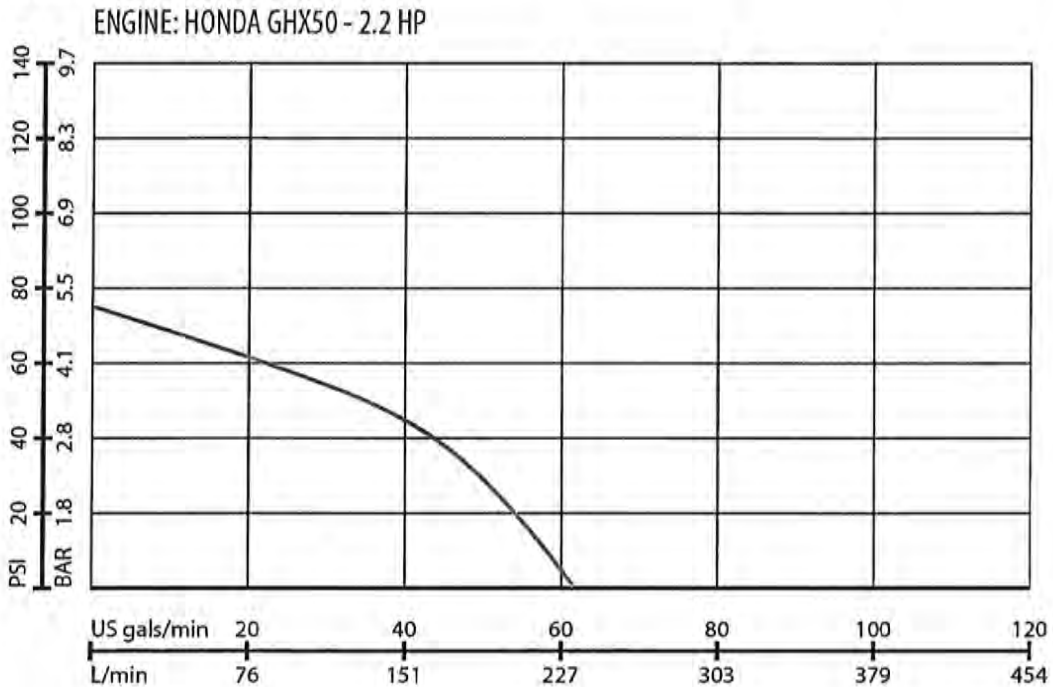
PUMP FLOW RATES

Maximum Pressure: 120 PSI
Maximum Output: 105 US g

Flow Rate		
US GPM	(LPM)	
83	(314)	
63	(238)	
38	(144)	

HONDA
ENGINE S

No items found.



PUMP FLOW RATES

Maximum Pressure: 61 PSI
Maximum Output: 73 US gal

Flow Rate		
US GPM	(LPM)	
60	(227)	
40	(151)	
20	(76)	

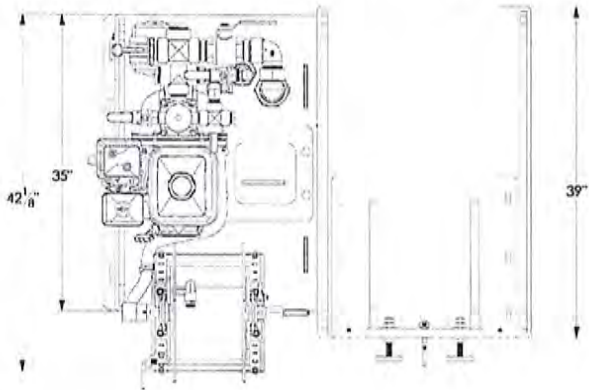
HONDA
ENGINE S

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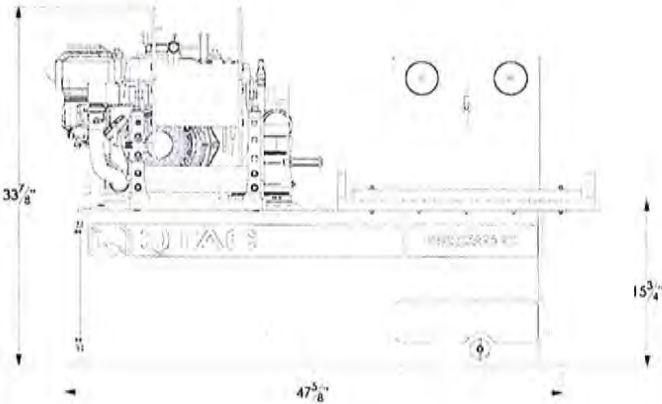
ENGINEERING DRAWINGS

