



Regular Council - Minutes Monday, October 2, 2017

COUNCIL PRESENT:

Mayor Gordon
Mayor Pro Tem Mulhollem
Council Member Castleberry
Council Member Jackson
Council Member Wilson

STAFF PRESENT:

C.L. Gobble, Administrative Consultant
Chip Hewett, Town Attorney
Kim P. Batten, Finance Manager/Town Clerk
Bob Clark, Planning/Zoning Administrator

COUNCIL ABSENT:

Council Member Bruton

MEDIA PRESENT:

None

1. WELCOME/CALL TO ORDER:

a) Call to Order & Invocation

Mayor Gordon called the meeting to order at 6:34 p.m. in the Jeffrey D. Barnes Council Chambers located at 14094 Buffalo Road, Clayton, NC and declared a quorum present. Mayor Pro Tem Mulhollem offered the invocation.

b) Pledge of Allegiance

Mayor Gordon led the pledge of allegiance to the US Flag. Following the pledge, Mayor Gordon acknowledged the absence of Council Member Bruton and asked Council to keep her in their thoughts and prayers.

2. APPROVAL OF AGENDA:

a) No additions or changes noted.

Moved by: Council Member Wilson
Seconded by: Council Member Jackson

Agenda Approved

CARRIED UNANIMOUSLY

3. OPEN FORUM/PUBLIC COMMENTS:

(Maximum of 30 minutes allowed, 3 minutes per person)

a) No Public Comments

4. CONSENT AGENDA:

a) Approval of Minutes: **06 Mar 2017 - Regular Council Minutes** **20 Mar 2017 - Work Session Minutes**

Moved by: Mayor Pro Tem Mulhollem

5. DISCUSSION AND POSSIBLE ACTION ITEMS:

a) Consideration of Adopting an Ordinance to Repeal and Replace the Archer Lodge Town Code, Part II, Chapter 2, Article II, Division 3 ~ Town of Archer Lodge Planning Board Ordinance formerly adopted January 11, 2010 (Ordinance# AL2017-10-1)

Discussion followed regarding Code of Ethics for the Planning Board & Board of Adjustment along with Rules of Procedures. Mayor Gordon mentioned researching those items further and discuss at the November.

It was noted that all members are appointed by Town Council and not elected. Mr. Clark reminded Council that currently the Planning Board is undergoing training modules during their meetings.

In review, Attorney Hewett stated the last sentence in Section 2-90 (c) needed correcting.

Ordinance# AL2017-10-1 with correction mentioned above appears as follows:

ORDINANCE# AL2017-10-1

AN ORDINANCE TO REPEAL AND REPLACE THE ARCHER LODGE TOWN CODE, PART II, CHAPTER 2, ARTICLE II, DIVISION 3

Be it ordained by the Archer Lodge Town Council as follows:

Part II, Chapter 2, Article II, Division 3, entitled "Planning Board," is hereby repealed and replaced as follows:

Sec. 2-86. CREATION.

There is hereby created a Planning Board, as authorized by and with all the powers and duties granted by G.S. § 160A-361 and all other applicable North Carolina General Statutes.

Sec. 2-87. MEMBERS, TERMS, and VACANCIES.

- a) The Planning Board shall consist of five (5) members, all of whom must reside with the Town's corporate limits. The members shall be appointed by the Town Council.
- b) All members shall be appointed for 3 year terms. As these terms expire, new appointments shall be made for 3 year terms. Vacancies occurring for reasons other than expiration of terms shall be filled for the unexpired term only, by the Town Council.
- c) Faithful attendance by the members is mandatory for retaining membership on the Planning Board. Failure to attend three consecutive meetings shall be deemed adequate reason for termination of membership on the Planning Board by the Town Council. If a member has a legitimate excuse for not attending a regular or special meeting of the Planning Board, he or she shall notify the secretary of the Planning Board at least 24 hours before the scheduled meeting time.
- d) All members of the Planning Board shall have equal voting power on all matters of business. Pursuant to G.S. §160A-381(d), members of appointed boards providing advice to the Town Council shall not vote on recommendations regarding any zoning map or text amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

Sec. 2-88. OFFICERS, RULES, and RECORDS.

