

## Regular Council & Public Hearing Minutes on Amending the Code of Ordinances, Town of Archer Lodge, NC in Accordance with State Law as Referenced Below: UDO-TA-1-23 Tuesday, January 3, 2023

#### **COUNCIL PRESENT:**

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

#### **COUNCIL ABSENT:**

Council Member Bruton

#### **STAFF PRESENT:**

Mike Gordon, Town Administrator
Marcus Burrell, Town Attorney
Brandon Emory, Interim Town Planner
Kim P. Batten, Assist. Town Admin./Finance Officer(Remotely)
Chris Allen, Parks & Recreation Director
Chris Curry, Code Enforcement Officer
Chad Meadows, AICP, CodeWright Planners, LLC
Jenny Martin, Human Resources Officer/Town Clerk

#### 1. WELCOME/CALL TO ORDER:

#### a) Invocation

Mayor Mulhollem called the meeting to order at 6:30 p.m. in the Jeffrey D. Barnes Council Chambers located at 14094 Buffalo Road, Archer Lodge, NC and declared a quorum present. Council Member Jackson offered the invocation.

#### b) Pledge of Allegiance

Mayor Mulhollem led in the Pledge of Allegiance to the US Flag.

#### 2. APPROVAL OF AGENDA:

a) No additions or changes noted.

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

**Approved Agenda.** 

**CARRIED UNAMIMOUSLY** 

#### 3. **OPEN FORUM/PUBLIC COMMENTS:**

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

a) Mr. Gary Grodecki of 115 Coharie Drive, Archer Lodge, NC expressed his concerns regarding insane traffic in the area and the need for road improvements. He asked if anyone knew the future plans for the roads.

Mayor Mulhollem thanked Mr. Grodecki for coming to the meeting and sharing. He informed Mr. Grodecki that the Town doesn't own the roads, but NCDOT has several projects for the Town planned for the future once the N.C. 42 Hwy. road project has been completed. Discussion followed.

b) Mr. John Oglesby of 535 Barrette Lane, Archer Lodge, NC commented as a citizen of the Town of Archer Lodge thanking the Council for having an invocation at the beginning of their meetings and for the services they provide to the Town. He expressed prayers for their protection as they continue to go forward and meet the challenges to come.

Mayor Mulhollem and the Council thanked Mr. Oglesby.

#### 4. **CONSENT AGENDA:**

a) Approval of Minutes:
 07 Nov 2022 Regular Council Meeting Minutes
 21 Nov 2022 Special Meeting Minutes

Moved by: Council Member Jackson Seconded by: Council Member Purvis **Approved Consent Agenda.** 

CARRIED UNANIMOUSLY

#### 5. ORGANIZATIONAL ITEMS:

a) Welcome Chris Allen, Archer Lodge's new Parks and Recreation Director

Mr. Mike Gordon welcomed the Town's first Parks & Recreation Director, Mr. Chris Allen.

Mr. Gordon introduced Mr. Allen, explaining his background in Parks & Recreation. Mr. Gordon stated that Mr. Allen previously worked for the Town of Rocky Mount Parks & Recreation and Durham Parks and Recreation. Mr. Allen spent 11 years at Rocky Mount as a Recreation Services Manager where he oversaw community centers, special events, Special Olympics, special programs, and some athletic sports. He received his bachelor's degree and his master's degree from North Carolina Central University in Sports Management. Mr. Allen is a Certified Parks and Recreation Professional and serves on a number of state and national boards.

The Council welcomed Mr. Chris Allen. Mr. Allen thanked Council for the opportunity and noted that he is looking forward to working with everyone.

b) Administration of Oath of Parks and Recreation Director Christopher L. Allen by Mayor Matthew B. Mulhollem

Mayor Mulhollem administered the Oath of Parks and Recreation Director to Christopher L. Allen, with the support of the Town Administrator, Mike Gordon, which appears as follows:

#### STATE OF NORTH CAROLINA COUNTY OF JOHNSTON TOWN OF ARCHER LODGE

23R110

# OATH OF OFFICE FOR THE PARKS AND RECREATION DIRECTORS TOWN OF ARCHER PODES

I, Christopher L. Allen, do solemnly swear (or affirm) that I will support the Constitution of the United States of America; that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

I, Christopher L. Allen, do swear (or affirm) that I will faithfully and impartially execute the duties of the Parks and Recreation Director for the Town of Archer Lodge, North Carolina according to the best of my skills and ability, according to law.

Christopher L. Allen

Sworn to and subscribed before me this 3rd day of January 2023.