QTAC 85EMS-C

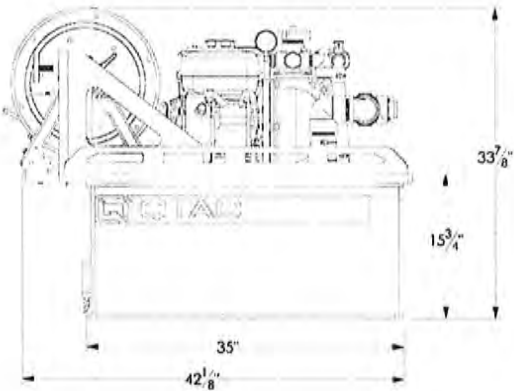
Top View



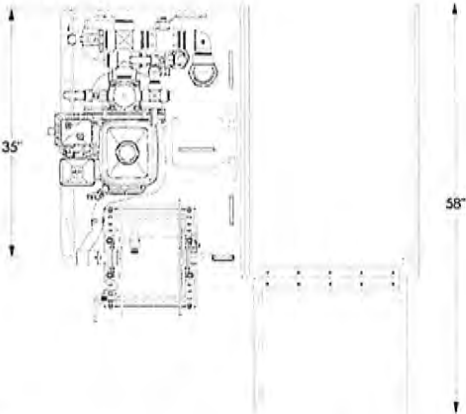
End View



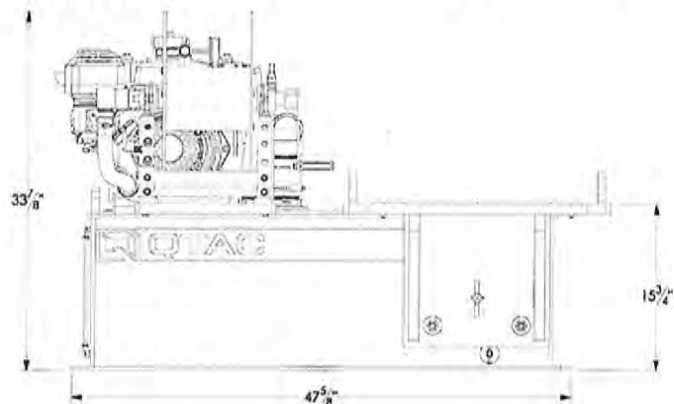
Side View



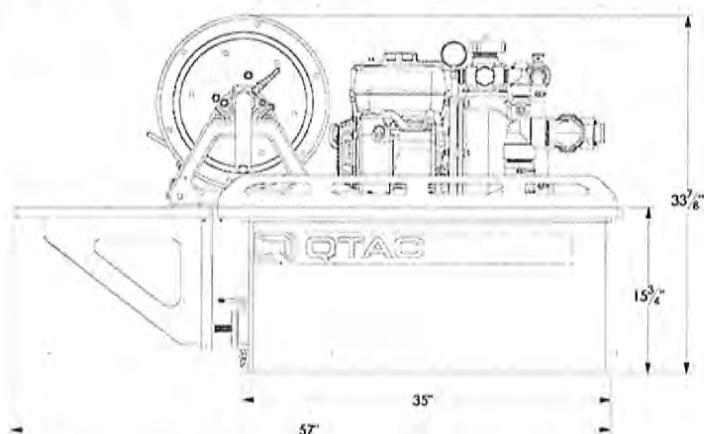
Top View (Platform Down)



End View (Platform Down)



Side View (Platform Down)



QTAC

A Division of mTECH, Inc.

1072 Marauder Street, Suite 210
Chico, CA 95973

Toll Free: 888-797-5100

Local: 530-894-5091

Fax: 530-894-5092

EMAIL: sales@qtacfire.com

Live Chat

Mon – Fri, 7:30AM to 4PM, PST

Closed Saturdays and Sundays

Request More Info

Are you ready to order your QTAC or searching for more information? Get in touch with one of our knowledgeable team members.

Name

Email

Phone

Which best describes you? Select one... *

▼ Which QTAC are you interested in? Select one...

▼ Questions or Comments?

Thank you! Your submission has been received!

Oops! Something went wrong while submitting the form.

Partners



[QTAC Fire Waterax Partner Logo](#) [QTAC Fire Hannay Reels Partner Logo](#)

The GSA logo, consisting of the letters "GSA" in a bold, sans-serif font, with a white star inside a dark triangle to the right of the "A".