- a) Within 30 days after appointment, the Planning Board shall meet and elect a Chairperson and create and fill those offices as it may determine. The term of the Chairperson and other officers shall be one year, with eligibility for reelection.
- b) The Planning Board shall adopt rules for transaction of business and shall keep a record of its members' attendance, and its resolutions, discussions, findings and recommendations, which record shall be a public record.

Sec. 2-89. MEETINGS; QUORUM.

- a) The Planning Board shall establish a regular meeting schedule and shall meet frequently enough so that it can act, in an expeditious manner, on requests/matters for its consideration and all meetings shall be open to the public.
- b) A quorum shall consist of a simple majority of the total membership of the Planning Board.

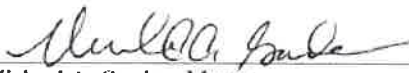
Sec. 2-90. POWERS AND DUTIES.

- a) The Planning Board may make careful studies of present conditions and the probable future development of the town and its environs. These studies may include, but shall not be limited to, land use surveys; population studies; economic studies; school, park and recreation studies; traffic and parking studies; urban renewal studies, housing and market analysis and annexation studies.
- b) The Planning Board may, if directed by the Town Council, formulate and maintain a comprehensive plan of the town and its environs for the purpose of achieving a coordinated, adjusted and harmonious development of the town which would promote, in accordance with present and future needs, the safety, morals, order, convenience, prosperity and general welfare of its citizens; efficiency and economy in the process of development; convenience of traffic; safety from fire and other dangers; adequate light and air; healthful and convenient distribution of population; provision of adequate open spaces; good civic design and arrangement; wise and efficient expenditures of public funds; and adequate provision for public utilities and other matters pertaining to the public requirements. The comprehensive plan shall consist of a number of parts which may include, but shall not be limited to, the following: a land use plan, a major thoroughfare plan, a utilities plan, a plan for economic development, a recreation plan, a school plan, a community facilities plan, a zoning plan and plans for housing improvement.
- c) The Planning Board shall prepare or shall review and comment upon a proposed zoning ordinance, including both the full text of such ordinance and maps showing proposed district boundaries. Upon completion, the Planning Board shall make a written recommendation regarding adoption of the ordinance to the Town Council. After initial adoption of a zoning ordinance, all proposed amendments to the zoning ordinance or zoning map shall be submitted to the Planning Board for review and comment. If no written report is received from the Planning Board within 30 days of referral of the amendment to that board, the Town Council may proceed in its consideration of the amendment without the Planning Board report. The Town Council is not bound by the recommendations, if any, of the Planning Board. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. Pursuant to NCGS §160A-383 and NCGS §160A-387, and any amendment made thereto, the planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.
- d) The Planning Board may conduct those public hearings as may be required to gather information necessary for the drafting, establishment and maintenance of the comprehensive plan.

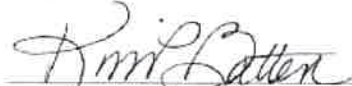
DULY ADOPTED THIS, THE 2ND DAY OF OCTOBER 2017.

TOWN OF ARCHER LODGE

(SEAL)


 Michael A. Gordon, Mayor

ATTEST:


 Kim B. Batten, Town Clerk


Moved by: Council Member Jackson

Seconded by: Mayor Pro Tem Mulhollem

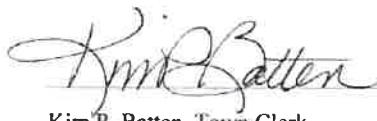
Adopted Ordinance to Repeal and Replace the Archer Lodge Town Code, Part II, Chapter 2, Article II, Division 3 with correction as discussed by Attorney Hewett (Ordinance# AL2017-10-1)

CARRIED UNANIMOUSLY

- b) **Consideration of Adopting an Ordinance to Amend the Archer Lodge Town Code, Part II, Chapter 2, Article II, Division 2, Section 2-40 (a) ~ Town of Archer Lodge Board of Adjustment Ordinance formerly adopted March 14, 2011 (Ordinance# AL2017-10-2)**

No discussion followed.

