



Board of Aldermen Pre-Agenda Meeting
Agenda Packet
July 6, 2023





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

DATE
July 6, 2023

1. **CALL TO ORDER – Mayor Jonathan Williams**
2. **INVOCATION & PLEDGE OF ALLEGIANCE**
3. **REVIEW OF JUNE 13, 2023, AGENDA**
 1. ***CALL TO ORDER – Mayor Jonathan Williams***
 2. ***INVOCATION & PLEDGE OF ALLEGIANCE***
 3. ***ADDITIONS/DELETIONS AND ADOPTION OF AGENDA***
 - a. ***CONSIDER ADOPTING – Budget Ordinance 23-14-001 Additional SRO***
 - b. ***CONSIDER ADOPTING – Resolution 23-17 Health Center Grant***
 4. ***RECOGNITIONS***
 5. ***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 must provide their name, address, and topic to be addressed. The Board will listen and may or may not respond at their discretion or may decide to place a topic on a future agenda. A speaker will be allowed 3 minutes to speak.*
 6. ***CONSENT AGENDA*** *The Consent Agenda is the first order of business. The items listed are believed to be non-controversial and administrative in nature. There will be no separate discussion of the items unless an Alderman or a citizen requests and is granted permission to speak. The item(s) will then be removed from the Consent Agenda and considered individually. Otherwise, all items will be enacted by one motion.*
 - a. ***APPROVAL OF MINUTES:*** *June 8, 2023, Pre-Agenda Meeting Minutes
June 13, 2023, Regular Meeting Minutes*
 - b. ***CONSIDER ADOPTING – Resolution 23-15***
 - c. ***CONSIDER ADOPTING – Resolution 23-16***
 - d. ***CONSIDER APPROVING – First Amendment to Town Manager’s Employment Agreement***
 - e. ***CONSIDER APPROVING – Lien on 314 N. Rowan Ave.***
 7. ***STAFF PRESENTATION – US Highway 29 Zoning Classification & Code Enforcement***
8. **DEPARTMENTAL REPORTS**
 - a. *Planning*
 - b. *Code Enforcement*
 - c. *Police*
 - d. *Fire*
 - e. *Public Works*
 - f. *Finance*
 - g. *Library*
9. **TOWN MANAGER REPORT**

10. REQUESTS & COMMENTS by the Mayor and Board Members

11. EXECUTIVE SESSION per NC General Statute 143-318.11 (if needed)

12. ADJOURNMENT

4. EXECUTIVE SESSION per NC General Statute 143-318.11 (if needed)

5. ADJOURNMENT

MINUTES
Spencer Board of Aldermen
Pre-Agenda Meeting
June 8, 2023

The Town of Spencer Board of Aldermen met in regular session to conduct a pre-agenda meeting at the Spencer Town Hall on Thursday, June 8, 2023, at 5:35 p.m.

Present were: Mayor Pro Tempore Patti Secreast
Alderman Steve Miller
Alderman Sam Morgan
Alderman Rashid Muhammad
Alderwoman Patricia Sledge

Alderman Andrew Howe arrived at 5:47 p.m.

Mayor Jonathan Williams was absent.

Also present were: Town Manager Peter Franzese, Town Clerk Anna Kanode, Planning & Zoning Administrator Steve Blount, North Carolina Lead Fellow Skye Allan, Special Projects Manager Joe Morris, Fire Chief Michael Lanning, Chief of Police Michael File, and Code Enforcement Officer James Osborne.

Mayor Pro Tempore Patti Secreast called the meeting to order, gave the invocation, and led the *Pledge of Allegiance*.

PUBLIC HEARING – Proposed Fiscal Year 2023-2024 Budget

Mayor Pro Tempore Secreast opened the Public Hearing for the Proposed Fiscal Year 2023-2024 Budget.

Town Manager Peter Franzese provided an update regarding the Proposed Fiscal Year 2023-2024 Budget. Town Clerk Anna Kanode reminded the Board that they had received a letter from Mr. Thomas Strini of 15 Beauregard Drive.

Action

Being no one present wishing to speak, Alderman Steve Miller moved to close the Public Hearing for the Proposed Fiscal Year 2023-2024 Budget. Alderman Rashid Muhammad seconded the motion, which carried by a unanimous vote of 5 – 0. Mayor Pro Tempore Secreast closed the Public Hearing.

PUBLIC HEARING – Ordinance 23-17 for Motorized Vehicles in Public Parks

Mayor Pro Tempore Secreast opened the Public Hearing for Ordinance 23-17 for Motorized Vehicles in Public Parks.

Planning and Zoning Administrator Steve Blount gave a brief presentation and answered questions from the Mayor and Board.

Action

Being no one else present wishing to speak, Alderman Steve Miller moved to close the Public Hearing for Ordinance 23-17 for motorized vehicles in public parks. Alderwoman Patricia Sledge

seconded the motion, which carried by a unanimous vote of 5 – 0. Mayor Pro Tempore Secreast closed the Public Hearing.

Alderman Andrew Howe arrived at 5:47 p.m.

Planning & Zoning Administrator Steve Blount left at 5:49 p.m.

REVIEW OF June 13, 2023, Agenda

INVOCATION

Alderman Rashid Muhammad volunteered to give the invocation at the June 13, 2023, regular meeting.

RECOGNITIONS

It was the consensus of the Board to add the following recognitions to the June 13, 2023, Regular Meeting Agenda:

Mayor Pro Tempore Secreast will recognize the students of the fourth quarter.

Alderwoman Sledge will thank Mr. and Mrs. Shultz for their hard work on the Senior Council events.

CONSENT AGENDA

The Board agreed by consensus to move the following items to the consent agenda:

a. APPROVAL OF MINUTES:

- i. May 4, 2023, Pre-Agenda Meeting Minutes
- ii. May 9, 2023, Regular Meeting Minutes
- iii. May 23, 2023, Called Meeting Minutes

b. CONSIDER ADOPTING – Budget Ordinance 23-13 for a \$5,000 grant from the Blanche and Julian Robertson Family Foundation and \$4,426 from Rowan Arts Council

c. CONSIDER APPROVING – Liens

- i. Property Lien for the Failure to Comply
 1. 314 Rowan Avenue
- ii. Property Liens for Nuisance Abatement
 1. 112 2nd Street
 2. 210 North Yadkin Avenue
 3. 606 South Carolina Avenue
 4. 704 5th Street
 5. 906 South Iredell Avenue

ADDITIONS/DELETIONS

Alderman Sam Morgan requested an update from Town staff regarding the speed study conducted on Sower's Ferry Road and the possibility of a speed hump.

Town Manager Franzese informed the Mayor and Board that agenda item number nine (9) contained an error and would be adjusted prior to the Regular Meeting on Tuesday. It should be for two (2) \$5,000 grants rather than one (1) \$5,000 grant and one (1) \$4,426 grant.

Action

It was the consensus of the Board to leave all remaining agenda items on the regular agenda.

BOARD COMMENTS

Alderman Morgan thanked Fire Chief Michael Lanning and the other firefighters who responded to his emergency call for his wife during the weekend.

Mayor Pro Tempore Secreast and Alderwoman Sledge apologized for missing the Police Department swearing-in ceremony on May 31, 2023.

EXECUTIVE SESSION

It was the consensus of the Board that there was no reason to go into Executive Session.

ADJOURNMENT

Motion by Alderman Morgan, seconded by Alderman Muhammad, which carried by a vote of 6 – 0. The meeting stood adjourned at 6:00 p.m.

Approved by:

Attest:

Jonathan Williams, Mayor

Anna Kanode, Town Clerk

MINUTES
Spencer Board of Aldermen
Regular Meeting
June 13, 2023

The Town of Spencer Board of Aldermen met in regular session at Spencer Town Hall on Tuesday, June 13, 2023, at 6:01p.m.

Present were: Mayor Jonathan Williams
Mayor Pro Tempore Patti Secreast
Alderman Andrew Howe
Alderman Steve Miller
Alderman Sam Morgan
Alderman Rashid Muhammad
Alderwoman Patricia Sledge

Also present were: Town Manager Peter Franzese, Town Attorney Jay Dees, Town Clerk Anna Kanode, Public Works Director Joel Taylor, Fire Chief Michael Lanning, Deputy Fire Chief Doug Lewis, Chief of Police Michael File, and Code Enforcement Officer James Osborne. Special Projects Manager Joe Morris attended via Zoom.

Mayor Jonathan Williams called the meeting to order.

Alderman Rashid Muhammad offered the invocation.

Mayor Williams led the *Pledge of Allegiance*.

ADDITIONS/DELETIONS AND ADOPTION OF AGENDA

Action

Alderman Patricia Sledge moved to approve the agenda as presented. Alderman Rashid Muhammad seconded the motion which carried by a unanimous vote of 6 – 0.

RECOGNITIONS

- a. Mayor Pro Tempore Patti Secreast recognized the students of the 4th Quarter who were Maha Mohamed Munsaser from North Rowan Elementary School and Neveah Wood from North Rowan High School.
- b. Alderwoman Patricia Sledge recognized Mr. Terry and Mrs. Sue Schultz for their work on the Senior Dinner. She also specifically thanked volunteers Brent Beaver from Cross Life, Sylvia Foshe from Dorsett Chapel, Brenda Clending from Whosoever Will, Joyce Poole and John Lemly from Oakdale Baptist Church, Millie Thompson, Ruth Elum, and Linda Miller from Central Methodist Church.

PUBLIC COMMENT

Mayor Williams opened the floor to receive public comment.

The following people addressed the Mayor and Board during the Public Comment portion of the meeting:

- Ms. Tammy Pinkston of 255 Trexler Loop, Salisbury, NC

- Mr. Tom Strini of 15 Beauregard Dr., Spencer, NC
- Ms. Tamara Sheffield of 301 Maupin Ave., Salisbury, NC
- Mr. John Henderlite of 3 North Road, Salisbury, NC

Being no one else present wishing to speak, Mayor Williams closed the public comment portion of the meeting.

CONSENT AGENDA

Alderman Miller moved to approve the consent agenda as presented. Alderwoman Sledge seconded the motion which carried by a unanimous vote of 6 - 0. Items approved were:

- a. APPROVAL OF MINUTES: May 4, 2023, Pre-Agenda Meeting Minutes
May 9, 2023, Regular Meeting Minutes
May 23, 2023, Called Meeting Minutes
- b. CONSIDER ADOPTING – Budget Ordinance 23-16 Amending the Town of Spencer, North Carolina Grant Project Ordinance for American Rescue Plan of 2021
- c. CONSIDER APPROVING – Liens
 - i. Property Lien for the Failure to Comply
 1. 314 Rowan Avenue
 - ii. Property Liens for Nuisance Abatement
 1. 112 2nd Street
 2. 210 North Yadkin Avenue
 3. 606 South Carolina Avenue
 4. 704 5th Street
 5. 906 South Iredell Avenue

CONSIDER APPOINTING – Jessica Jackson to the Planning Board

Town Manager Peter Franzese presented the Planning Board application from Ms. Jessica Jackson, who was not present to introduce herself. Alderwoman Sledge stated that Ms. Jackson was present at the Planning Board meeting the previous evening and that both she and the rest of the Planning Board believed Ms. Jackson would be a good addition. Mayor Pro Tempore Secreast agreed that Ms. Jackson would be an asset to the Planning Board.

Action

Alderman Miller moved to appoint Jessica Jackson to the Planning Board. Alderwoman Sledge seconded the motion, which carried by a unanimous vote of 6 - 0.

CONSIDER ADOPTING – Budget Ordinance 23-13 for a \$5,000 grant from the Blanche and Julian Robertson Family Foundation and \$5,000 from the Margaret Woodson Foundation for the purpose of funding the Downtown Spencer Mural Project

Town Manager Franzese presented the information for the \$5,000 grant from the Blanche and Julian Robertson Family Foundation and the \$5,000 grant from the Margaret Woodson Foundation for the purpose of funding the Downtown Spencer Mural Project. Mayor Williams commented that receiving these grants has been drawing positive attention to the Town.

Action

Mayor Pro Tempore Secreast moved to approve Budget Ordinance 23-13 for a \$5,000 grant from the Blanche and Julian Robertson Family Foundation and \$5,000 grant from the Margaret Woodson Foundation for the purpose of funding the Downtown Spencer Mural Project, which is included in

the body of the minutes below. Alderman Morgan seconded the motion, which carried by a unanimous vote of 6 - 0.

AN ORDINANCE AMENDING
THE TOWN OF SPENCER, NORTH CAROLINA
FY 22-23 ANNUAL BUDGET
ORDINANCE 23-13
JUNE 13, 2023

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, 2022 and ending on June 30, 2023:

Section 1. The Town has been awarded a \$5,000 grant from the Blanche and Julian Robertson Family Foundation and \$5,000 from Margaret Woodson Foundation.

Section 2. To amend the FY 22-23 revenue and expense appropriations as follows: Appropriate funds from this grant for creating new public murals in downtown Spencer.

Section 3. The following line items are amended as follows:

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
10-3985-002	Other Grants	\$17,401	\$27,401	\$10,000

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
10-4110-194	Contract Services	\$75,356	\$85,356	\$10,000

Section 4. 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 13th day of June 2023.

CONSIDER ADOPTING – Budget Ordinance 23-14 to Approve the Fiscal Year 2023-2024 Annual Budget

Town Manager Franzese provided the Mayor and Board with a summary of the Fiscal Year 2023-2024 budget along with updates that were contained in Budget Ordinance 23-14.

Action

Alderman Muhammad moved to approve Budget Ordinance 23-14 to Approve the Fiscal Year 2023-2024 Annual Budget, which is included as Attachment A to these minutes. Alderman Howe seconded the motion, which carried by a unanimous vote of 6 - 0.

CONSIDER ADOPTING – Budget Ordinance 23-15 of \$5,765 for Additional Funding from Rowan County for First Responders, Spencer Moose Lodge, and a Private Donation

Town Manager Franzese and Fire Chief Michael Lanning gave a presentation to the Mayor and Board regarding additional funding from Rowan County for First Responders, the Spencer Moose Lodge, and an anonymous private donation.

Action

Alderman Morgan moved to approve Budget Ordinance 23-15 of \$5,765 for Additional Funding from Rowan County for First Responders, Spencer Moose Lodge, and a Private Donation, which is included in the body of the minutes below. Alderman Miller seconded the motion, which carried by a unanimous vote of 6 - 0.

AN ORDINANCE AMENDING
THE TOWN OF SPENCER, NORTH CAROLINA
FY 22-23 ANNUAL BUDGET
ORDINANCE 23-15
JUNE 13, 2023

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, 2022 and ending on June 30, 2023:

Section 1. The Town has received from Rowan County an additional medical responder Stipend of \$2,500, a donation to the Police from the Spencer Moose Lodge of \$2,265, and a private donation of \$1,000 designated for Police and Fire assistance.

Section 2. To amend the FY 22-23 revenue and expense appropriations as follows: Appropriate funds from these funds to reflect the additional funding.

Section 3. The following line items are amended as follows:

Revenues

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
10-3437-000	First Responder Fees	\$4,020	\$6,520	\$2,500
10-3833-002	Donations - Other	6,000	9,265	3,265
	Total			\$5,765

Expenses/Expenditures

Account	Title	Current Budget	Amended Budget	(Decrease) Increase
10-4310-299	Supplies and Materials	\$11,640	\$12,140	\$ 2,765
10-4340-296	Medical Supplies	3,000	5,500	2,500
10-4340-299	Supplies and Materials	6,200	6,700	500
	Total			\$5,765

Section 4. 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 13th day of June 2023.

CONSIDER ADOPTING – Ordinance 23-17 to Amend Chapter VII, Section 71.42 to Town’s Code of Ordinances - Motorized Vehicles in Public Parks

Town Manager Franzese gave a presentation to the Mayor and Board regarding Ordinance 23-17 to amend Chapter VII, Section 71.42 in the Town’s Code of Ordinances, which would allow the Police and Fire Departments to enforce a ban on motorized vehicles in public parks. Alderwoman Sledge stated the Planning Board also reviewed Ordinance 23-17 yesterday and recommended it for approval.

Action

Alderwoman Sledge moved to approve Ordinance 23-17 to amend Chapter VII, Section 71.42 to the Town’s Code of Ordinances, which is included in the body of the minutes below. Alderman Miller seconded the motion, which carried by a unanimous vote of 6 - 0.