Contract

Contract # 47QSWA20D

[QTAC Fire - Firefighting Skids for UTV, ATV & Trucks Logo](#)

Products

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EMAIL: sales@qtacfire.com

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Live Chat

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Closed Saturdays and Sundays

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[Can-Am](#) [Bobcat](#) [Honda](#) [John Deere](#) [Kawasaki](#) [Kubota](#) [Polaris](#)

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Quote

Quote expires
December 18, 2021



Leonard Aluminum Utility Buildings, LLC
T/A Leonard Buildings & Truck Accessories

1902 SOUTH CANNON BLVD.
Kannapolis, NC 28083
Phone: 704.932.7313
<http://www.leonardusa.com>
pos112@leonardusa.com

Page 1 of 1

Ticket #: 112-QUO-103265
Ticket Date: 11/18/21
Station: ECOM

Sold to: TOWN OF SPENCER
28081
(704) 633-5331
none@none.com

Ship to:

Customer #: 112-007929
Sls rep: PUR002

Ship date:
Location: 112

Ship-via code:
Terms: Net 30 days

Quantity	Item #	Description	List price	Discount	Savings	Price	Ext Price
1	TRLU-6412LEO-252	7000#gw TA, WF, MG, 13.5"Open	\$4,029.99	\$-779.99	\$-779.99	\$3,250.00	3,250.00
1	TIR-15SPARE	15" TIRE, ST205/75-D15	\$129.99	\$-30.00	\$-30.00	\$99.99	99.99
1	TRA-890000901	Spare Tire Carrier w/out Lock				\$14.99	14.99

User: PUR002

Total line items: 3

Sale subtotal: 3,364.98

Sales Tax 8.05

Total: 3,373.03

Thank You For Your Business!
You Saved \$809.99

Terms & Conditions:

Trailers are not returnable at any time. Items not in new or resalable condition are not returnable at any time.
Special order items, custom painted items, installed items, items sold as is, discontinued or clearance items are not returnable at any time.
Merchandise will not be accepted for return after 30 days of our invoice date. All returned items must be in original condition and packaging.
You will be charged \$20 or 20% restocking fee, whichever is greater on return of non-defective items.
Special Orders cancelled while in progress shall incur a charge for the pro-rated portion of the cost of the item in production -not less than 25% of the quoted price.
If you paid by cash or check - your refund, less fee charges, will be mailed from the corporate office within 7 days of refund request approval.
If you paid by credit card - the credit card used for your payment will be credited, less fee charges, within 7 days of refund request approval.
Maximum state fees, civil and criminal penalties are pursued as state laws govern for returned checks.

Customer signature accepts the above terms and conditions.





OFFICE OF POLICE DEPARTMENT

Post Office Box 45 Spencer, NC 28159-0045

704.633.2231 Ofc.

704.633.3837 Fax

<http://www.spencernc.gov>

RESOLUTION 21-029 TOWN OF SPENCER

A RESOLUTION AUTHORIZING THE SURPLUS OF SERVICE FIREARM AND BADGE OF CHIEF OF POLICE MICHAEL JAMES UPON HIS RETIREMENT

WHEREAS, North Carolina General Statute 20-187.2 provides for the award of the badge worn by a retiring law enforcement officer; and allows for the governing body of a Law Enforcement Agency, in its discretion, to award a retiring member, upon request, the service firearm of the retiring member, at a price determined by the governing body; and

WHEREAS, Police Chief Michael James has retired from the Town of Spencer Police Department effective December 1, 2021; and

WHEREAS, Chief James served the Town of Spencer Police Department honorably for 11 years; and

WHEREAS, Chief James had focused on crime reduction, customer service, and partnerships with the community. In the past year, he led an effort to form the Police Chief's Citizen Advisory Board in the Town; and

WHEREAS, The Town Manager has requested permission to present Chief James his issued service firearm and badge at no cost upon his retirement; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Board of Aldermen do hereby declare the service firearm and badge used by Police Chief Michael James during his service to the Town of Spencer as surplus property and instruct that they be issued to him at no cost upon his retirement.

Adopted this the 14th day of December, 2021 in Spencer, North Carolina.