Ordinance# AL2017-10-2 appears as follows:

ORDINANCE# AL2017-10-2	
AN ORDINANCE TO AMEND THE ARCHER LODGE TOWN CODE, PART II, CHAPTER 2, ARTICLE II, DIVISION 2, SECTION 2-40 (a)	
Be it ordained by the Archer Lodge Town Council as follows:	
Part II, Chapter 2, Article II, Division 2, entitled "Board of Adjustment," is hereby amended to read as follows:	
Section 2-40. APPOINTMENT AND TERMS.	
a) The Town has five (5) members that serve on the Planning Board. Until this Ordinance is amended, the Planning Board shall also serve as the Board of Adjustment. Two appointed members of the Town Council shall serve on the Board of Adjustment as alternate members. Said alternate members shall have all the powers as regular members and may fill in for regular members as needed in meetings.	
DULY ADOPTED THIS, THE 2ND DAY OF OCTOBER, 2017.	
TOWN OF ARCHER LODGE	(SEAL)
 Michael A. Gordon, Mayor	
ATTEST:	
 Kim P. Batten, Town Clerk	

Moved by: Council Member Wilson

Seconded by: Council Member Jackson

Adopted Ordinance to Amend the Archer Lodge Town Code, Part II, Chapter 2, Article II, Division 2, Section 2-40 (a)
(Ordinance# AL2017-10-2)

CARRIED UNANIMOUSLY

6. TOWN ATTORNEY'S REPORT:

- a) **Attorney Hewett reported that the General Assembly is still active and discussing potential zoning changes.**
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7. ADMINISTRATIVE CONSULTANT'S REPORT:

- a) **Mr. Gobble updated Council on the following:**

1. Possible site plan for Town Hall expansion by Thanksgiving
 2. Meeting with NCDOT is scheduled for Monday, October 9, 2017 to discuss public safety on Buffalo Road
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8. FINANCIAL/TOWN CLERK'S REPORT:

- a) **Audit update**

Ms. Batten reported the audit for period ending June 30, 2017 is almost

complete and should be submitted to Local Government Commission (LGC) by the end of October 2017 and the September financials will be available at the October 16th Work Session.

b) Banner update

Ms. Batten shared photos of the revised Banners based on previous discussions with the Town Council and Mr. Gobble recommended purchasing additional hardware when banners are purchased. Staff will consider Spring/Summer banners since proposal was less than budgeted.

9. PLANNING/ZONING REPORT:

a) Mr. Clark reported the following:

1. Work is being done to complete the Bike/Ped Grant application which is due on November 9, 2017
 2. Town is waiting for an endorsement from the NCDOT to accept Nashville and Opry Lane since being certified by a NCDOT engineer
 3. A meeting with Johnston County School Officials will be Monday, October 9th to discuss a two-year study regarding land use and population
 4. Planning Board has started meeting every other month and will have its fourth in a series of training modules at the October meeting
 5. Staff attended the NC American Planning Association Meeting in Greenville, NC, in September
 6. Recognition of Kim Batten and Joyce Lawhorn for their work on the Town Website, updating and providing more information to the Public
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10. VETERAN'S COMMITTEE REPORT:

a) Mr. Jim Purvis reported the following:

1. September meeting was rescheduled for October 3rd
 2. Veteran's Memorial current balance is \$53,986
 3. AL Veteran's Memorial was shared with Woodmen of the World in Wendell by Mike Mulhollem and they agreed to match up to \$1,000 of the October Biscuit Sale
 4. Vet Committee set a goal of \$60,000 by the end of 2017
 5. Vet Committee plans to start the Memorial during the first qtr. of 2018
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11. MAYOR'S REPORT:

a) Archer Lodge Christmas Parade

Mayor Gordon remarked that the Annual Christmas Parade will be sponsored by ALCC this year and held on Sunday, December 3, 2017 at 3:00 p.m. followed by activities and Christmas tree lighting.

12. COUNCIL MEMBERS' REMARKS:
(non-agenda items)

- a) Council Member Wilson mentioned that the Clayton Area Parkinson's Group meets monthly on the 3rd Friday and information can be found on the Town's website.**
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13. ADJOURNMENT:

a) No Further Business

Moved by: Mayor Pro Tem Mulhollem

Seconded by: Council Member Castleberry

Meeting adjourned at 7:10 p.m.

CARRIED UNANIMOUSLY



Michael A. Gordon, Mayor



Kim P. Batten, Town Clerk