TOWN OF SPENCER, NORTH CAROLINA

AN ORDINANCE TO Amend Chapter VII, Section 71.42 to the Town’s Code of Ordinances; ORDINANCE 23-17

WHEREAS, NC General Statutes allow regulation of the use of motorized vehicles in public parks and on public property; and

WHEREAS, the Town’s parks are intended for hiking, walking, playing and other physical uses not including the use of motorized vehicles; and

WHEREAS, the use of motorized vehicles in close proximity to adults and children playing, walking or sitting in our parks and along or sidewalks and other public places is dangerous and presents a risk of harm to those people; and

WHEREAS, the Board feels that to avoid these unsafe conditions that the use of motorized vehicles in our parks and on sidewalks and other public property should be prohibited; and

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

Section 1.

Revise Chapter VII of the Town’s Code of Ordinances revising Section 71.42 with revisions shown in Section 2 of this Ordinance.

Section 2.

Text Amendment Language (additions shown in yellow, deletions shown as ~~strike throughs~~)

§ 71.42 DRIVING ON SIDEWALKS and In PARKS PROHIBITED.

(A) The driver of a vehicle shall not drive within any sidewalk area, except at a permanent or temporary driveway.

(94 Code, § 15-37)

(B) It shall be unlawful for any vehicle having a saddle or seat for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and motor driven bicycles but excluding tractors and utility vehicles, to be operated on the sidewalks or rights-of-way of the town or on any property of the town, unless the property is a dedicated public road.

(C) *Motorized vehicles.* It shall be unlawful to operate any motorcycle, ATV, motorbike, motor scooter, motorized go-cart or any other motor vehicle in or on any public park, public recreation areas or any other publicly owned property within the corporate limits of the city or in or on any such property owned by the city outside the corporate limits of the city, except on streets, parking areas or other public ways designed and intended for motor vehicular use; provided, however, that

this prohibition shall not apply to vehicles and equipment being used in connection with the maintenance of such public properties.

Motorized vehicles and ATV's are prohibited on boardwalks, nature trails/greenways, tennis courts, basketball courts, shelters, trails, and sidewalks.

(D) Non-motorized vehicles. Non-motorized vehicles, pedal bicycles, tricycle, scooters, skateboards, roller skates and roller blades are to be used in/on designated areas only.

All non-motorized vehicles are prohibited on boardwalks, tennis courts, basketball courts, shelters, and sidewalks.

('94 Code, § 15-41) Penalty, see § 70.99

Section 3.

This ordinance shall become effective immediately upon adoption.

Adopted this 13th day of June 2023

CONSIDER ADOPTING – Resolution 23-12 for NC Senate Bill (SB) 675

Planning and Zoning Administrator Blount briefed the Mayor and Board regarding Resolution 23-12 for NC Senate Bill (SB) 675 at the Pre-Agenda Meeting. Alderwoman Sledge informed the Mayor and Board that she had spoken with Senator Ford, who told her SB 675 has no bearing on Rowan County due to its size. She spoke with Mr. Blount and the Planning Board, who expressed concerns that could change and believe it makes sense to approve this resolution.

Mayor Williams pointed out that as a small municipality, the Town of Spencer can commiserate with other small municipalities in larger counties and empathize with their situation. He stated that this Bill seeks to take quite a bit of future planning away from smaller municipalities, and the ramifications are concerning.

Action

Mayor Pro Tempore Secreast moved to approve Resolution 23-12 for NC Senate Bill (SB) 675, which is included in the body of the minutes below. Alderman Howe seconded the motion, which carried by a unanimous vote of 6 - 0.

RESOLUTION NO. 23-12

OPPOSITION TO SB 675

"LAND USE CLARIFICATION AND CHANGES"

WHEREAS, the use of Extra-Territorial Planning and Zoning serves to protect the property values of communities by regulating the types of uses that can be constructed in areas that transcend from rural to urban in nature; and

WHEREAS, it is vital to protect residents of such jurisdictions by regulating the establishment of incompatible uses adjacent to their residential neighborhoods; and

WHEREAS, the residents of Extra-Territorial areas are represented on the Town's Planning and Zoning Board of Adjustment by members appointed by the Rowan County Board of Commissioners, thereby providing a voice in the future development of the Extra-Territorial Areas; and

WHEREAS, the elimination of Extra-Territorial areas in Rowan County will result in residents of the Extra-Territorial areas having no voice in the development of properties immediately adjacent to their residences; and

WHEREAS, the sponsor of SB 675 has not consulted with local elected Boards of Rowan County's municipalities to determine the impact of the elimination of Extra-Territorial Jurisdictions in Rowan County and

WHEREAS, one of the guiding principles of North Carolina government is that local elected officials are the elected bodies closest to the people and know best the needs of their communities; and

WHEREAS, as presented Senate Bill 675 prevents the Town of Spencer Board of Aldermen from having the ability to react to the needs of our community's residents, business owners and taxpayers in future land use and zoning decisions; and

NOW THEREFORE BE IT RESOLVED by the Town of Spencer Board of Aldermen that it opposes SB675 in the strongest language possible; and

BE IT FURTHER RESOLVED that the Town of Spencer Board of Aldermen respectfully requests that this bill be withdrawn from the Senate docket and referred to the appropriate Senate committee for a thorough discussion of the impact the elimination of Extra-Territorial Jurisdictions would have on the residents of such districts in North Carolina and more specifically the impact of the proposed revisions to effectively and efficiently manage growth within NC municipalities.

This resolution was duly passed on June 13, 2023, by the Town of Spencer Board of Aldermen.

CONSIDER ADOPTING – Resolution 23-13 for Establishing Criteria for Selecting the Design-Build Construction Project Delivery Method

Town Manager Franzese informed the Mayor and Board that the Town has discussed using this alternative delivery method for the proposed Fire Station expansion project. The authorizing General Statute requires the local governing body to establish project eligibility/selection criteria.

In May of 2013, the NC General Assembly approved legislation that enabled the Design-Build construction project delivery method to be utilized by local governments without the passage of a Local Act. This method allows an integrated design and construction entity to be selected by the Town according to qualifications. The required criteria have changed since the general authorization was enacted in 2013. In 2014, the requirement to do a cost-benefit analysis was removed, and there were changes in 2022 on some components of the RFQ. Once criteria are adopted, staff would be able to recommend projects for this method and develop RFQs to select a Design-Build team.

There is no direct financial impact related to the establishment of the Design-Build method criteria.

Action

Alderman Morgan moved to approve Resolution 23-13 for establishing criteria for selecting the design-build construction project delivery method, which is included in the body of the minutes below. Alderman Muhammad seconded the motion, which carried by a unanimous vote of 6 - 0.

TOWN OF SPENCER, NORTH CAROLINA RESOLUTION 23-13

ESTABLISHING CRITERIA FOR DESIGN-BUILD DELIVERY METHOD FOR CONSTRUCTION PROJECTS

WHEREAS, N.C.G.S § 143-128.1A authorizes governmental entities in North Carolina to utilize the Design-Build method for construction project delivery; and

WHEREAS, the Design-Build method is an integrated approach to a construction project that delivers both design (architectural and engineering) and construction services under one contract with a single point of

responsibility. Under this delivery method, the Town is provided the benefit of the design team and contractor working together to achieve the Town's objectives under a single contract; and

WHEREAS, the authorizing statute requires the local governments to establish written criteria for determining when the Design-Build method is appropriate for a project. The statute also requires the local governments to use the criteria in evaluating each project contemplated for the Design-Build method. The statute provides the following six factors that, at a minimum, the Town must address in establishing its criteria:

- (1) The extent to which the governmental entity can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications for a design-builder.
- (2) The time constraints for the delivery of the project.
- (3) The ability to ensure that a quality project can be delivered.
- (4) The capability of the governmental entity to manage and oversee the project, including the availability of experienced staff or outside consultants who are experienced with the design-build method of project delivery.
- (5) A good-faith effort to comply with G.S § 143-128.2, G.S § 143-128.4, and to recruit and select small business entities. The governmental entity shall not limit or otherwise preclude any respondent from submitting a response so long as the respondent, itself or through its proposed team, is properly licensed and qualified to perform the work defined by the public notice issued under subsection (c) of this section.
- (6) The criteria utilized by the governmental entity, including a comparison of the advantages and disadvantages of using the design-build delivery method for a given project in lieu of the delivery methods identified in subdivisions (1), (2), and (4) of G.S § 143-128(a1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of the Town of Spencer, North Carolina, does hereby approve the following criteria for determining if the Design-Build delivery method is an appropriate choice over other construction project delivery methods, in compliance with N.C. G.S § 143-128.1A:

1. Project requirements and operational goals should be adequately and thoroughly defined. Design-build delivery method may be used if all major work tasks are identifiable. Sponsor Department, Administrative, Finance, and Legal professional personnel as well as applicable outside consultant(s) should review project requirements to determine if this criterion is met and should review and approve the language prior to issuance of RFQ if the design-build delivery method is approved.
2. Time constraints for the project should be identified. A project schedule should be created and the design-build delivery method may be used if it is likely to ensure completion prior to deadline or completion prior to the traditional design, bid, build method.
3. The professional Town staff and consultants that would serve on the RFQ review committee should be identified. The criteria to be considered for selection and weighting of the qualifications criteria should be identified as well and the design-build method may be used if shown that staff and consultants have the ability to ensure that a quality project can be delivered.
4. The professional Town staff and consultants who would oversee the project should be identified and roles defined along with availability. The Design-Build method may be used if the identified team members who will be involved with project during the design and construction phases have the capability to manage and oversee the project. However, overall project management is a primary function of the design-build team.
5. The design-build delivery method may be used if requirements will be imposed which ensure compliance with historically underutilized business participation requirements (G.S § 143-128.2, G.S § 143-128.4), and requirements to recruit and select small business entities.
6. A list of the advantages and disadvantages of using the design-build delivery method should be compiled, comparing with other project delivery methods such as separate- or single-prime

bidding, and construction manager at risk. The design-build delivery method may be used if after review it is expected that as a result of a more integrated, fluid, and flexible delivery process the Design-Build method is comparatively more desirable and will:

- a. meet the operational goals of the project; and
- b. achieve the desired level of quality of finished product.

BE IT FURTHER RESOLVED that:

1. After completion of the project evaluation, if the Town Manager and staff determine the Design-Build delivery method to be appropriate for the project, they will submit a recommendation to the Mayor and Board of Aldermen for consideration.
2. this Resolution is effective immediately upon adoption.

Adopted this 13th day of June 2023.

CONSIDER AUTHORIZING – Town Manager to Enter into a Contract for Street Paving

Public Works Director Joel Taylor requested the Mayor and Board authorize Town Manager Franzese to enter into a contract for street paving with Carolina Site Works. Powell Bill money will be used to pay for paving, which will total \$311,509

Action

Alderman Morgan moved to authorize Town Manager Franzese to enter into a contract (which is included as Attachment B to these minutes) for street paving with Carolina Site Works in the amount of \$311,509. Alderman Miller seconded the motion, which carried by a unanimous vote of 6 - 0.

DEPARTMENTAL REPORTS

Planning Department

Town Manager Franzese gave the monthly Planning Department report and answered any questions from the Mayor and Board. Chief Michael File came up to present information about the speed study and discuss options for people speeding.

Code Enforcement Department

Code Enforcement Officer James Osborne gave the monthly Code Enforcement report and answered any questions from the Mayor and Board.

Police Department

Chief of Police File gave the Police Department report and answered any questions from the Mayor and Board. Chief of Police File also reported on the speed study conducted in the Sowers Ferry area requested by citizens concerned with speeding by motorists and answered questions from the Board.

Alderman Miller left the Board Room at 7:13 p.m.

Fire Department

Fire Chief Lanning gave the Fire Department report and answered any questions from the Mayor and Board.

Alderman Miller returned to the Board Room at 7:13 p.m.

Public Works Department

Public Works Director Taylor gave the Public Works Department report and answered any questions from the Mayor and Board.

Special Projects

Special Projects Manager Joe Morris gave the Board an update on the progress at the Yadkin River Park Trailhead. He expects the finishing touches to be completed by July 1.

Finance Department

Town Manager Peter Franzese gave the monthly Finance Department report and answered any questions from the Mayor and Board.

Library Report

Town Clerk Anna Kanode gave the monthly Library report and answered any questions from the Mayor and Board.

TOWN MANAGER REPORT

Manager Franzese gave his monthly report and answered any questions from the Mayor and Board.

REQUESTS AND COMMENTS BY THE MAYOR AND BOARD MEMBERS

Alderwoman Sledge:

- Thanked the Fire Department for continuing to fill water containers at the Community Garden.
- Welcomed Ms. Sheffield addressing the Mayor and Board and expressed the desire to all live in harmony. Stated that if people accepted everyone for who they are, the whole World could be a better place.
- Announced two events coming up this month: the Juneteenth celebration at the Bell Tower in Salisbury on June 19 and Pride Day at Bell Tower on June 24.

Alderman Muhammad:

- Thanked the Town department heads and staff, as well as members of the Board, for their work.
- Thanked the residents that were present and watching the live stream for their concerns. Stated that they are not ignored and that everyone should come from a position of peace and love.

Alderman Miller:

- Apologized in case he unintentionally offended anyone with his remarks concerning the Christmas Parade during the last meeting. Stated he has nothing against any type of people. Noting his family heritage in the parade and desire to see it continue in Spencer, no matter what it is called or what it is about. Expressed the belief that the volunteers did a good job with community involvement.
- Read a statement regarding gun violence originating from one house whose residents refuse to cooperate with the police and identify the people involved; group of mothers pleading for police assistance to stop problems with children in the area around that particular house at the May Town Hall meeting; attempted eviction being tied up in court; and reassured citizens that the Police Department and Town staff are doing everything in their power to mitigate the situation.

Alderman Morgan:

- Agreed with Alderman Miller regarding the house on Yadkin Avenue and the problems caused.
- Thanked Interim Finance Director John Sofley and Town staff for their work on the budget, particularly due to revaluation, the skyrocketing cost of living, which places pressure on family incomes, problems caused in terms of high pricing, and homeless populations skyrocketing. Expressed hope that the citizens of Spencer understand that the Board is trying to do a lot of things with the Fire Department addition, acquisition of a fire truck, and garbage truck. Noted that the Board has looked at the budget and feels that it is beneficial for the Town's future. Stated that the Board does not take the budget lightly.

Alderman Howe:

- Reassured citizens that the Board and Town staff hear their concerns regarding taxes and have a plan for the new budget. Articulated that the Town has desperate needs now and will continue to have needs as it grows. Expressed that it is not a good position for the Town to be in to grow and then need something but not have it. Promised that not one cent will go to waste.
- Clarified that with regard to the public comment, appreciated everyone for bringing their concerns before the Board and taking advantage of this time-honored and important right. Expressed hope that the Board can convey their intent better in the future. Specified that his singular concern with the Parade was regarding the Regular Board of Aldermen Meeting on September 13, 2022, during which he felt the Board and Town Staff were shown disrespect during the Public Comment section of the meeting when they could not respond.

Mayor Pro Tempore Secreast:

- Reemphasized the need for civility, stating the Board represents all Town citizens and should not bring in personal beliefs.

Mayor Williams:

- Thanked Town staff for their hard work on the budget, expressing that it is a fair balance between the reality of increasing real estate value and not impacting the citizens' pockets too drastically. Stated that the budget accommodates the needs the Town has right now and the needs that have been deferred for many years, which, if unaddressed, will only make things worse in the future.
- Expressed appreciation for public comments, whether positive or negative, but also clarified that: 1) as they are allowed to express their opinions freely and openly, it is also the right of Board members to freely make theirs, and 2) individual Board member comments do not represent the overall Board. Implored community members to get involved and serve on committees to provide input and voices. Thanked those who have done that. Wants folks to continue to get involved and work together regardless of race, sex, creed, etc. Wishes to be a united community. He requested that everyone move forward and not dwell on the past.

EXECUTIVE SESSION PER NC GENERAL STATUTE 143-318.11 (a) (6)

Alderswoman Sledge moved to go into Executive Session per NC General Statute 143-318.11 (a) (6) for the purposes of discussing personnel. Alderman Morgan seconded the motion, which carried 6 – 0. The open session stood recessed at 8:07 p.m.

Mayor Williams reconvened the open session at 8:28 p.m. and announced that no action had taken place during the closed session.

ADJOURNMENT

Alderman Morgan moved to adjourn the meeting. Alderman Muhammad seconded the motion, which carried unanimously with a vote of 6 – 0. The meeting stood adjourned at 8:29 p.m.