Jonathan Williams, Mayor

Stacy Craven, Town Clerk

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: 12/14/2021

(Attach relevant documentation)

Issue under Consideration:	Consider adopting Resolution 21-30 specifying Town Manager authority related to contracting, bidding, surplus property, and settling claims
Current Status:	Town staff have operated with informal thresholds and guidelines related to the Town Manager's authority related to these areas.
Points to Consider:	North Carolina General Statutes provide for purchasing and contracting thresholds, and the ability to delegate certain authority to the Town Manager. The recommended resolution includes thresholds at or below those established by State Law and delegation of authority and provides for the efficient administration of town business within limits established by the Board of Aldermen.
Financial Impact:	
Options:	
Recommendations:	Motion to adopt Resolution 21-30 specifying Town Manager authority related to contracting, bidding, surplus property, and settling claims
Department:	Town Manager

RESOLUTION 21-30 SPECIFYING TOWN MANAGER AUTHORITY RELATED TO
CONTRACTING, BIDDING, SURPLUS PROPERTY, AND SETTLING CLAIMS

WHEREAS, the North Carolina General Statutes provide for the adoption of a council-manager form of government; and

WHEREAS, Spencer has adopted the council-manager form of government and considerable day-to-day executive authority is delegated to the Town Manager; and

WHEREAS, among those delegated authorities are the power to execute certain contracts within limits set by the Board of Aldermen and set forth herein; and

WHEREAS, N.C.G.S. 143-64.32 provides that the Town may exempt certain Contracts from the requirements of the Mini-Brooks Act; and

WHEREAS, N.C.G.S. 160A-266(c) authorizes the Board to delegate the authority to dispose of surplus property to the Town Manager; and

WHEREAS, N.C.G.S. 143-129(a) authorizes the Board to delegate authority to the Town Manager to award contracts, reject bids, re-advertise to receive bids for purchases of apparatus, supplies, materials, or equipment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the Town of Spencer, North Carolina, does hereby approve the following:

1. The Town Manager is hereby authorized to award and execute contracts, terminate contracts, reject bids, advertise to receive bids as provided in and pursuant to N.C.G.S. 143-129(a), except that the authority of the Town Manager is limited as provided in (a) through (g) below. The Town Manager may:

- (a) Approve, execute, and terminate contracts involving informal bids of up to \$50,000.00 for construction projects budgeted in an annual budget ordinance as may from time to time be amended; and
- (b) Approve, execute, and terminate maintenance contracts; and
- (c) Approve, execute, and terminate leases of Town real property of one year or less pursuant to N.C.G.S. 160A-272(b); and
- (d) Approve, execute, and terminate contracts for professional engineering services up to \$20,000.00; and
- (e) Approve, execute, and terminate any professional service contracts (except as provided in (d) above; and
- (f) Approve and execute change orders to all approved contracts not to exceed an increase of \$10,000.00 in the total contract price as determined at the time of each proposed change order; and
- (g) Approve, execute, and terminate the purchase of apparatus, supplies, materials, or equipment for all purchases that do not exceed \$40,000.00; and

2. The Town Manager is authorized to exempt any project from the provisions of N.C.G.S. 143, Article 3D, Procurement of Architectural, Engineering and Surveying Services where the estimated professional fees for a specific project are estimated to be less than or equal to \$25,000.00; and

3. The Town Manager is authorized to dispose of surplus property under the informal procedures described in N.C.G.S. 160A-266(c) of up to \$30,000.00 in value; and

4. The Town Manager is authorized to take all necessary and appropriate actions to settle claims and litigation as follows, provided that all such settlements must be reported to Board at least quarterly:

- (a) Worker's Compensation claims in an amount up to \$25,000 in value; and
- (b) All other types of claims and litigation in an amount up to \$10,000 in value.

5. In the event that the Town Manager incumbent on the date of adoption of this Resolution announces his resignation, resigns, announces his retirement, retires, becomes incapacitated and is unable to fulfill his responsibilities or delegates all of his responsibilities under this Resolution to another person for a continuous period of more than ten working days, the Town Clerk shall place re-consideration of this Resolution on the agenda of the next regularly scheduled Board meeting; and

6. This Resolution shall become effective immediately upon adoption.

Adopted this 14th day of December, 2021.