Matthew B. Mulhollem Mayor Town of Archer Lodge



 Administration of Oath of Planning Board and Board of Adjustment Member Hearbert A. Locklear by Mayor Matthew B. Mulhollem

Mayor Mulhollem administered the Oath of Planning Board and Board of Adjustment to Hearbert A. Locklear with the support of the Town Administrator, Mike Gordon, which appears as follows:

#### STATE OF NORTH CAROLINA COUNTY OF JOHNSTON TOWN OF ARCHER LODGE

# OATH OF PLANNING BOARD MEMBER AND OATH OF BOARD OF ADJUSTMENT MEMBER TOWN OF ARCHER LODGE

I, Hearbert A. Locklear, do solemnly swear (or affirm) that I will support the Constitution of the United States of America; that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

I, Hearbert A. Locklear, do swear (or affirm) that I will faithfully and impartially execute the duties of a member of the Planning Board and a member of the Board of Adjustment for the Town of Archer Lodge, North Carolina according to the best of my skills and ability, according to law.

Hearhert A Locklean

Sworn to and subscribed before me this 3rd day of January 2023.

Matthew B. Mulhollem Mayor Town of Archer Lodge



#### 6. PUBLIC HEARINGS, DISCUSSION AND POSSIBLE ACTION ITEMS:

- a) PUBLIC HEARING Text Amendments Code of Ordinances, Town of Archer Lodge, NC, Chapter 30 referenced as Unified Development Ordinance (UDO) Text Amendment# UDO-TA-1-23:
  - Article 3. Procedures, Division 1. Summary Procedures
    Table, to clarify that appeals of the Town Planner's decision
    on an expedited subdivision or final plat application is made
    to the Archer Lodge Board of Adjustment rather than to
    Johnston County Superior Court in accordance with NCGS
    Session Law 2022-62.

- Article 6. Development Standards, Division 1. Access and Circulation, Sec. 30 6101. Site Access and On-Site Circulation, to add a new set of provisions permitting the establishment of a shared driveway to serve up to four lots with single-family detached dwellings, along with new standards for configuration and maintenance of shared driveways. Also re-numbering subsequent sub-sections and illustrations in Sec. 30-6101.
- Article 7. Subdivisions, Division 3. Streets and Sidewalks, Sec. 30 7301. Roads, to clarify that existing gravel roads may be extended by the distance necessary to serve up to five additional lots beyond those established on June 7, 2021. Paving of the entire gravel road is required for extensions seeking to provide access to six or more lots unless the applicant enters into a development agreement with the Town. Also re-numbering subsequent sub-sections in Sec. 30-7301.
- 1. Open Public Hearing
- 2. Staff Report and Planning Board Recommendations
- 3. Public Comments
- 4. Close Public Hearing
- 5. Governing Body
  - Discussion and Consideration of the Consistency Statement
  - Discussion and Consideration of Adopting Ordinance#AL2023-01-1 (aka: UDO-TA-1-23)
     Amending the Code of Ordinances, Town of Archer Lodge, NC, Chapter 30 - Unified Development Ordinance:

**Article 3. - Procedures, Division 1** 

Article 6. - Development Standards, Division 1

**Article 7. - Subdivisions, Division 3** 

- 1. Mayor Mulhollem called for a motion to **Open the Public Hearing**.
- 2. Staff Report and Planning Board Recommendations.

Mr. Meadows presented a report referring to the Archer Lodge UDOTA-1-23. The staff report appears as follows:



TOWN OF ARCHER LODGE 14094 Buffalo Road Archer Lodge, NC 27527 Main: 919-359-9727 Fax: 919-359-3333

Mayor: Matthew B. Mulhollem

Council Members:
Clyde B. Castleberry
Mayor Pro Tem
Teresa M. Bruton
J. Mark Jackson
James (Jim) Purvis, III
Mark B. Wilson

To: Planning Board

From: Chad Meadows, CodeWright Planners

December 19, 2022

Town Administrator, Finance Officer/Town Clerk, Deputy Clerk, Town Attorney, Cc:

Alliance Code Enforcement

\_. – Staff Report – Amendments to the Code Of Ordinances,

Archer Lodge, North Carolina , Chapter 30 - Unified Development Ordinance

(Outlined Below)

<u>Summary</u>: Amendments (attached) are proposed to the Archer Lodge Code of Ordinances, Chapter 30 – Unified Development Ordinance (UDO). The provisions are intended to further clarify/streamline ordinance provisions and address changes in state law.