Approved by:

Attest:

Jonathan Williams
Mayor

Anna Kanode
Town Clerk

DRAFT

704-633-2231
spencernc.gov



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Regular Session Meeting Date: July 11, 2023

(Attach relevant documentation)

Issue Under Consideration:	Adoption of Resolution 23-15
Current Status:	Town does not currently have an ethics policy.
Points to Consider:	North Carolina General Statute 160A-86 requires all North Carolina cities to adopt a resolution or policy containing a code of ethics to guide actions by the governing board members in the performance of their official duties as members of that governing board. The policy proposed was prepared by the UNC School of Government based on the specific requirements of NC GS 160A-86.
Financial Impact:	None
Options:	Adoption or adoption with modifications allowed under NC GS 160A-86.
Recommendations:	Adoption of Ethics Policy
Department:	Town Hall



**TOWN OF SPENCER, NORTH CAROLINA
RESOLUTION 23-15**

A RESOLUTION ADOPTING AN ETHICS POLICY PER NC GENERAL STATUTE 160A-86

WHEREAS, the North Carolina General Assembly passed a law requiring all North Carolina cities, counties, local boards of education, unified governments, sanitary districts, and consolidated city-counties to adopt a resolution or policy containing a code of ethics to guide actions by the governing board members in the performance of their official duties as members of that governing board; and

WHEREAS, the UNC School of Government has prepared a Model Code which sets out a comprehensive statement of guiding ethical principles, based on the specific requirements of G.S. 160A-86; and

WHEREAS, the Board of Aldermen of the Town of Spencer deems it advisable to adopt an ethics policy;

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

This resolution shall become effective immediately upon adoption.

Adopted this 11th day of July, 2023.

Jonathan Williams, Mayor

Anna Kanode, Town Clerk



**Code of Ethics for the
Mayor & Board of Aldermen of
Town of Spencer,
North Carolina**

PREAMBLE

WHEREAS, the Constitution of North Carolina, Article I, Section 35, reminds us that a “frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty,” and

WHEREAS, a spirit of honesty and forthrightness is reflected in North Carolina’s state motto, *Esse quam videri*, “To be rather than to seem,” and

WHEREAS, Section 160A-86 of the North Carolina General Statutes requires local governing boards¹ to adopt a code of ethics, and

WHEREAS, as public officials we are charged with upholding the trust of the citizens of this Town, and with obeying the law, and

NOW THEREFORE, in recognition of our blessings and obligations as citizens of the State of North Carolina and as public officials representing the citizens of the Town of Spencer, and acting pursuant to the requirements of Section 160A-86 of the North Carolina General Statutes, we the Board of Aldermen do hereby adopt the following General Principles and Code of Ethics to guide the Board of Aldermen in its lawful decision-making.

GENERAL PRINCIPLES UNDERLYING THE CODE OF ETHICS

- The stability and proper operation of democratic representative government depend upon public confidence in the integrity of the government and upon responsible exercise of the trust conferred by the people upon their elected officials.
- Governmental decisions and policy must be made and implemented through proper channels and processes of the governmental structure.
- Board members must be able to act in a manner that maintains their integrity and independence, yet is responsive to the interests and needs of those they represent.
- Board members must always remain aware that at various times they play different roles:
 - As advocates, who strive to advance the legitimate needs of their citizens

¹ For the purposes of this document, the term “board(s)” refers to both the Board of Aldermen and the Mayor of the Town of Spencer.

- As legislators, who balance the public interest and private rights in considering and enacting ordinances, orders, and resolutions
- As decision-makers, who arrive at fair and impartial quasi-judicial and administrative determinations.
- Board members must know how to distinguish among these roles, to determine when each role is appropriate, and to act accordingly.
- Board members must be aware of their obligation to conform their behavior to standards of ethical conduct that warrant the trust of their constituents. Each official must find within his or her own conscience the touchstone by which to determine what conduct is appropriate.

CODE OF ETHICS

The purpose of this Code of Ethics is to establish guidelines for ethical standards of conduct for the Board of Aldermen and to help determine what conduct is appropriate in particular cases. It should not be considered a substitute for the law or for a board member's best judgment.

Section 1. Board members should obey all laws applicable to their official actions as members of the board. Board members should be guided by the spirit as well as the letter of the law in whatever they do.

At the same time, board members should feel free to assert policy positions and opinions without fear of reprisal from fellow board members or citizens. To declare that a board member is behaving unethically because one disagrees with that board member on a question of policy (and not because of the board member's behavior) is unfair, dishonest, irresponsible, and itself unethical.

Board members should endeavor to keep up to date, through the board's attorney and other sources, about new or ongoing legal or ethical issues they may face in their official positions. This educational function is in addition to the day-to-day legal advice the board may receive concerning specific situations that arise.

Board members should endeavor to keep up to date, through the board's attorney and other sources, about the most pertinent constitutional, statutory, and other legal requirements with which they must be familiar to meet their legal responsibilities. The board should consider adopting a list of applicable laws and regulations, with appropriate commentary, as a reference document accompanying this Code.

Section 2. Board members should act with integrity and independence from improper influence as they exercise the duties of their offices. Characteristics and behaviors consistent with this standard include the following:

- Adhering firmly to a code of sound values
- Behaving consistently and with respect toward everyone with whom they interact
- Exhibiting trustworthiness
- Living as if they are on duty as elected officials regardless of where they are or what they are doing
- Using their best independent judgment to pursue the common good as they see it, presenting their opinions to all in a reasonable, forthright, consistent manner

- Remaining incorruptible, self-governing, and unaffected by improper influence while at the same time being able to consider the opinions and ideas of others
- Disclosing contacts and information about issues that they receive outside of public meetings and refraining from seeking or receiving information about quasi-judicial matters outside of the quasi-judicial proceedings themselves
- Treating other board members and the public with respect and honoring the opinions of others even when the board members disagree with those opinions
- Not reaching conclusions on issues until all sides have been heard
- Showing respect for their offices and not behaving in ways that reflect badly on those offices
- Recognizing that they are part of a larger group and acting accordingly
- Recognizing that individual board members are not generally allowed to act on behalf of the board but may only do so if the board specifically authorizes it, and that the board must take official action as a body

Section 3.a. Board members should avoid impropriety in the exercise of their official duties. Their official actions should be above reproach. Although opinions may vary about what behavior is inappropriate, this board will consider impropriety in terms of whether a reasonable person who is aware of all of the relevant facts and circumstances surrounding the board member's action would conclude that the action was inappropriate.

Section 3.b. If a board member believes that his or her actions, while legal and ethical, may be misunderstood, the member should seek the advice of the board's attorney and should consider publicly disclosing the facts of the situation and the steps taken to resolve it (such as consulting with the attorney).

Section 4. Board members should faithfully perform the duties of their offices. They should act as the especially responsible citizens whom others can trust and respect. They should set a good example for others in the community, keeping in mind that trust and respect must continually be earned.

Board members should faithfully attend and prepare for meetings. They should carefully analyze all credible information properly submitted to them, mindful of the need not to engage in communications outside the meeting in quasi-judicial matters. They should demand full accountability from those over whom the board has authority.

Board members should be willing to bear their fair share of the board's workload. To the extent appropriate, they should be willing to put the board's interests ahead of their own.

Section 5. Board members should conduct the affairs of the board in an open and public manner. They should comply with all applicable laws governing open meetings and public records, recognizing that doing so is an important way to be worthy of the public's trust. They should remember when they meet that they are conducting the public's business. They should also remember that local government records belong to the public and not to board members or their employees.

In order to ensure strict compliance with the laws concerning openness, board members should make clear that an environment of transparency and candor is to be maintained at all times in the governmental unit. They should prohibit unjustified delay in fulfilling public records requests. They should take deliberate steps to make certain that any closed sessions held by the board are lawfully conducted and that such sessions do not stray from the purposes for which they are called.

Censure Procedures. If a majority of the board has reason to believe that one of its members has violated a provision of this Code of Ethics, it [shall] [may] open an investigation into the matter to determine whether probable cause exists to initiate censure proceedings against the member. All information pertaining to the case shall be open to public inspection and copying pursuant to the North Carolina public records statutes. If upon investigation the board concludes that a violation of a criminal law may have occurred, it shall refer the matter to the local district attorney.

Should the board determine that it wishes to proceed further with censure proceedings, it shall call for a hearing, to be held at a regular meeting or at a special meeting convened for that purpose. Notice of the hearing stating its time, place, and purpose shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the jurisdiction. 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. Alternatively, the hearing shall be advertised on the jurisdiction's website for the same period of time, up to and including the date of the hearing. The notice shall state that a detailed list of the allegations against the member is available for public inspection and copying in the office of the clerk or secretary to the board.

The hearing shall be convened at the time and place specified. The hearing and any deliberations shall be conducted in open session in accordance with the North Carolina open meetings statutes.

The accused board member shall have the right to have counsel present, to present and cross-examine expert and other witnesses, and to offer evidence, including evidence of the bias of any other board member or the presiding officer. An audio or video and audio tape of the proceedings shall be prepared. Any and all votes during the hearing shall be taken by the ayes and noes and recorded in the board's minutes.

Once the hearing is concluded, it shall be closed by vote of the board. The presiding officer shall next entertain a motion to adopt a nonbinding resolution censuring the member based on specified violations of the code of ethics. Any motion made must be an affirmative one in favor of adopting a nonbinding resolution of censure. If the motion or resolution does not state particular grounds for censure under the code of ethics, the presiding officer shall rule it out of order.

If a motion to adopt a nonbinding resolution of censure stating particular grounds under the code of ethics has been made, the board shall debate the motion. The accused member shall be allowed to participate in the debate [but shall not] [and shall not also be allowed to] vote on the motion to adopt the resolution.

At the conclusion of the debate, the board shall vote on the resolution. If the motion to adopt the nonbinding resolution of censure is approved by a [majority] [two-thirds] [three-fourths] vote of those present and voting, a quorum being present, the motion passes and the nonbinding resolution of censure is adopted.

The text of the nonbinding resolution of censure shall be made a part of the minutes of the board. Any recording of the board's proceedings shall be approved by the board as a permanent part of the minutes. The proceedings shall then be considered concluded, the board having done all it legally can with respect to the matter in question.

APPENDIX 1: GUIDELINES FOR ETHICAL BEHAVIOR

- 1. Avoid deriving a direct benefit from contracts in which you are involved in making or administering on behalf of the public agency.** (G.S. 14-234(a)(1); criminal penalty; note defined terms in the statute: *direct benefit, involved in making or administering a contract.*)
- 2. Avoid attempting to influence others involved in making or administering a contract on behalf of the public agency, even if you aren't involved, if you will derive a direct benefit from the contract.** (G.S. 14-234(a)(2); criminal penalty; note defined terms in the statute: *direct benefit, involved in making or administering a contract.*)
- 3. Avoid soliciting or receiving any gift or reward in exchange for recommending, influencing, or attempting to influence the award of a contract by the public agency you serve.** (G.S. 14-234(a)(3); criminal penalty.)
- 4. Consider the ethical and practical consequences of deriving a direct benefit from a contract authorized under any exception to the statute and weigh these considerations against the potential advantage to the public agency and to yourself. Follow reporting requirements to ensure transparency.** (G.S. 14-234(b); (d1).)
- 5. Avoid participating in deliberations about or voting on a contract in which you have a direct benefit, when the contract is undertaken as allowed under any exception to the statute.** (G.S. 14-234(b1); criminal penalty.)
- 6. Avoid using your knowledge of contemplated action by you or your unit, or information known to you in your official capacity and not made public, to acquire a financial interest in any property, transaction, or enterprise, or to gain a financial benefit that may be affected by the information or contemplated action. Avoid intentionally aiding another to do any of these things.** (G.S. 14-234.1; criminal penalty.)
- 7. Avoid receiving any gift or favor from a current, past, or potential contractor.** (G.S. 133-32(a); criminal penalty.)
- 8. Consider the ethical and practical consequences of accepting a gift or favor under any exception to the statutory prohibition, and follow reporting requirements to ensure transparency.**
- 9. Avoid voting on matters involving your own financial interest or official conduct.** (G.S. 160A-75; 153A-44.) **Identify and disclose these matters in advance so your board can determine whether you have a conflict allowing you to be excused by the board from voting. When in doubt, obtain an opinion from your local attorney about whether you must vote or may be excused.**
- 10. Avoid voting on any zoning map or text amendment where the outcome of the vote is reasonably likely to have a direct, substantial, and readily identifiable financial impact on you.** (G.S. 153-340(g); G.S. 160A-381(d).)
- 11. Do not participate in or vote on any quasi-judicial matter, including matters that come before the board when the board is acting in a quasi-judicial capacity under G.S. 153A-345 or G.S. 160A-388, if participation would violate affected persons' constitutional right to an impartial decision-maker. Impermissible conflicts under this statutory standard include "having a fixed opinion prior to hearing the matter that is not susceptible to change"; "undisclosed ex parte**

communications between a board member and someone involved in the matter that occur outside the official quasi-judicial proceedings”; “a close familial, business, or other associational relationship with an affected person”; or “a financial interest in the outcome of the matter.” (G.S. 153A-345(e1), G.S. 160A-388(e1); violation of the constitutional standard by one member invalidates the entire vote.)

- 12. Fulfill your statutory obligation to vote on all matters that come before you even when there are appearances of conflict, and only refrain from voting when there is a legal basis for being or a requirement to be excused from voting.** (G.S. 153A-44; G.S. 160A-75.)

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Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Regular Session Meeting Date: July 11, 2023

(Attach relevant documentation)

Issue Under Consideration:	Adoption of Resolution 23-16
Current Status:	Town does not currently have a policy to handle the procedure of approval and disposition of closed session minutes.
Points to Consider:	North Carolina General Statute 143-318.10 specifies minutes of a closed session conducted in compliance with G.S. 143-318.11 may be withheld from the public inspection so long as public inspection would frustrate the purpose of a closed session.
Financial Impact:	None
Options:	Adoption or adoption with modifications allowed under NC GS 143-318.10.
Recommendations:	Adoption of Resolution 23-16
Department:	Town Hall



TOWN OF SPENCER RESOLUTION 23-16

A RESOLUTION APPROVING THE PROCEDURE FOR APPROVAL AND DISPOSITION OF CLOSED SESSION MINUTES

BE IT RESOLVED, by the Board of Aldermen of the Town of Spencer that the following procedure is adopted for the approval and disposition of closed session minutes and general accounts:

1. Pursuant to NC General Statute Section 143-318.10, the Board of Aldermen shall keep full and accurate minutes and general accounts (hereinafter collectively referred to as "closed session minutes") of all closed sessions.
2. At the next regular closed session of the Board, the previous closed session minutes will be distributed to each council member in sealed envelopes and considered for approval by Board.
3. Following approval, all copies of the closed session minutes provided to Board members will be returned to the Town Clerk.
4. The closed session minutes will be sealed and not available for public inspection until released as hereinafter provided.
5. The Town Manager and Town Clerk will periodically review the closed session minutes to determine if their disclosure no longer frustrates the purpose for which the closed session was held. Upon such determination, the closed session minutes shall be released and available for public inspection.

APPROVED this 11th day of July, 2023.

SEAL

Jonathan Williams, Mayor

Attest:

Anna Kanode, Town Clerk

704-633-2231
spencernc.gov



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: 07/11/2023

Issue under Consideration:	Consent Agenda Item: Consider approving the First Amendment to Town Manager's Employment Agreement
Current Status:	The Employment Agreement was entered into on December 16, 2020.
Points to Consider:	The Town Manager and the Mayor and Board of Aldermen have collectively determined that membership in certain local civic organizations would be beneficial to both Employer and Employee by exposing such organizations and its members to the Town of Spencer its Manager while also building new relationships with professionals across the county. Funding the membership fees and dues of such organizations is a customary benefit provided to local government managers. The amendment would add the this benefit to the professional development section of the Agreement.
Financial Impact:	Annual membership dues for Rowan Rotary and Salisbury Civitans are expected to total approximately \$1,200 (including \$50 one-time membership registration fee for Civitans).
Options:	
Recommendations:	Consider approving as part of Consent Agenda.
Department:	Town Manager

NORTH CAROLINA

ROWAN COUNTY

FIRST AMENDMENT TO TOWN MANAGER'S EMPLOYMENT AGREEMENT

This First Amendment to Town Manager's Agreement is entered into by and between the Town of Spencer, North Carolina, a municipal corporation (the "Employer"), and Peter L. Franzese (the "Employee").