BOARD OF ALDERMEN
TOWN OF SPENCER
NORTH CAROLINA

ATTEST:

Jonathan D Williams, Mayor

Stacy H. Craven, Town Clerk



AGENDA ITEM

Board Meeting Date: 12/14/021

Issue under Consideration:	Mayor and Board of Aldermen to consider authorizing the Town Manager to execute a professional services agreement for design services for the proposed Spencer Town Park and updates to the 2014 Recreation Comprehensive Plan
Current Status:	Town Staff has solicited Request for Qualifications for design and planning services for a proposed town park and recreation master planning. The deadline for submittal of qualifications was November 29, 2021 at 2:00 PM
Points to Consider:	Town Staff have reviewed submitted qualifications and will be prepared to recommend a designer / planner at the December 14, 2021 meeting of the Mayor and Board of Aldermen.
Financial Impact:	The cost for design services and planning will be included in the overall project budget for the proposed town park. The project is intended to be funded by a combination of philanthropic gifts, grants and community fundraising. The stated goal is to build the project with no dedicated funding from ad valorem taxes.
Options:	
Recommendations:	Staff recommends that the Mayor and Board of Aldermen receive the presentation regarding the qualifications received by the deadline and authorize the Town Manager to execute a Professional Services Agreement.
Department:	Special Projects Planning

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: 12/14/2021

Issue under Consideration:	Mayor and Board of Aldermen to consider authorizing the Town Manager to accept a \$10,000 grant from the Salisbury Rowan Community Foundation for the Yadkin River Trailhead Project.
Current Status:	Town Staff was notified via an email from the Foundation for the Carolinas on December 3, 2021 that a \$10,000 grant has been awarded to the Town of Spencer from the Salisbury Rowan Community Foundation for use on the Yadkin River Trailhead project.
Points to Consider:	Town Staff was authorized in September to apply for a grant from the Salisbury Rowan Community Foundation in the amount of \$10,000 to be used for the Yadkin River Trailhead Project.
Financial Impact:	The \$10,000 grant, if accepted, will contribute to the overall budget for the trailhead construction project. No matching funds are required as a condition of the grant.
Options:	Accept or decline by vote of the Board of Aldermen
Recommendations:	Staff recommends that the Mayor and Board of Aldermen acknowledge the generous grant from the Salisbury Rowan Community Foundation for the Yadkin River Trailhead Project and to authorize the Town Manager to accept the grant award on behalf of the Town of Spencer.
Department:	Special Projects Planning

Whereas	Primary Government Unit
and	Discretely Presented Component Unit (DPCU) (if applicable)
and	Auditor

entered into a contract in which the Auditor agreed to audit the accounts of the Primary Government Unit and DPCU (if applicable)

for	Fiscal Year Ending	and originally due on	Audit Report Due Date

hereby agree that it is now necessary that the contract be modified as follows.

Modification to date	Original due date	Modified due date
Modification to fee	Original fee	Modified fee

Primary Other
(choose 1)(choose 0-2)

Reason(s) for Contract Amendment

Change in scope
 Issue with unit staff/turnover
 Issue with auditor staff/workload
 Third-party financial statements not prepared by agreed-upon date
 Unit did not have bank reconciliations complete for the audit period
 Unit did not have reconciliations between subsidiary ledgers and general ledger complete
 Unit did not post previous years adjusting journal entries resulting in incorrect beginning balances in the general ledger
 Unit did not have information required for audit complete by the agreed-upon time
 Delay in component unit reports
 Software - implementation issue
 Software - system failure
 Software - ransomware/cyberattack
 Natural or other disaster
 Other (please explain)

Plan to Prevent Future Late Submissions

If the amendment is submitted to extend the due date, please indicate the steps the unit and auditor will take to prevent late filing of audits in subsequent years. Indicate NA if this is an amendment due to a change in cost only.

Additional Information

Please provide any additional explanation or details regarding the contract modification.

By their signatures on the following pages, the Auditor, the Primary Government Unit, and the DPCU (if applicable), agree to these modified terms.

SIGNATURE PAGE**AUDIT FIRM**

Audit Firm*	
Authorized Firm Representative* (typed or printed)	Signature* <i>Nicholas Wicker</i>
Date*	Email Address

GOVERNMENTAL UNIT

Governmental Unit*	
Date Primary Government Unit Governing Board Approved Amended Audit Contract* (If required by governing board policy)	
Mayor/Chairperson* (typed or printed)	Signature*
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE***ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT****(Pre-audit certificate not required for hospitals)*

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer*	Signature*
Date of Pre-Audit Certificate*	Email Address*

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU	
Date DPCU Governing Board Approved Amended Audit Contract (If required by governing board policy)	
DPCU Chairperson (typed or printed)	Signature
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE
ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT
(Pre-audit certificate not required for hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)	Signature
Date of Pre-Audit Certificate	Email Address

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