It is respectfully requested that the Town Council deliberate on the attached revisions. Proposed changes are red text and deleted text in blue-s

Below is in overview/summary of the proposed amendments to the Code of Ordinances, Archer Lodge, North Carolina, Chapter 30 – Unified Development Ordinance:

Article 3. – Procedures, Division 1. – Summary Procedures Table, to clarify that appeals of the Town Planner's decision on an expedited subdivision or final plat application is made to the Archer Lodge Board of Adjustment rather than to Johnston County Superior Court in accordance with NCGS Session Law 2022-62.

Previously, the General Statutes required appeals of such decisions to be made to the Superior Court of Johnston County, but this was changed by the General Assembly earlier this year.

Article 6. – Development Standards, Division 1. – Access and Circulation, Sec. 30 – 6101. – Site Access and On-Site Circulation, to add a new set of provisions permitting the establishment of a shared driveway to serve up to four lots with single-family detached dwellings, along with new standards for configuration and maintenance of shared driveways. Also re-numbering subsequent sub-sections and illustrations in Sec. 30-6101. 30-6101.

It is necessary to allow expedited subdivisions of up to 4 lots to gain access to the street network without need of extending the public roadway system (see NCGS 160D-802). The shared driveway option addresses this issue. The new standards limit shared driveways to up to four single-family residential lots and require shared driveways serving more than four lots to be configured as public or private roads. Standards also clarify that the owners of lots served by a shared driveway are the one recognishle for it is majnenance. one responsible for its maintenance.

Article 7. – Subdivisions, Division 3. – Streets and Sidewalks, Sec. 30 – 7301. – Roads, to clarify that existing gravel roads may be extended by the distance necessary to serve up to five additional lots beyond those established on June 7, 2021. Paving of the entire gravel road is required for extensions seeking to provide access to six or more lots unless the applicant enters into a development agreement with the Town. Also re-numbering subsequent sub-sections in Sec. 30-7301.

This item was considered by the Planning Board as part of a package pf proposed text amendments referred to as UDO-TA- 3-22 in June of 2022, and after discussion, opted not to recommend approval to Town Council. A follow-up discussion of the issue was conducted with the Planning Board on September 21, 2022 and consensus was reached regarding the proposal. The daft amendments were presented to the Planning Board as UDO-TA-1-23 on November 16, 2022 and passed unanimously. The revisions clarify that up to five additional lots may be added to an existing gravel road anytime after June 7, 2021 without triggering requirements to pave the road. Once the sixth lot is proposed to be served by the gravel road, it must be paved in its entirety. The applicant seeking the sixth lot's access is responsible for the cost of paving. If the paving requirement is longer than 2,500 linear feet, the applicant may request to enter into a development agreement with the Town to explore alternatives to paving or alternatives for payment.

Notice of the Public Hearing was completed in accordance with Unified Development Ordinance Provisions.

#### Staff Recommendations:

A PowerPoint presentation will be given at the meeting. Staff recommends approv of the proposed text amendments finding said amendments are in accordance with applicab ordinance provisions. A draft consistency statement will be presented at the meeting.

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On November 16, 2022, the Planning Board held a public meeting and considered the proposed text amendments to Unified Development Ordinance. After deliberation, the Planning Board found the proposed amendments to Chapter 30, referenced as Text Amendment UDO-TA-1-23, and summarized below, are in accordance with state law, reasonable, and in the public interest:

- Article 3. Procedures, Division 1. Summary Procedures Table, to clarify that appeals of the Town Planner's decision on an expedited subdivision or final plat application is made to the Archer Lodge Board of Adjustment rather than to Johnston County Superior Court in accordance with NCGS Session Law 2022-62.
- Access and Circulation, Sec. 30 Article 6. - Development Standards, Division 1. folion—of the Access and On-Site Circulation, to add a new set of provisions permitting the establishment of a shared driveway to serve up to four lots with single-family detached dwellings, along with new standards for configuration and maintenance of shared driveways. Also re-numbering subsequent sub-sections and illustrations in Sec. 20-6101.
- Article 7. Subdivisions, Division 3. Streets and Sidewalks, Sec. 30 7301. Roads, to clarify that existing gravel roads may be extended by the distance necessary to serve up to five additional lots beyond those established on June 7, 2021. Paving of the entire gravel road is required for extensions seeking to provide access to six or more lots unless the applicant enters into a development agreement with the Town. Also re-numbering subsequent sub-sections in Sec. 30-7301.

Furthermore, the proposed revisions clarify/streamline ordinance provisions, and are in accordance with changes in state law. Furthermore, the proposed amendments are consistent with the Town of Archer Lodge 2030 Comprehensive Land Use Plan, aka "Comprehensive Plan", vision and mission statements and other adopted Town plans having bearing on the matter.