WHEREAS, Employer and Employee previously entered into that certain Employment Agreement dated December 16, 2020 (the "Agreement") for the employment of Employee; and

WHEREAS, the Employer has determined that membership in certain local civic organizations would be beneficial to both Employer and Employee by exposing such organizations and its members to the Town of Spencer and Employee as its Manager while also building new relationships with professionals across the county; and

WHEREAS, the undersigned parties desire to amend the aforementioned agreement by including such membership fees as an additional benefit to Employee, such amendment being to the mutual benefit of the parties.

NOW, THEREFORE, for the original consideration and the mutual amendments and promises hereinbelow, the parties agree as follows:

1. Section 4 shall be amended by replacing it in full with: Section 4. Professional Development. Employee is encouraged to participate in the Employer's or Employer-provided professional memberships in various organizations including local civic clubs and organizations, the North Carolina League of Municipalities, Centralina Regional Council, International City/County Management Association, and North Carolina City/County Management Association. To that end, Employee shall work in good faith with Employer to develop a schedule and budget for such memberships, continuing education, or training opportunities. Employer shall pay all membership fees and dues for such approved organizations. Expenses related to qualified and pre-approved training and workshops shall be reimbursable at rates consistent with Employer's policies.
2. Except as specifically amended hereinabove, the rest and remainder of the Agreement shall remain in full force and effect.

{Signature Page Follows}

Signature Page: First Amendment Town Manager Agreement

This the ____ day of July, 2023.

EMPLOYEE:

EMPLOYER:

Peter L. Franzese, Town Manager

Jonathan Williams, Mayor

This instrument has been pre-audited in the manner required by the NC Local Government Budget and Fiscal Control Act.

Christie Hutchinson, Interim Finance Officer

704-633-2231
spencernc.gov



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: July 11, 2023

Issue under Consideration:	Property Lien for the failure to comply 314 N. Rowan Ave
Current Status:	Active Fine
Points to Consider:	No Response from Owner
Financial Impact:	\$1550.00
Options:	NA
Recommendations:	Confirm Lien
Department:	Police- Code Enforcement

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

Rowan's Original Gateway.

NOTICE OF LIEN

June 30, 2023

The State of North Carolina
In the Superior Court
In the County of Rowan

Case Number: 202300063

The Town of Spencer
vs
Matthew V. Yarbrough
1118 Walker Valley Ln
Salisbury, NC 28146-9190

Take notice that the Town of Spencer, a municipal corporation, hereby claims a statutory lien pursuant to North Carolina General Statute 160A-193 and the Spencer Code of Ordinances, Chapter 160, against the above-named party or parties and upon the property of said owner or owners, hereinafter described and said claimants show:

1. That the property of the above-named owner or owners upon which notice of lien is filed is in the Spencer Township, Rowan County, State of North Carolina and is described as follows: **314 N. Rowan Ave, Spencer, NC 28159, Parcel (035-062)**
2. That the said lien is authorized by General Statute 160A-193 of the General Statutes of North Carolina, as implemented by the Code of Ordinances of the Town of Spencer as set forth in Chapter 160 of the Code of Ordinances.
3. That pursuant to the above-cited code, a civil citation for failing to comply with a Notice of Violation that was issued on **01/26/2023**.
4. That the total of said civil citation for which this Notice of Lien is filed is **\$1550.00** plus **\$6.00** filing fee. Total cost of lien removal is **\$1556.00**.

Sincerely,

A handwritten signature in black ink, appearing to read "James Osborne", written over a horizontal line.

James Osborne
Code Enforcement Officer
Town of Spencer

704-633-2231
townofspencer.com



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

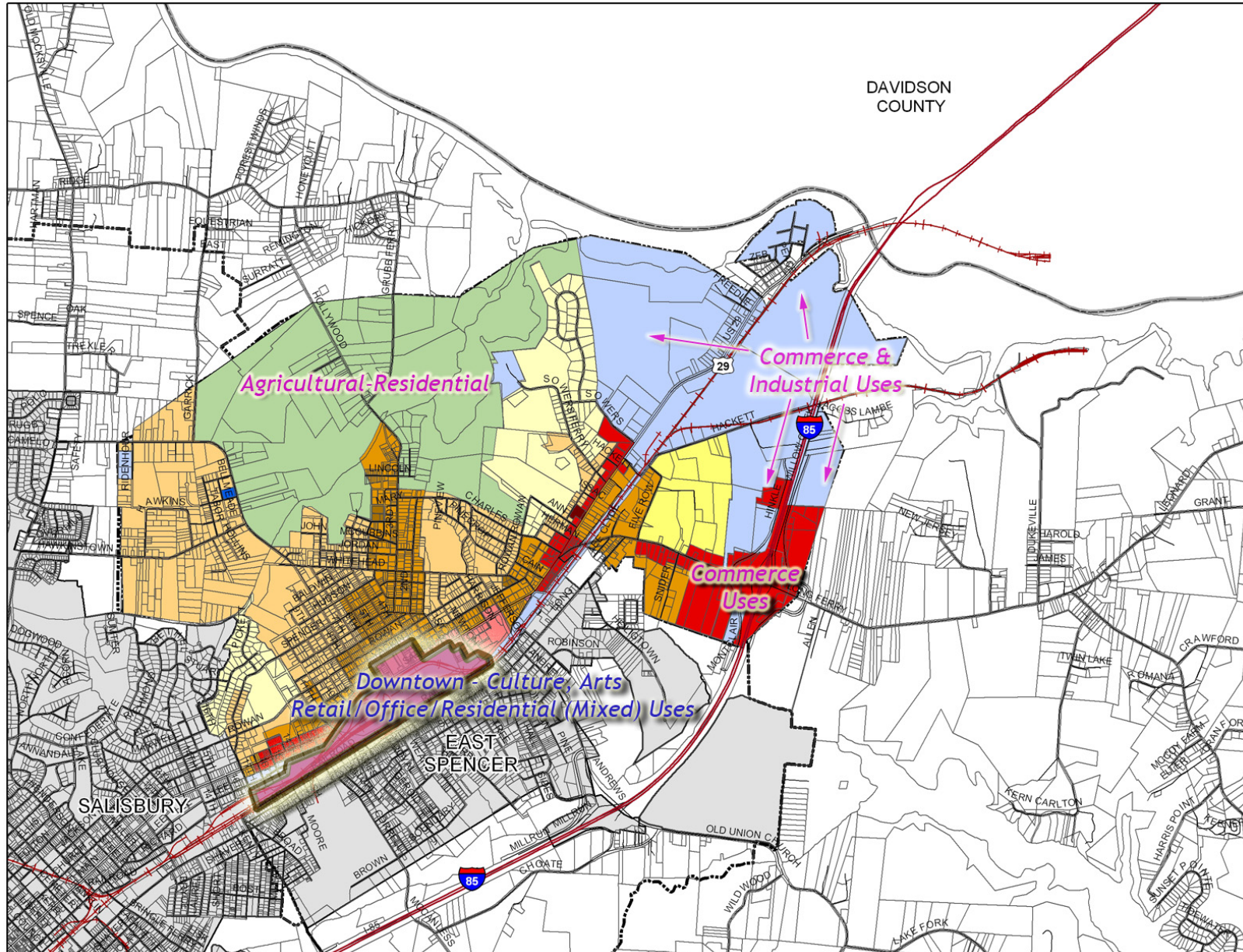
Board Meeting Date: July 11, 2023

Issue under Consideration:	US HWY 29 Zoning Classifications & Code Enforcement presentation
Current Status:	All properties zoned IND
Points to Consider:	This corrido is critical to economic development efforts
Financial Impact:	Minimal at this time
Options:	Presentation and discussion
Recommendations:	Receive presentation and comment
Department:	Planning

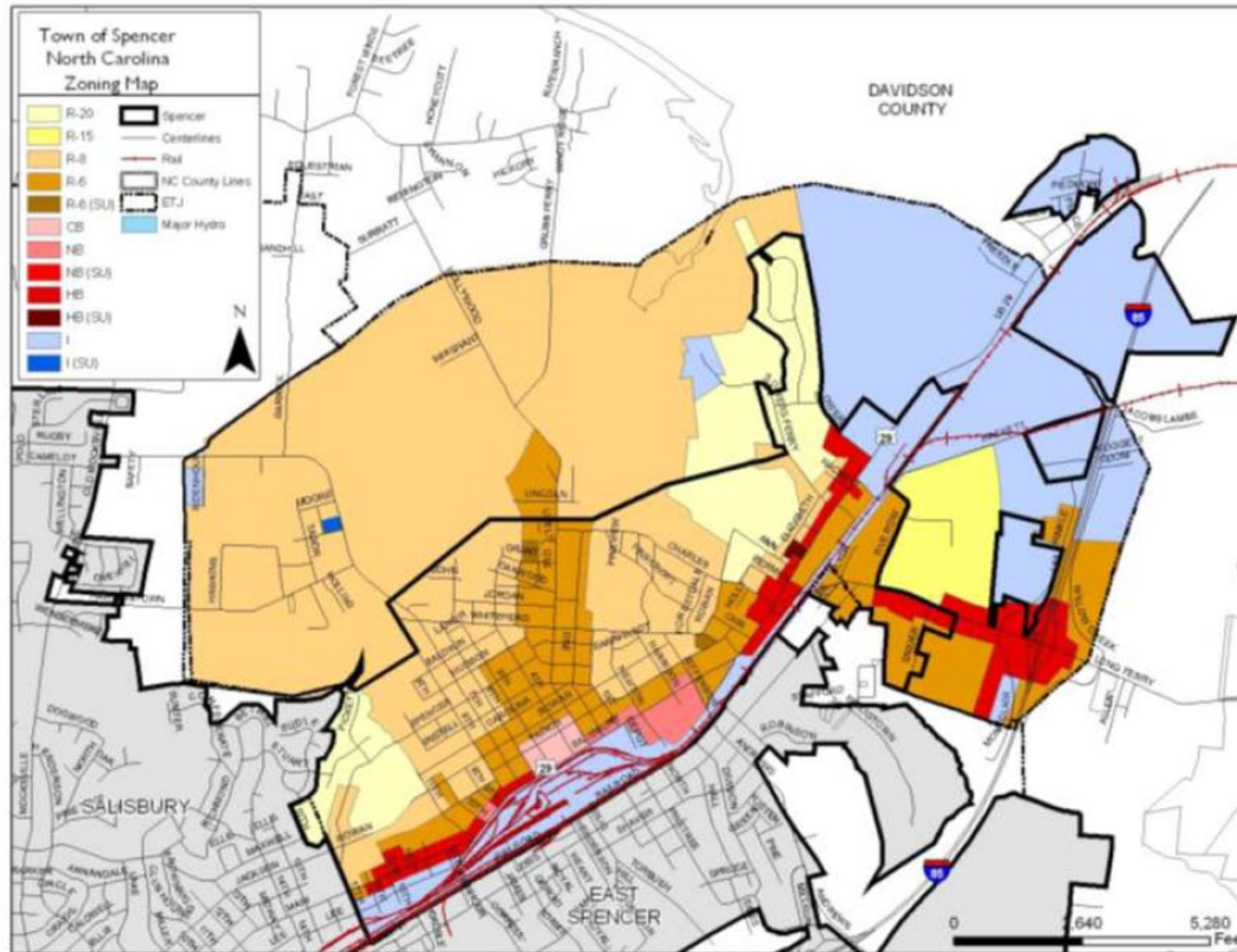
US HWY 29 Zoning

The Missing Link to Prosperity?

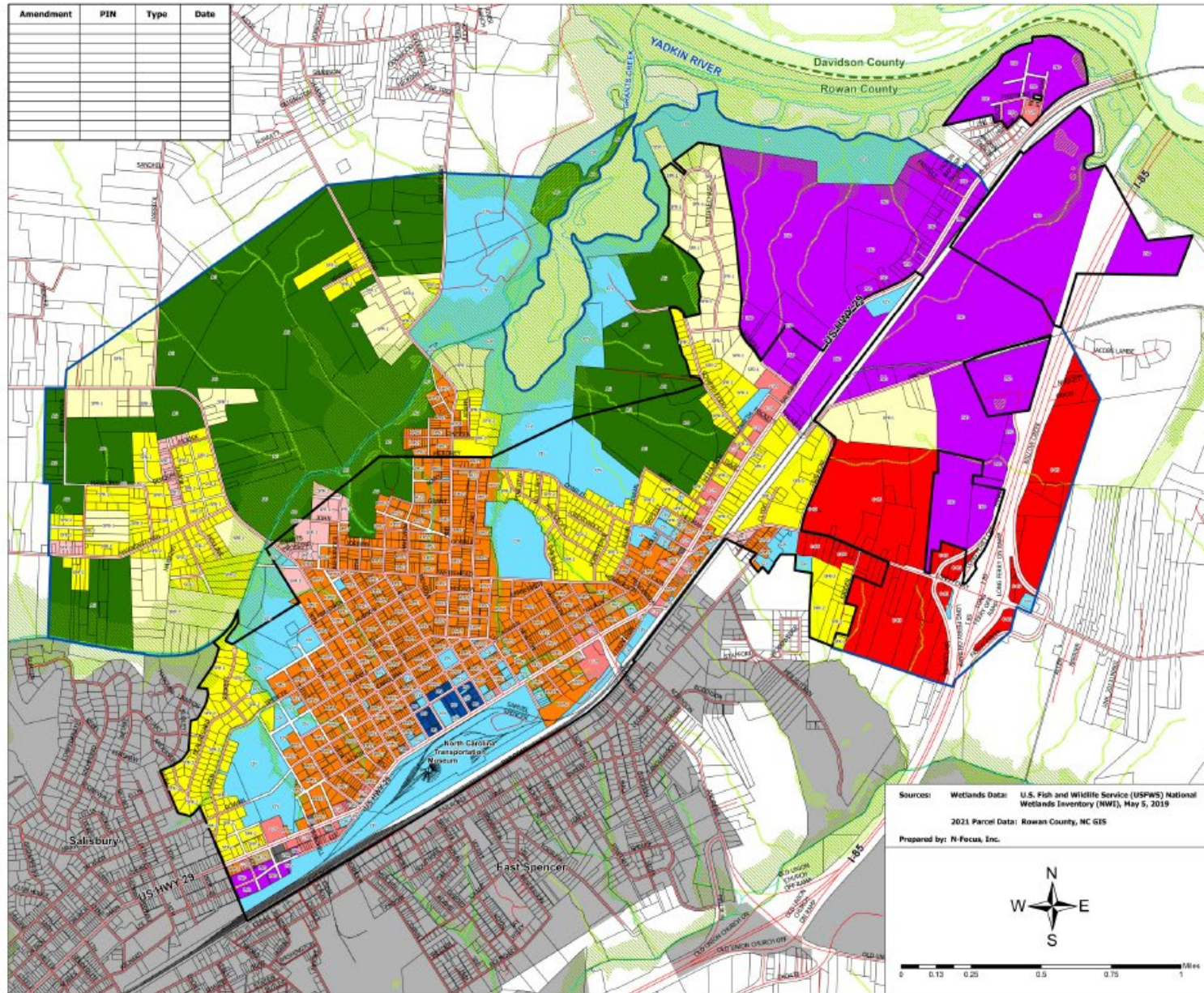
2008 Future Land Development Concept Map



2008 Zoning Map



Town of Spencer Zoning Map



Disclaimer: This map was compiled from existing Rowan County property parcel maps as of March 23, 2022 for the sole purpose of presenting information on Zoning District boundaries of the Town of Spencer, NC. This map is not to be used for the transfer of property, easements, or covenants.

OFFICIAL ZONING MAP

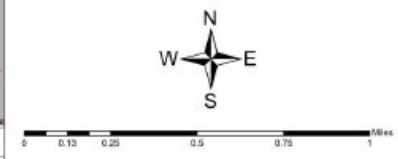
June 8, 2021



LEGEND

- Roads
 - Railroad
 - Stream Centerline
 - Outline of Water Bodies
 - 2018 Flood Zone
 - Wetlands Identified by USFWS
- Jurisdictions**
- Spencer Town Limit
 - Spencer Extraterritorial Jurisdiction (ETJ) Boundary
 - Surrounding Municipal Jurisdictions
 - 2021 County Tax Parcels
- Primary Zoning Districts**
- Agriculture (AG)
 - Single-Family Residential (SFR-1)
 - Single-Family Residential (SFR-2)
 - Single-Family Residential (SFR-3)
 - Residential Main Street Transition (RMST)
 - Main Street (MS)
 - Civic (CIV)
 - Mixed Use (MU-1)
 - Mixed Use (MU-2)
 - US Highway 29 Commercial District (C-29)
 - I-85 Commercial District (C-85)
 - Vehicle Service and Repair (VSR)
 - Industrial (IND)
- Overlay Zoning Districts**
- Traditional Neighborhood Development Overlay (TNDO)
 - Scenic Corridor Overlay (SCD)
 - Heavy Industry Overlay (HIO)
 - Mini Farm Overlay (MFO)
 - Manufactured Home Overlay (MHO)
- Prior Approval**
- Conditional / PUD Approvals on File (Ref.#)

Sources: Wetlands Data: U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI), May 5, 2019
2021 Parcel Data: Rowan County, NC GIS
Prepared by: N-Focus, Inc.



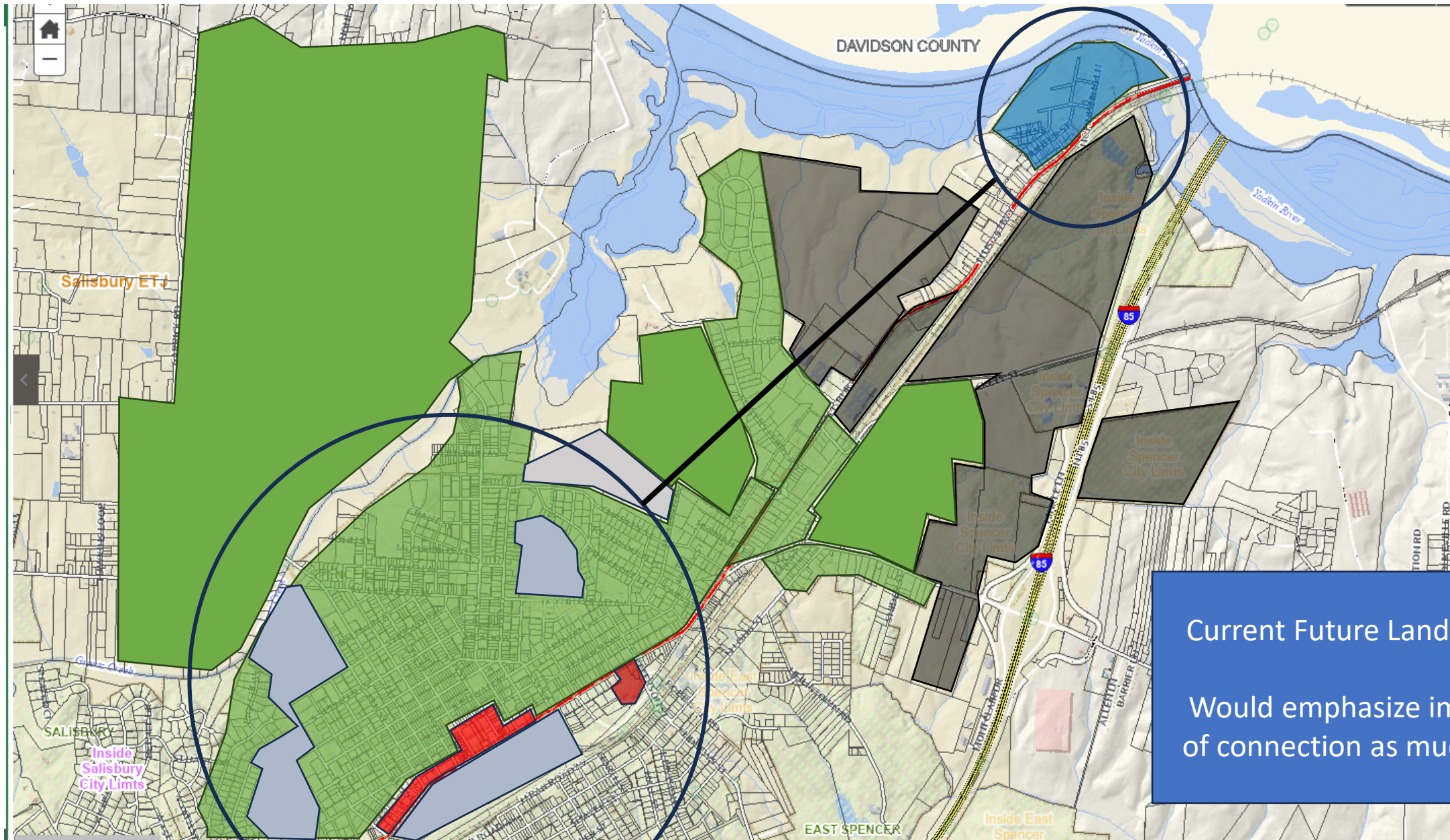
Adopted This The _____ Day of _____,

Mayor _____

Town Clerk _____

Planning, Zoning, and Subdivision Administrator _____

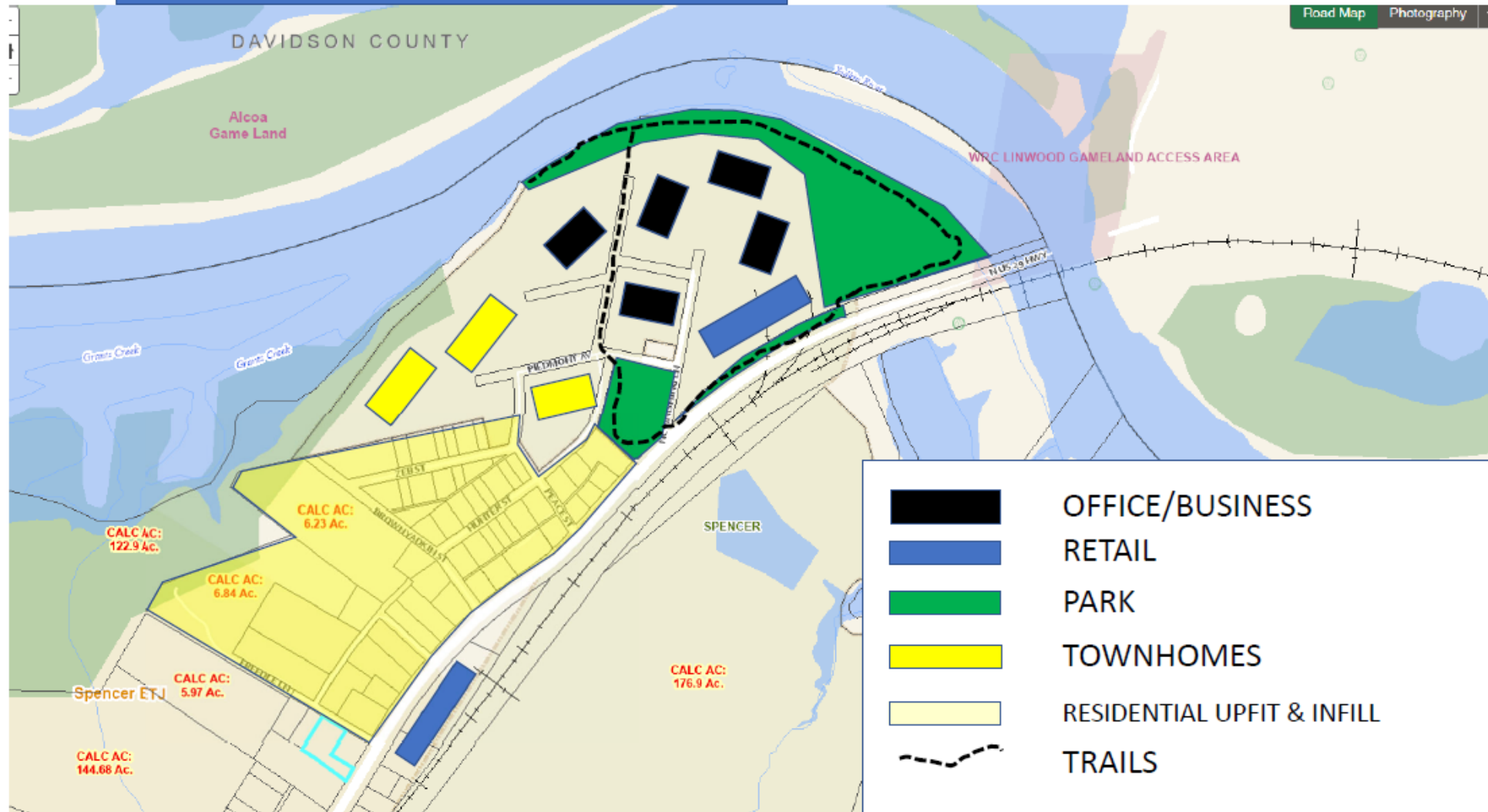
2021 Zoning Map



Current Future Land Use Map

Would emphasize importance
of connection as much as use!

NC Finishing Co Property in the Future...



EB-5861

Yadkin
River Park

New Sidewalk
Sections

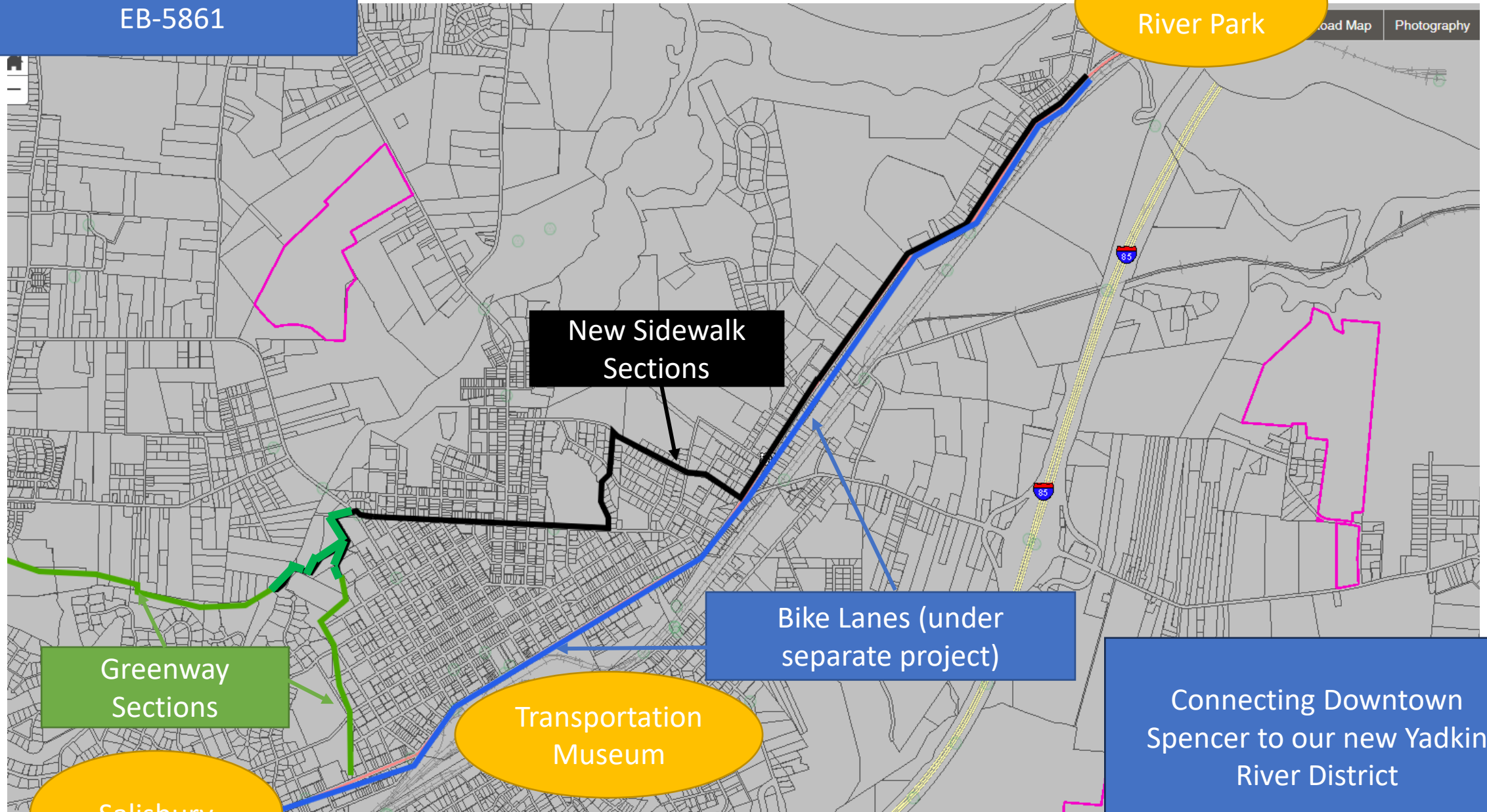
Bike Lanes (under
separate project)