The Planning Board recommends approval to the Town Council on amendments to the Unified Development Ordinance, referenced as Unified Development Ordinance (UDO) Text Amendment Number: UDO-TA-1-23.

#### **Town Council Recommendations:**

Staff respectfully requests that the Town Council:

- Conduct a public hearing on the proposed text amendments in accordance with adopted policy/ordinance provisions;
   Deliberate and vote on the consistency statement findings (Draft Town Council
- Consistency Statement below)
- c) Vote to approve, deny, or modify the proposed amendments (Draft Motion and Ordinance included under the agenda item.)

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#### Town Council Consistency Statement (DRAFT)

The Town Council finds that the proposed amendments to Chapter 30 referenced as Unified Development Ordinance (UDO) Text Amendment Number: UDO-TA-1-23 and summarized below are in accordance with state law are reasonable and in the public interest:

- Article 3. Procedures, Division 1. Summary Procedures Table, to clarify that appeals of the Town Planner's decision on an expedited subdivision or final plat application is made to the Archer Lodge Board of Adjustment rather than to Johnston County Superior Court in accordance with NCGS Session Law 2022-62.
- Article 6. Development Standards, Division 1. Access and Circulation, Sec. 30 6101. Site Access and On-Site Circulation, to add a new set of provisions permitting the establishment of a shared driveway to serve up to four lots with single-family detached dwellings, along with new standards for configuration and maintenance of shared driveways. Also re-numbering subsequent sub-sections and illustrations in Sec. 30-6101.
- Article 7. Subdivisions, Division 3. Streets and Sidewalks, Sec. 30 7301. Roads, to clarify that existing gravel roads may be extended by the distance necessary to serve up to five additional lots beyond those established on June 7, 2021. Paving of the entire gravel road is required for extensions seeking to provide access to six or more lots unless the applicant enters into a development agreement with the Town. Also re-numbering subsequent sub-sections in Sec. 30-7301.

The proposed revisions clarify/streamline ordinance provisions, facilities environmental protection, plans for future development and addresses changes in state law. Furthermore, the proposed amendments are consistent with the Town of Archer Lodge 2030 Comprehensive Land Use Plan, aka "Comprehensive Plan", vision and mission statements and other adopted Town plans having bearing on the matter.

#### Town Council Motion (DRAFT)

Upon making consistency findings, Councilmember \_\_\_\_\_ moves to a Ordinance AL#2023-01-1 as presented. The motion was seconded by Councilm\_\_\_\_ and approved by a \_\_ to \_ vote. moves to approve

#### Points of Discussion:

Planning Board unanimously approved a Recommendation of Approval for proposed amendments at the November 16, 2022, Planning Board Meeting.

- Clarifies appellate bodies for an administrative decision on expedited subdivisions and final plat from going before Superior Court to going before the Board of Adjustment, making it consistent with State Law associated with Session Law 2022-62.
- Creates the ability for up to 4 single-family detached residential lots to be able to gain access to the street via a single shared driveway.
- Clarifies that the sixth lot on an existing gravel road will be responsible for paving road and set a maximum of paving at least 2,500 linear feet of distance; if there is more street length, the responsible party can pave it all or approach the Town Council to request consideration of a development agreement to explore options in how the paving might be approached.

Mr. Meadows noted that if adopted he would amend the digital version of the UDO and provide it to Staff.

Discussion followed.

- 3. Mayor Mulhollem asked if there were any Public Comments.
  - No public comments.
- 4. Mayor Mulhollem called for a motion to Close the Public Hearing.
- 5. Mayor Mulhollem opened the floor for the **Governing Body Discussion** session.

#### **Consistency Statement**

- It was the consensus of the Board to approve after having been approved by the Planning Board.
- No further discussion.

Having no further discussion, Mayor Mulhollem called for a motion to adopt the Consistency Statement as written and presented by Staff.