Greenway
Sections

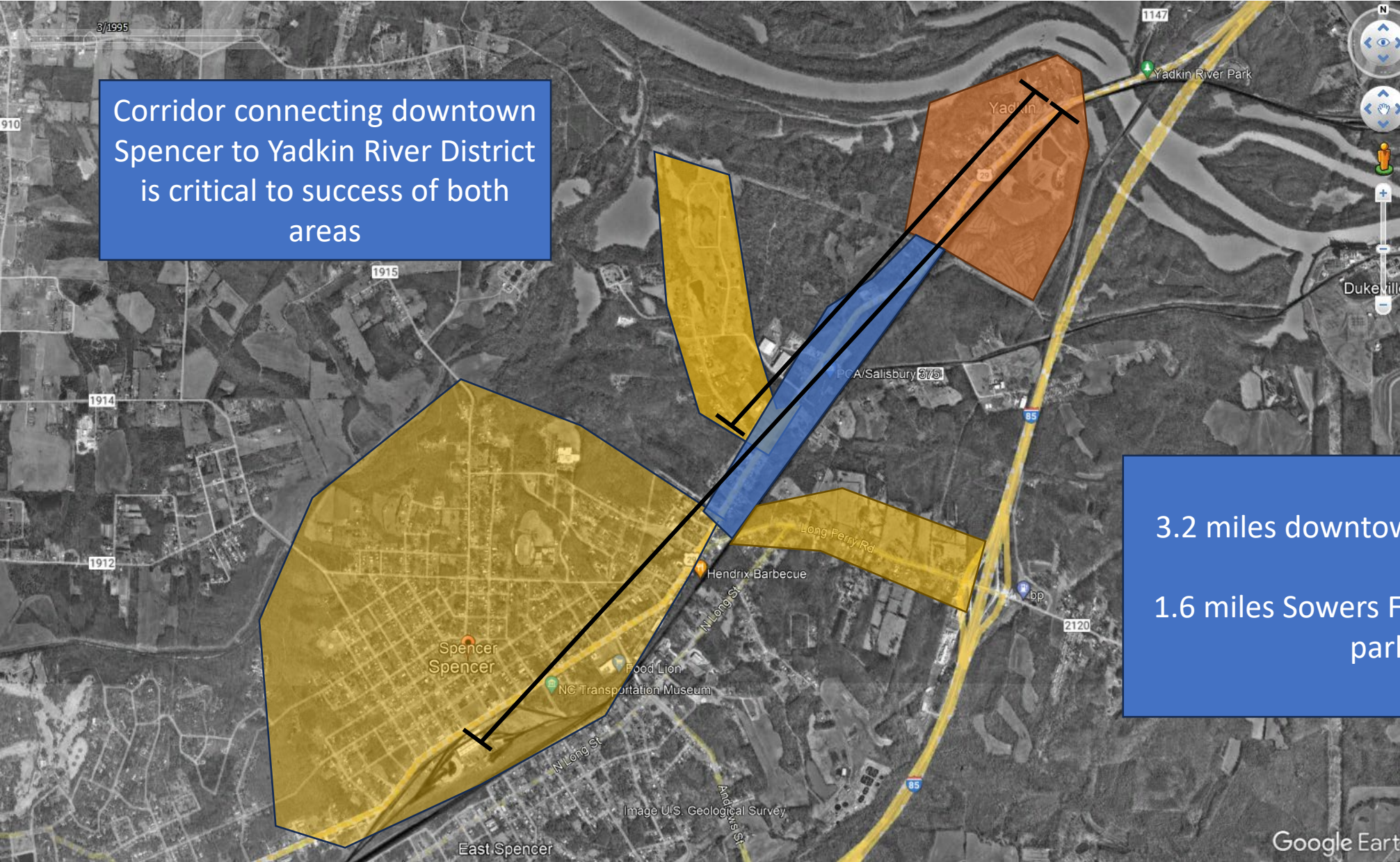
Transportation
Museum

Salisbury

Connecting Downtown
Spencer to our new Yadkin
River District





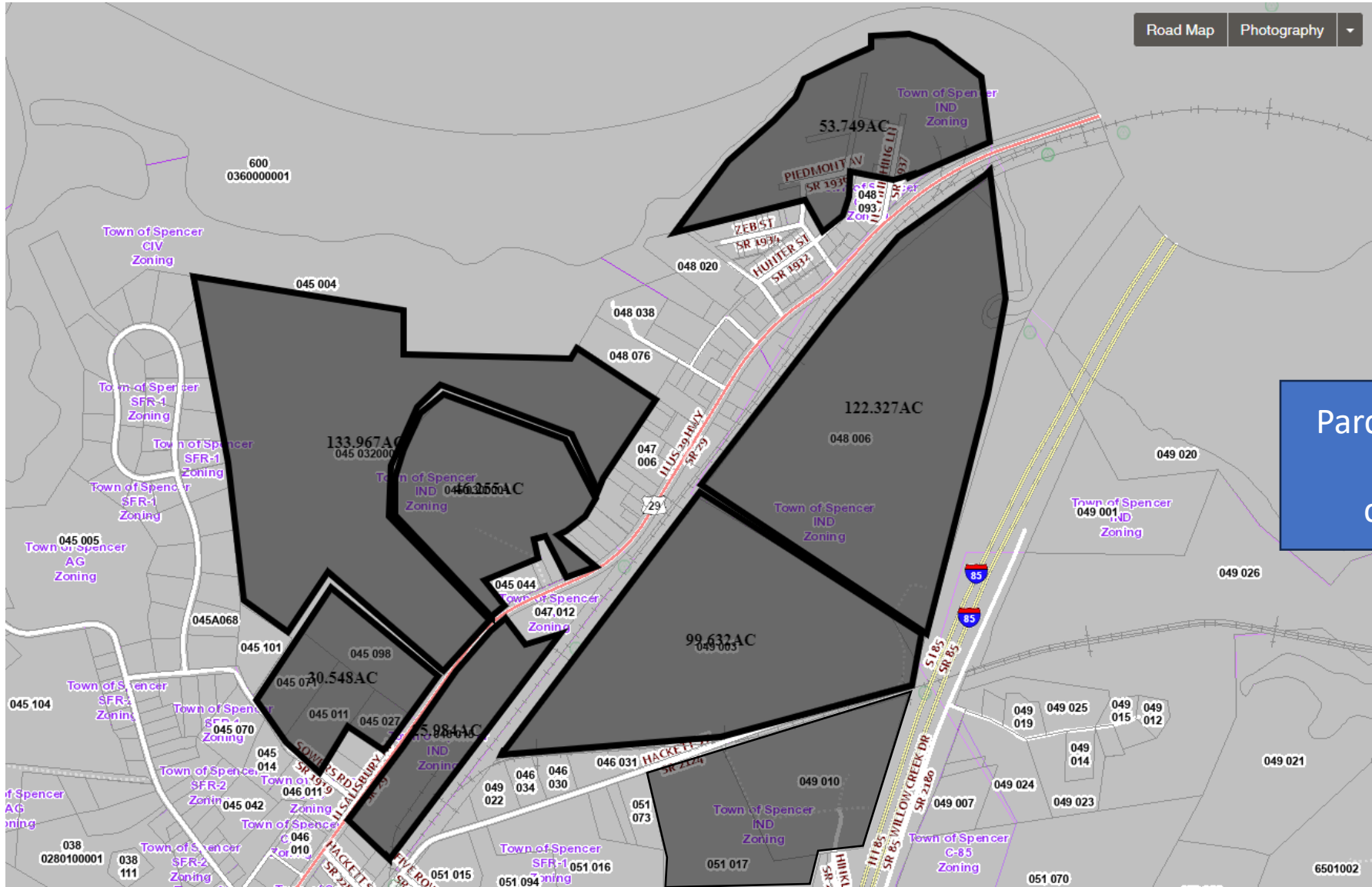


Corridor connecting downtown
Spencer to Yadkin River District
is critical to success of both
areas

The map shows a satellite view of the region. A large yellow-shaded area covers downtown Spencer, including the NC Transportation Museum and Food Lion. A blue-shaded corridor runs from Spencer towards the Yadkin River. An orange-shaded area covers the Yadkin River District. A black line with cross-ticks indicates the proposed corridor. Major roads like US-85 and US-2120 are visible. The Yadkin River is on the right. A text box in the top left contains the text: 'Corridor connecting downtown Spencer to Yadkin River District is critical to success of both areas'.

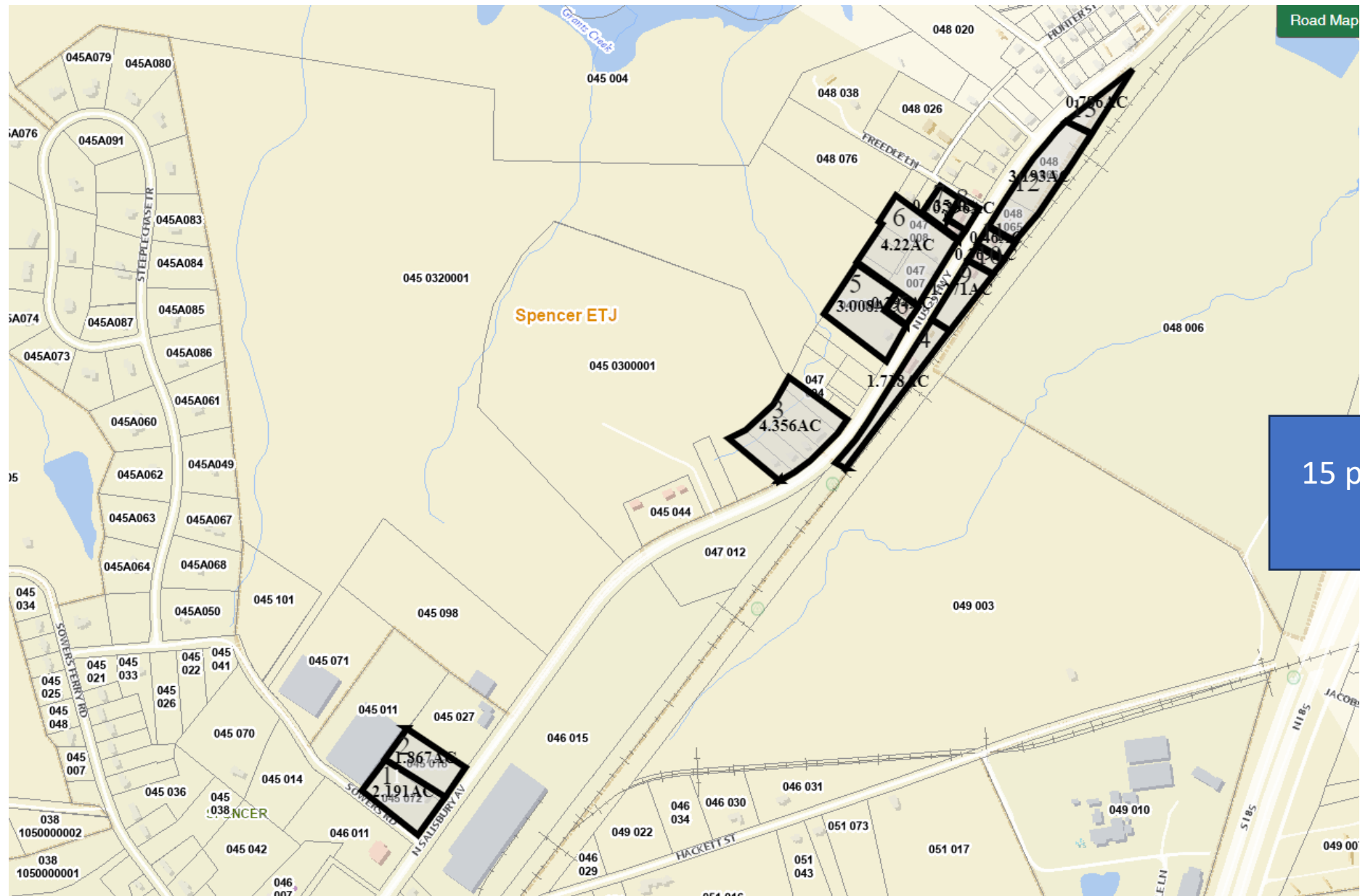
3.2 miles downtown to river park
1.6 miles Sowers Ferry Rd to river
park

A text box in the bottom right contains the text: '3.2 miles downtown to river park' and '1.6 miles Sowers Ferry Rd to river park'.

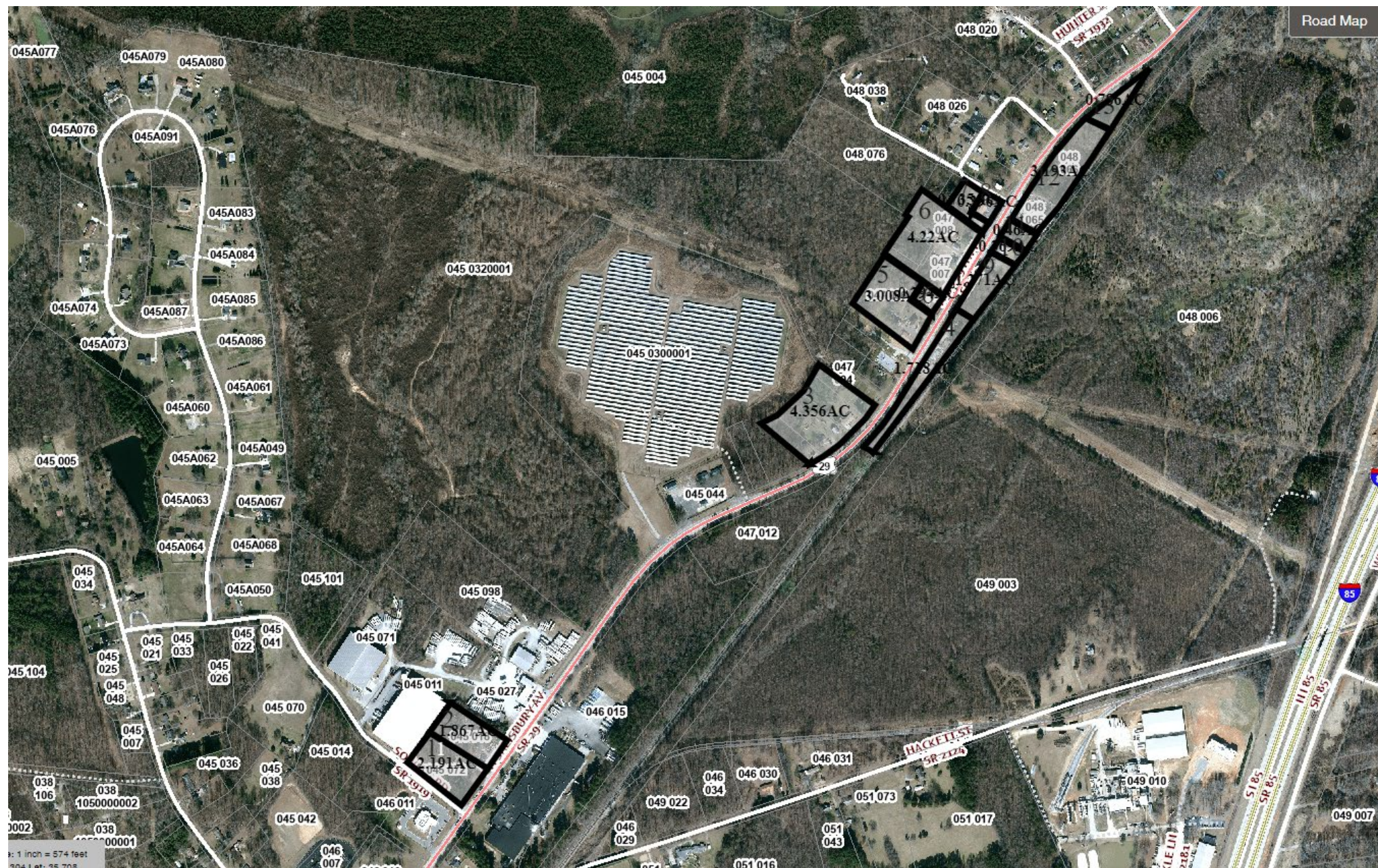




One mile Sowers Rd to Yadkin
Village



15 properties in one mile corridor

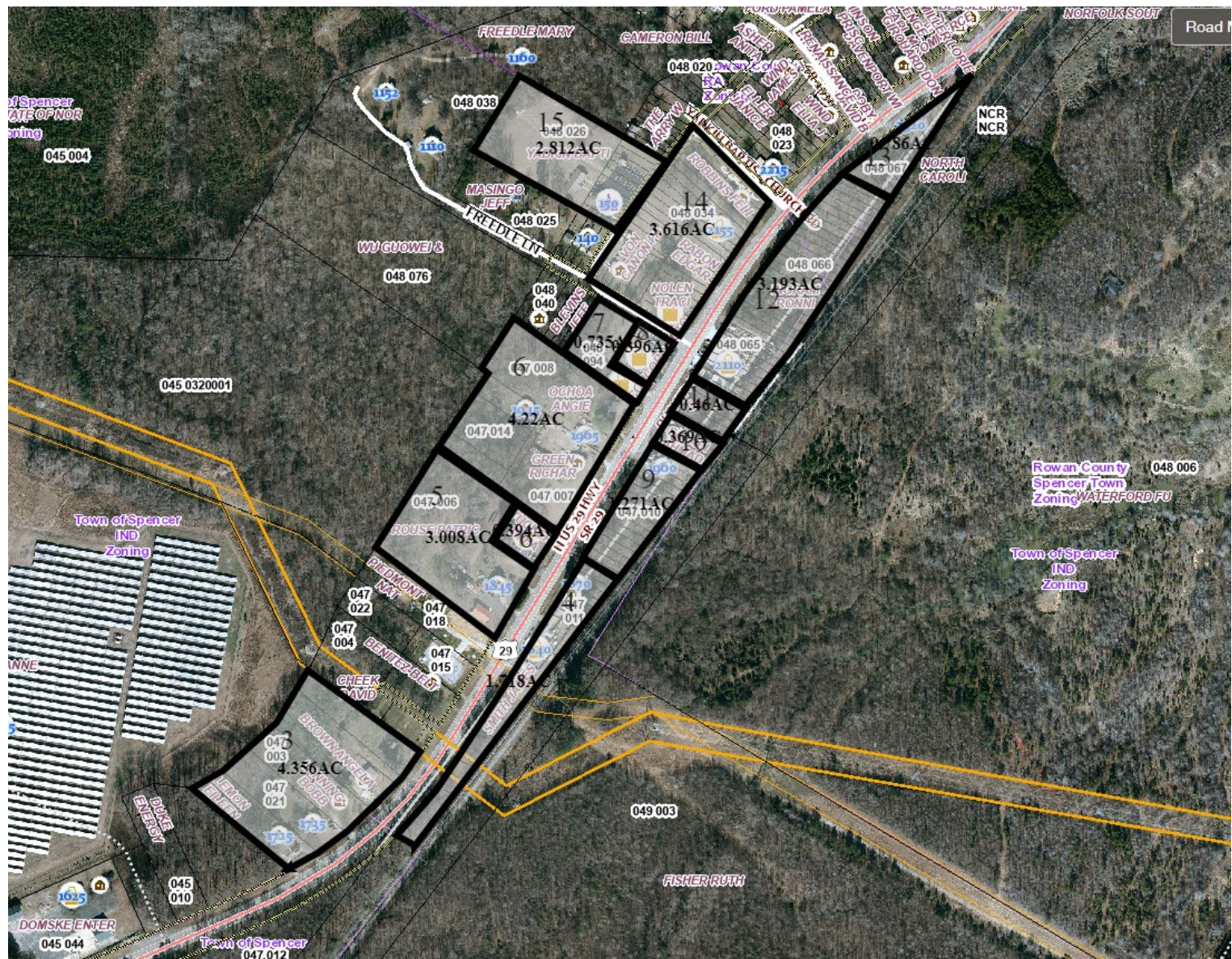




SF Home



Auto Repair/Junk Yard





Hair Salon



Nightclub



SF Homes



Used Car Dealership



SF Homes



Uncertain Use



Car Repair/Junk Yard



Church

All of these properties are currently zoned IND (Light Industrial)

Most are “Legal Nonconforming Uses”

Should we change their zoning classifications?

If so, to what classifications?

Definition

NONCONFORMING USE. Any current legal use of property not otherwise permitted under current zoning regulations. This may include, without limitation 1) a use legally established under requirements at the time of installation or construction but not now permitted in the zoning district in which it is located or 2) a use conditionally allowed in the zoning districts in which it is located but for which no special use permit has been obtained. See *GRANDFATHERED*.

22.1 Purpose

It is recognized that, over time, lawful nonconformities may develop as a result of amendments to the Official Zoning Map or Spencer Development Ordinance which change the application of the Town of Spencer development regulations to particular properties. It is important that such properties, while nonconforming, be adequately maintained and permitted to continue, but not expanded or enlarged in any fashion that increases the extent of nonconformity. Where possible, such nonconformities should be made, wholly or incrementally, conforming.

Nonconforming uses are allowed to exist out of fairness to current property owner, but it is hoped that the current use will evolve over time into something more desirable for the area and in alignment with the Town's desired development patterns for the area.

Code Enforcement Efforts Now

<u>Address</u>	<u>Parcel #</u>	<u>Apparent Current Use</u>
1303 US HWY 29	045 018	Junkyard/junked vehicle storage
1785 US HWY 29	047 017	Vehicle repair/some on-site storage of vehicles
2038 US HWY 29	048 042	Used Car Dealership
2110 US HWY 29	048 065	Vehicle repair/extensive on-site storage of vehicles/used car sales

2038 US HWY 29 Used Car Dealership



Town approved a special use
permit in 2001 to allow car
dealership

1303 US HWY 29- Vehicle Repair and Junked Car Storage





2110 US HWY 29 Vehicle Repair and Junked Car Storage



1785 US HWY 29
Vehicle Repair/Limited Vehicle
Storage



Automobile Repair Service (Major)

10.1-4 Automobile/Boat/Equipment Repair Service.

(A.) Zoning Districts where the additional standards for this use below are applicable are identified in Article 8, Table 8.1 of this Ordinance.

(B.) Standards.

(1.) Vehicles awaiting repair shall not be parked in public right-of-way.

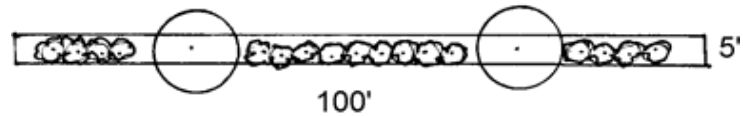
(2.) No outdoor automobile/boat work areas are to be located in front yard setback area.

(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.

10.1-4 (B)(2) clearly states that no vehicles shall be parked in the front yard setback. The front yard setback in the IND zoning classification is 80' from the property line. The 80' line is shown on the following drawing:



(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.



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.



Monthly Activity Report

Planning, Zoning & Subdivision Administrator

June 2023

	<u>Location</u>	<u>Activity</u>	<u>Action</u>
5.30.23	N Salisbury ave	Zoning classifications and use enquiry	Answered questions
5.30.23	General	Questions on commercial driveway	Answered questions
5.30.23	Office	Research SB 675 status	Research
5.31.23	7 th St	NCDOT enquiry on driveway permit	Responded
5.31.23	Whitehead	Zoning permit for HVAC system repairs	Approved
5.31.23	S Salisbury ave	Zoning and use questions	Answered questions
6.1.23	General	Questions about permitting for food vendors/trucks	Answered questions
6.1.23	Yadkin River District	Advised NCDOT we are ready to proceed with 1 st part of project	Contacted three consultants
6.1.23	EB 5861	Zoning permit for single family home	Contacted NCDOT
6.1.23	Hollywood	Zoning permit for room addition	Issued permit
6.1.23	Hackett	Annexation discussions with Innospec personnel	Discussions
6.1.23	Longs Ferry	Questions on retail development from developer	Answered questions
6.1.23	Salisbury ave	Checked status of restriping project with NCDOT	To proceed fall of 2023
6.5.23	N Salisbury Ave	Zoning and property use questions	Answered questions
6.5.23	N Salisbury ave	Recombination plat	Signed
6.5.23	N Salisbury ave	Questions concerning rezoning to C-29	Answered questions
6.5.23	Hawkinstown Rd	Suggestions on townhome development	Provided comments to developer
6.6.23	Office	Longs ferry rd traffic study	Attended online meeting
6.6.23	Office	Reviewed and commented on Stanback Forest trail map	Reviewed and commented

6.6.23	Whitehead	Provided addresses for six properties to be used for single family homes	Provided information
6.6.23	Whitehead	Zoning permits for two single family homes	Issued permits
6.7.23	N Salisbury ave	Questions on fencing material	Answered questions
6.7.23	Office	Meeting concerning speed calming policy meeting	Attended
6.7.23	706 7 th st	Questions on garage permitting	Answered questions
6.7.23	1001 s rowan	Questions on swimming pool	Answered questions
6.7.23	7 th st	Zoning permit for fencing	Issued permit
6.8.23	Office	BoA preagenda meeting	Participated
6.9.23	Office	Traffic calming policy document	Completed and distributed for comment
6.12.23	Office	Online meeting with county staff on river district planning project funding	Attended
6.12.23	S Salisbury ave	Access issues for lot	Discussed options
6.12.23	N Salisbury ave	Zoning permit for fencing	Approved permit
6.12.23	EB 5861	Online meeting with NCDOT concerning funding	Participated
6.12.23	Office	Planning board meeting	Participated
6.14.23	Baldwin/jordan	Questions on subdivision	Answered questions
6.14.23	N Salisbury Ave	Questions on yard sale permit	Answered questions
6.14.23	Charles st	Zoning questions concerning adult daycare center	Answered questions
6.14.23	S Salisbury ave	Land use questions for C-29 zoning	Answered questions
6.14.23	Forestdale	Zoning permit for solar panels	Approved permit
6.14.23	Hawkins Loop rd	Questions about road requirement for lots	Answered questions
6.15.23	7 th and Iredell	Questions on tree removal	Answered questions
6.15.23	Office	CORE meeting	Attended
6.15.23	US HWY 29	Questions on car repair operation	Answered questions
6.16.23	US HWY 29	Site visit junked car storage sites	Site visit
6.16.23	Office	Online legislative update	Attended
6.19.23	7 th st	Townhome project driveway permit	Approved
6.19.23	Office	Drafted CORE community tour package	Drafted
6.20.23	Office	Staff meeting	Attended
6.20.23	Office	HPC procedures questions	Answered questions

6.20.23	Hawkins loop rd	Questions on road requirements	Answered questions
6.20.23	Longs Ferry Rd	Organize presentation of corridor traffic study	Participated
6.21.23	Office	TCC meeting	Attended
6.21.23	7 th and whitehead	Questions on subdivision and setbacks	Answered questions
6.22.23	501 7 th st	Zoning permit for single family home	Issued permit
6.22.23	US HWY 29	Property use questions	Provided table of uses
6.22.23	Office	Considered issue of left vs right brain thinking process	Left brain insulted right brain causing a terrible headache!
6.26.23	Longs ferry rd	Truck stop development process questions	Answered questions
6.26.23	Willow dr	Update from developer on Neyer project	Update
6.26.23	7 th st	Review landscaping plan for 7 th st townhome project	Review and comment
6.26.23	Holly st	Subdivision and land use questions	Answered questions
6.26.23	Lee st	Land use questions	Answered questions
6.26.23	All	Drafted and submitted vision statement for CORE project	Provided to consultant
6.26.23	3 rd st	Land use questions	Answered questions
6.27.23	Long st	Address correction letter	Sent letter
6.27.23	Hawkins loop rd	Subdivision and perk test questions for 11 lot development	Answered questions
6.27.23	Office	Staff meeting	attended
6.27.23	Office	Power failed, computer shut down, work lost	This is no joke!!!



Code Enforcement Office

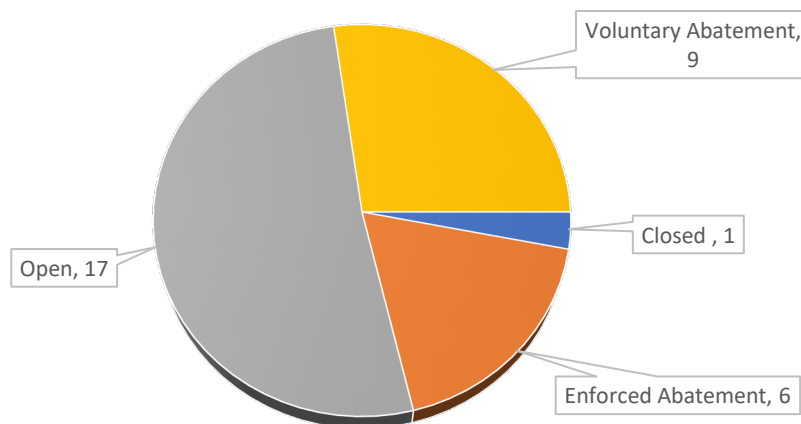
Monthly Report

June 2023 Highlights

- 33 total Cases, 17 Open, 16 Closed
- Year to Date: 271 Cases
- Notice of Violations: 21
- Property Lien: Unpaid daily fines, \$1550.00 314 N. Rowan Ave, Minimum Housing
- Work Orders Submitted: 4
- Focus on N. US 29 HWY in ETJ
 - 1303 N. Salisbury Ave, Martin Auto Sales
 - 1785 N. US 29 HWY, Auto Repair Shop
 - 2038 N. US 29 HWY, B & M Wheels Deals
 - 2110 N. US 29 HWY, Millers Used Cars

June 2023 Total Cases: 33

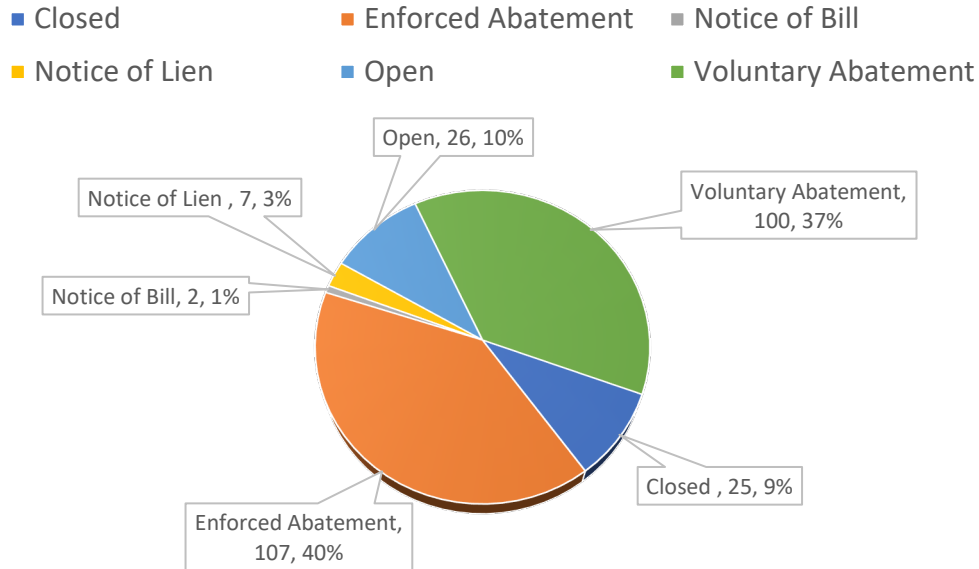
■ Closed ■ Enforced Abatement ■ Open ■ Voluntary Abatement





Code Enforcement Office

2023 Year to Date Total: 271



MH - Minimum Housing / OL - Overgrown Lot / JV - Junk Vehicle / JP - Junk Pile / AC - Animal Control / IP - Illegal Parking / ZV - Zoning Violation / CM - Commercial Maintenance/

2023 Open Cases

Case Number	Address	Nature of Complaint	Violation Type
202300257	107 N Rowan Ave	Chickens and Roosters in backyard	DA - Domestic Animals
202300095	707 N. Salisbury Av	Falling Fence	JP - Junk Pile 93.21
202300226	315 N. Rowan Ave	Junk in the backyard where she has seen rats come from	JP - Junk Pile 93.22
202300104	507 Meadow St	Trash Can not out of sight and bags left beside can causing trash to blow into neighbor's yard	JP - Junk Pile 93.22
202300085	504 1st st	Trash/debris in yard	JP - Junk Pile 93.22
202300079	705 B Salisbury Ave	Debris in front of House	JP - Junk Pile 93.22
202300232	801 7th St	Fire damage to home and carport in rear of property with 4 totaled cars	MH - Minimum Housing 160.52



Code Enforcement Office

202300097	501 1st St	Roof on storage building in need of repair	MH - Minimum Housing 160.53
202300063	314 N. Rowan Ave	Roof of garage with extreme sagging in the middle	MH - Minimum Housing 160.53
202300274	245 Hackett St.	High Grass and Weeds	OL - Overgrowth Lot
202300272	906 S Iredell Ave	High Grass and Weeds	OL - Overgrowth Lot
202300265	508 S Whitehead Ave	High Grass and Weeds	OL - Overgrowth Lot
202300258	610 S Rowan Ave	High Grass and Weeds	OL - Overgrowth Lot
202300259	602 S Carolina Ave	High Grass and Weeds	OL - Overgrowth Lot
202300260	604 S Carolina Ave	High Grass and Weeds	OL - Overgrowth Lot
202300252	210 N Yadkin Ave	High Grass and Weeds	OL - Overgrowth Lot
202300255	601 4th St	High Grass and Weeds	OL - Overgrowth Lot
202300250	529 Steeplechase Trail	Trash can left out for over a week, tall grass, overgrowth around house and pool fence and Rooster in a pen in the back yard	OL - Overgrowth Lot
202300245	311 S. Rowan Ave	High Grass and Weeds and pile of limbs	OL - Overgrowth Lot
202300235	0 S Whitehead Ave	High Grass and Weeds	OL - Overgrowth Lot
202300268	1303 N. Salisbury Ave	Zoning violation for screening of junk vehicles	ZV - Zoning Violation
202300269	1785 N US 29 Hwy	No screening for vehicles storage awaiting repair	ZV - Zoning Violation
202300270	2038 N US 29 HWY	Use of property not compliant with zoning, parking in Right of way	ZV - Zoning Violation
202300271	2110 N. US 29 HWY	Property not compliant with zoning	ZV - Zoning Violation
202300266	200 S Salisbury Ave	Number of vehicles stored on property exceeds the number allowed by the Conditional Rezoning Agreement	ZV - Zoning Violation
202300243	910 N Salisbury Ave	Fence installed with junk vehicles in backyard	ZV - Zoning Violation



June 2023 Monthly Case Status Report

06/01/2023 - 06/30/2023

Case #	Case Date	Main Status	Last Status Change Date	Complaint Received	Violation Address	Nature of Complaint
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Group: Closed

202300247	6/12/2023	Closed	6/12/2023	Site Visit	812 4th St	High Grass and Weeds
202300220	5/15/2023	Closed	6/5/2023	Site Visit	117 2nd St	Vehicles parked in alleyway between 115 and 117 2nd St
202300062	1/25/2023	Closed	6/22/2023	Site Visit	1101 3rd St	Parked on side of house

Group Total: 3

Group: Enforced Abatement

202300264	6/19/2023	Enforced Abatement	6/26/2023	Site Visit	711 5th St	High Grass and Weeds
202300263	6/19/2023	Enforced Abatement	6/29/2023	Site Visit	1101 3rd St	Trash and debris around exterior of home
202300262	6/16/2023	Enforced Abatement	6/29/2023	Site Visit	1106 N Salisbury Ave	High Grass and Weeds
202300261	6/15/2023	Enforced Abatement	6/26/2023	Site Visit	510 S Carolina Ave	High Grass and Weeds
202300248	6/12/2023	Enforced Abatement	6/21/2023	Phone Call	108 W 17th St	High Grass and Weeds
202300244	6/7/2023	Enforced Abatement	6/14/2023	Site Visit	216 N Rowan Ave	High Grass and Weeds
202300236	5/23/2023	Enforced Abatement	6/5/2023	Site Visit	608 Meadow St.	High Grass and Weeds
202300234	5/23/2023	Enforced Abatement	6/12/2023	Site Visit	306 Sowers Ferry Rd	High Grass and Weeds
202300225	5/16/2023	Enforced Abatement	6/29/2023	Site Visit	614 N Salisbury Ave	Junk around the storage building in backyard
202300212	5/10/2023	Enforced Abatement	6/8/2023	Site Visit	117 2nd St	Junk accumulated on exterior
202300210	4/28/2023	Enforced Abatement	6/6/2023	Portal Complaint	200 S Salisbury Avenue	Junk on front porch and on side of building.

202300206	4/26/2023	Enforced Abatement	6/9/2023	Site Visit	112 2nd St.	High Grass and Weeds
202300099	3/6/2023	Enforced Abatement	6/15/2023	Site Visit	909 S Carolina Ave	Mattress on side of building at parking lot

Group Total: 13

Group: Notice of Bill

202300224	5/16/2023	Notice of Bill	6/6/2023	Site Visit	610 S Yadkin Ave	High Grass and Weeds

Group Total: 1

Group: Open

202300274	6/28/2023	Open	6/28/2023	Site Visit	245 Hackett St.	High Grass and Weeds
202300272	6/22/2023	Open	6/22/2023	Site Visit	906 S Iredell Ave	High Grass and Weeds
202300271	6/21/2023	Open	6/21/2023	Site Visit	2110 N. US 29 HWY	Property not compliant with zoning
202300270	6/21/2023	Open	6/21/2023	Site Visit	2038 N US 29 HWY	Use of property not compliant with zoning, parking in Right of way
202300269	6/21/2023	Open	6/21/2023	Site Visit	1785 N US 29 Hwy	No screening for vehicles storage awaiting repair
202300268	6/21/2023	Open	6/21/2023	Site Visit	1303 N. Salisbury Ave	Zoning violation for screening of junk vehicles
202300266	6/19/2023	Open	6/19/2023	Email	200 S Salisbury Ave	Number of vehicles stored on property exceeds the number allowed by the Conditional Rezoning Agreement
202300265	6/19/2023	Open	6/19/2023	Site Visit	508 S Whitehead Ave	High Grass and Weeds
202300260	6/15/2023	Open	6/15/2023	Site Visit	604 S Carolina Ave	High Grass and Weeds
202300259	6/15/2023	Open	6/15/2023	Site Visit	602 S Carolina Ave	High Grass and Weeds
202300258	6/15/2023	Open	6/15/2023	Site Visit	610 S Rowan Ave	High Grass and Weeds
202300257	6/14/2023	Open	6/14/2023	Site Visit	107 N Rowan Ave	Chickens and Roosters in backyard
202300255	6/12/2023	Open	6/14/2023	Site Visit	601 4th St	High Grass and Weeds
202300252	6/13/2023	Open	6/13/2023	Site Visit	210 N Yadkin Ave	High Grass and Weeds

202300250	6/12/2023	Open	6/14/2023	Portal Complaint	529 Steeplechase Trail	Trash can left out for over a week, tall grass, overgrowth around house and pool fence and Rooster in a pen in the back yard
202300245	6/9/2023	Open	6/9/2023	Phone Call	311 S. Rowan Ave	High Grass and Weeds and pile of limbs
202300243	6/6/2023	Open	6/8/2023	Email	910 N Salisbury Ave	Fence installed with junk vehicles in backyard

Group Total: 17

Group: Voluntary Abatement

202300273	6/23/2023	Voluntary Abatement	6/27/2023	Site Visit	410 Oakwood Dr.	High Grass and Weeds
202300267	6/20/2023	Voluntary Abatement	6/29/2023	Site Visit	910 S Rowan Ave	High Grass and Weeds
202300256	6/14/2023	Voluntary Abatement	6/14/2023	Site Visit	603 4th St	High Grass and Weeds
202300254	6/12/2023	Voluntary Abatement	6/16/2023	Site Visit	608 4th St	High Grass and Weeds
202300253	6/13/2023	Voluntary Abatement	6/16/2023	Site Visit	207 N Yadkin Ave	High Grass and Weeds
202300251	6/12/2023	Voluntary Abatement	6/15/2023	Site Visit	611 S Rowan Ave	High Grass and Weeds
202300246	6/9/2023	Voluntary Abatement	6/12/2023	Site Visit	200 Cain St	High Grass and Weeds
202300242	6/6/2023	Voluntary Abatement	6/12/2023	Site Visit	345 MCCUBBINS St	High Grass and Weeds
202300241	6/5/2023	Voluntary Abatement	6/21/2023	Site Visit	109 6th St.	Junk in backyard
202300240	5/31/2023	Voluntary Abatement	6/12/2023	Site Visit	704 S Rowan Ave	High Grass and Weeds
202300233	5/22/2023	Voluntary Abatement	6/12/2023	Phone Call	700 4th St	Broken window in front of home. Looks like pushed from inside
202300161	4/11/2023	Voluntary Abatement	6/22/2023	Portal Complaint	402 S. Salisbury Ave	Trash around exterior
202300101	3/8/2023	Voluntary Abatement	6/15/2023	Site Visit	110 Hillcrest Dr.	Swimming pool without fence around pool
202300100	3/8/2023	Voluntary Abatement	6/9/2023	Site Visit	204 Cain St.	Swimming pool without fences

Group Total: 14

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Total Records: 48

7/3/2023

Activity Log Event Summary (Totals)

Spencer Police Department

(05/31/2023 - 06/30/2023)

<No Event Type Specified>	2	8th Street Ballpark Check	86
911 Hang-Up	9	Administrative Work	88
Alarm - Hold-up	1	Alarm - Other	9
Assault - In-Progress	2	Assault - Report	1
Assault - Weapons Involved	1	Assist - East Spencer Police	41
Assist - EMS	8	Assist - Fire Department	16
Assist - Motorist/Public	5	Assist - NCHP	3
Assist - Other Agency	10	Assist - Other Officer	70
Assist - Sheriff's Office	43	B&E/Burglary - Commercial, Report	1
B&E/Burglary - Residential, Report	6	B&E-Vehicle in Progress	1
B&E-Vehicle, Report	2	Business Check-Drive Through	250
Calls For Service (General)	6	Community Event	1
Court	4	District Attorney's Office	1
Disturbance	7	Disturbance- Verbal	8
Disturbance-Physical	4	Domestic - Property Pick-up	1
Domestic Dispute	1	Domestic Violence	2
Follow-up Investigation - Outside County	2	Follow-up Investigation - Outside Town Limits	2
Follow-up Investigation- Spencer	12	Foot Patrol - Business	70
Foot Patrol - Residential	1	Found Property	1
Fraud - Report	3	House Check	5
Interview	1	Involuntary Commitment	2
Juvenile - Runaway	1	Larceny - In-Progress	3
Larceny - Report	9	Magistrate's Office	1
Maintenance - Equipment	3	Maintenance - Vehicle	29
Meeting	12	Missing Juvenile	1
Missing Person	1	NCTM - Bank Escort	1
NCTM - Drive Through	157	NCTM - Foot Patrol	40
Noise Complaint	2	Norfolk Southern Railroad-Drive Through	1
Overdose	1	Park Check	121
Property Damage - Report	6	Public Service	12
Robbery - Report	1	School Check - NRES	54
School Check - NRHS	55	School Check - NRMS	50
Security Check/Standby	3	Shots Fired	4

Activity Log Event Summary (Totals)

Spencer Police Department

(05/31/2023 - 06/30/2023)

Special Assignment - Other	4	SRO Duties	36
Subject with Gun	1	Subpoena Service	10
Suicide Threat	1	Suspicious - Activity	8
Suspicious - Person	10	Suspicious - Vehicle	6
Traffic - Parking Control	1	Traffic Accident - PD	7
Traffic Accident - PI	1	Traffic Complaint	3
Traffic Control	2	Traffic Enforcement	6
Training - PD	46	Training - School	1
Training-Virtual Zoom Web-Ex, etc.	8	Trespassing - In-Progress	3
Trespassing - Report	1	Unlock Vehicle	4
Vehicle Stop	78	Warrant Service	8
Welfare Check	11	Yadkin River Park Check - Davidson County	3
Yadkin River Park Check - Spencer	51		

Total Number Of Events: 1,667

704-633-2231
spencernc.gov



Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: **07/11/2023**

Issue under Consideration:	Public Works Monthly Report
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



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>

July 2023 Board of Alderman Meeting

- 1) Regular services (Sanitation, Brush, and Mowing) are running on schedule. Brush has been very heavy the last several weeks due mostly to the storms that rolled through the area. We have been working diligently to get all of the citizen's debris picked up, as well as debris we caused by clearing roads.

Note: We would like to remind citizens that all small debris and leaves must be bagged for pick-up at this time. This makes it easier for the guy's to pick it up, and it keeps the loose debris at the curb from ending up in the drains during thunder storms.

- 2) The 12U Baseball Tournament that was held at the 8th Street Park was a huge success, despite the dreary weather. We had many visitors in Town during this event, who couldn't say enough about our Park. We would like to Thank Phip and Jackson Sparger for their help to make this event a success.
- 3) The two large Oak trees at Library Park suffered significant damage during one of the recent storms. The tree closest to the parking lot is going to be removed next week. We will then make a decision on whether the other one is safe to leave, or whether it will also need to be removed.
- 4) The process of painting the Library is finally complete. The building has been soft washed, primed and painted with two coats of paint. We also had them to repair several panes of glass that were cracked, and apply a sealer to the doors.
- 5) We have entered into a contract with Carolina Siteworks INC., to complete our Street paving. They will be repairing and completely paving Grant Street, 4th Street from Grant to McCubbins, Jordan Avenue from 4th Street to Alexander, Alexander from Jordan Avenue to Whitehead Avenue, and Yadkin Avenue from 9th Street to 11th Street. The contractor's timeline puts us at a start date of the first week of August unless weather delays extend this date.



- 6) The new Sanitation truck is ready for delivery. We will be closing on the USDA loan on July 7th, with delivery of the truck soon after. We are still working with the Granite Sky Group who is helping us with all of the marketing materials that will be needed to make the transition to automated garbage service. We are looking at having several information sessions for the residents that will be affected by the “on street parking” issue, trimming areas needed, and hope to transition to the new truck by the first to middle of August.
- 7) Shelton Concrete has completed the sidewalk replacement for this fiscal year. We replaced sections between 8th and 9th Street on Yadkin Avenue, 8th Street at Yadkin Avenue, Carolina Avenue at 7th Street, and a section on Rowan Ave between 5th and 6th Street. We will be working to back fill these areas to complete this project.
- 8) James Greene has begun getting the Guardrail/Handrail replaced in front of Town Hall. He will be completing this project in the next several weeks.
- 9) We continue to spray curbs and other areas as the weather allows. As always we only spray what is needed to keep the curb lines clear for storm water runoff.

10) **CCAP update:**

We are still working to get a few of the remaining authorization forms from the land owners so that we can file for the construction permits. We have gotten the paperwork to the one homeowner, so we will now be able to do the entire length from Pickett Avenue to the creek connector. We have filed for an extension with the Rowan County to make sure that we have time to complete the project.

11) **Since last report:**

There were 0 mowing abatements issued and completed this month.

12) **Work Orders were completed as necessary, along with several citizen engagement requests.**

Monthly Events:

- | | |
|------------------------------|-----------------------------|
| July 1st | - Fireworks at NCTM |
| July 4th | - Independence Day |
| July 22nd | - Dragon Boat Race |
| August 1st | - National Night Out |

June Library Report



Ahoy, Mateys and sail away with a great book!

Our Summer Reading Program started on June 6th and will finish on July 19th. Each week around twelve children and ten adults have enjoyed mermaid and pirate stories read by the librarian. Pirate hats and mermaids were made with stickers, glitter and shells. One week we read about treasure maps and made our own map with stickers and rolled them up inside a bottle with jewels inside. The first few weeks of July, the history of famous pirates and swordplay will be featured. Books by Jan Brett which focus on mermaids will be read. Sea creatures such as seahorses and dolphins will be studied. Crafts will include parrots, mermaid stained glass and other sea-related themes.

The children who read the most books for the summer will be eligible to receive special prizes. Thanks to all of the adult volunteers who have helped with crafts and snacks and clean-up so far this summer. Check-out our FB page for more pictures. Over seventy-seven books have been read by children this past month.

June	2023	Door Count	Adult Circulation	Children Circulation	Research Questions	New Cards Issued	Students Tutored	Volunteers/Tutors	Corres. Due Date
MAY 2022 STATISTICS									
	Mon.	0	0	0	0	0	0	0	1/13/1900
	Tues.	0	0	0	0	0	0	0	1/13/1900
	Wed.	7	0	0	0	0	0	0	1/13/1900
6/1/2023	Thurs.	10	4	0	0	0	0	0	6/15/2023
6/2/2023	Fri.	0	0	0	0	0	0	0	6/16/2023
WEEK TOTAL:		17	4	0	0	0	0	0	-----
6/5/2023	Mon.	10	2	1	0	0	0	0	6/19/2023
6/6/2023	Tues.	27	7	21	0	0	0	0	6/20/2023
6/7/2023	Wed.	5	7	7	0	0	0	0	6/21/2023
6/8/2023	Thurs.	0	0	0	0	0	0	0	6/22/2023
6/9/2023	Fri.	0	0	0	0	0	0	0	6/23/2023
WEEK TOTAL:		42	16	29	0	0	0	0	-----
6/12/2023	Mon.	6	1	11	0	0	0	0	6/26/2023
6/13/2023	Tues.	22	3	22	0	0	0	0	6/27/2023
6/14/2023	Wed.	6	0	0	0	0	0	0	6/28/2023
6/15/2023	Thurs.	0	0	0	0	0	0	0	6/29/2023
6/16/2023	Fri.	0	0	0	0	0	0	0	6/30/2023
WEEK TOTAL:		34	4	33	0	0	0	0	-----
6/19/2023	Mon.	10	3	5	0	0	2	1	7/3/2023
6/20/2023	Tues.	16	4	10	0	0	0	3	7/4/2023
6/21/2023	Wed.	5	4	0	0	0	0	0	7/5/2023
6/22/2023	Thurs.	0	0	0	0	0	0	0	7/6/2023
6/23/2023	Fri.	0	0	0	0	0	0	0	7/7/2023
WEEK TOTAL:		31	11	15	0	0	2	4	-----
6/26/2023	Mon.	8	0	10	0	3	2	1	7/10/2023
6/27/2023	Tues.	20	4	8	0	1	0	3	7/11/2023
6/28/2023	Wed.	18	3	11	0	0	0	0	7/12/2023
6/29/2023	Thurs.	0	0	0	0	0	0	0	7/13/2023
6/30/2023	Fri.	0	0	0	0	0	0	0	7/14/2023
WEEK TOTAL:		46	7	29	0	4	2	4	-----
MONTH TOTAL:		170	42	106	0	4	4	8	-----

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Post Office Box 45
Spencer, NC 28159-0045

AGENDA ITEM

Board Meeting Date: 7/11/2023

(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

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Post Office Box 45
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To: Mayor Williams and Members of the Board of Aldermen
From: Peter Franzese, Town Manager
Date: June 30, 2023
Re: July 2023 Town Manager Report

Various staff updates

- We thank LFNC Fellow Skye Allan for her service with us over the last two years, and wish her well as she begins the Master of Public Administration Program at UNC Chapel Hill! Skye accomplished much during her service here, most visibly being the launch of a vintage mural restoration program that has evolved into the development of several new public art projects. She also served as a liaison between the Winterfest Committee and the Town and helped bring our signature community event to life. I am particularly proud that her seed of interest in public service is growing into a plant that will last many more years!
- We are seeking an MPA student to continue these efforts as an internship opportunity. We hope to introduce an MPA intern to you in August.
- We have matched with a new LFNC Fellow for the coming year. Ryan Ledbetter of Harrisburg will join us in August. He has a bachelor's degree from NC State University and will be part of the new Finance-specific cohort of Fellows that will receive specialized training from the School of Government. We look forward to his contributions on a variety of projects.
- We have recently interviewed several Finance Officer candidates and have scheduled a finalist interview round at the end of July. We are hopeful that our current pool will result in a new Finance Officer starting later in August.

Dragon Boat Festival: Spencer's Team still recruiting paddlers!

July 22 is the date of the Rowan Chamber 2023 Dragon Boat festival. We're building a team to participate in this event (9am-3pm), and are still looking for members. Any elected officials/staff/family members/board members/volunteers who may be interested in joining are welcome. Please let Chief Lanning know if you are willing to join in this experience and find out more at rowanchamberdragonboat.org. A few details about what is required of our team:

- **20 Paddlers, minimum of 8 female and 8 male paddlers in the boat.**
- 1 drummer (minimum 12 years old)
- 5 alternate paddlers allowed
- All paddlers must be 14 years of age or older
- No prior experience necessary. But a willingness to learn something new and BE AMAZED by what 20 novice paddlers can do together, is a must!

-Town Manager-