## The Adopted Archer Lodge Town Council Consistency Statement appears as follows:

The Town Council finds that the proposed amendments to Chapter 30 referenced as Unified Development Ordinance (UDO) Text Amendment Number: UDO-TA-1-23 and summarized below are in accordance with state law are reasonable and in the public interest:

- Article 3. Procedures, Division 1. Summary Procedures Table, to clarify that appeals of the Town Planner's decision on an expedited subdivision or final plat application is made to the Archer Lodge Board of Adjustment rather than to Johnston County Superior Court in accordance with NCGS Session Law 2022-62.
- Article 6. Development Standards, Division 1. Access and Circulation, Sec. 30 6101. – Site Access and On-Site Circulation, to add a new set of provisions permitting the establishment of a shared driveway to serve up to four lots with single-family detached dwellings, along with new standards for configuration and maintenance of shared driveways. Also re-numbering subsequent sub-sections and illustrations in Sec. 30-6101.
- Article 7. Subdivisions, Division 3. Streets and Sidewalks, Sec. 30 7301. Roads, to clarify that existing gravel roads may be extended by the distance necessary to serve up to five additional lots beyond those established on June 7, 2021. Paving of the entire gravel road is required for extensions seeking to provide access to six or more lots unless the applicant enters into a development agreement with the Town. Also re-numbering subsequent sub-sections in Sec. 30-7301.

The proposed revisions clarify/streamline ordinance provisions, facilities environmental protection, plans for future development and addresses changes in state law. Furthermore, the proposed amendments are consistent with the Town of Archer Lodge 2030 Comprehensive Land Use Plan, aka "Comprehensive Plan", vision and mission statements and other adopted Town plans having bearing on the matter.

### Ordinance# AL2023-01-1 (aka: UDO-TA-1-23)

• No further discussion.

Having adopted the Consistency Statement, Mayor Mulhollem called for a motion to Adopt Ordinance# AL2023-01-1 (aka: UDO-TA-1-23) Amending the Code of Ordinances, Town of Archer Lodge, NC, Chapter 30 - Unified Development Ordinance as presented by Staff.

#### The Adopted Ordinance# AL2023-01-1 (aka: UDO-TA-1-23) as presented appears as follows:

UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT# UDO-TA-1-23

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, TOWN OF ARCHER LODGE, NORTH CAROLINA, CHAPTER 30 - UNIFIED DEVELOPMENT ORDINANCE: ARTICLE 3. – PROCEDURES, DIVISION 1; ARTICLE 6. – DEVELOPMENT STANDARDS, DIVISION 1; AND ARTICLE 7. – SUBDIVISION, DIVISION 3

Section 1. Pursuant to authority granted by N.C. Gen. Stat. § 143 - 214.5, 160A - 174, 160D - 801, and 160D - 702, the Town of Archer Lodge hereby amends the Code of Ordinances, Town of Archer Lodge, North Carolina, Chapter 30 – Unified Development Ordinance, as follows, attached hereto, and incorporated herein by reference:

Article 3. – Procedures, Division 1; Article 6. – Development Standards, Division 1; and Article 7. – Subdivision, Division 3

Section 2. The amendments to Chapter 30 - Unified Development Ordinance, attached hereto and incorporated herein by reference, shall become effective on January 3, 2023.

DULY ADOPTED, THIS THE 3rd DAY OF JANUARY 2023.

TOWN OF ARCHER LODGE:

not Mulhollon Matthew B. Mulhollem, Mayor

ATTEST:

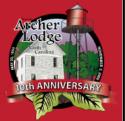
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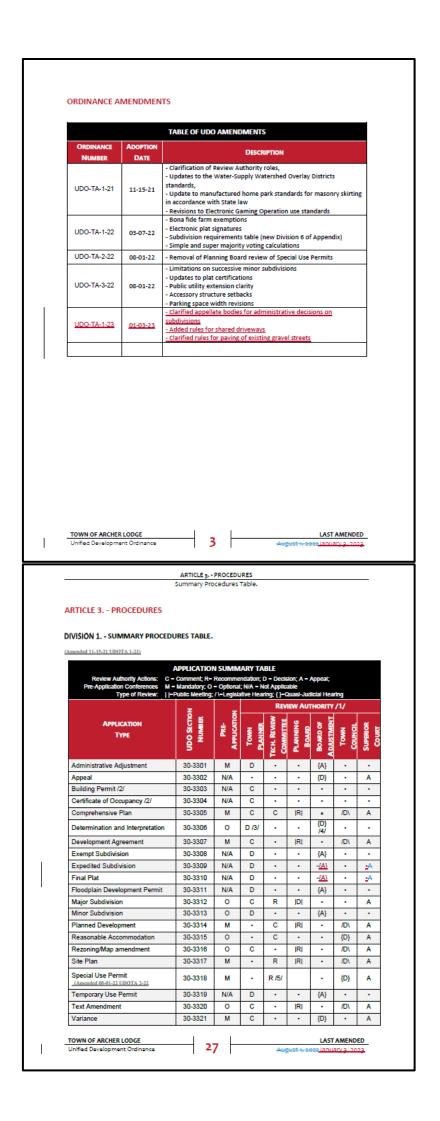
Town of Archer Lodge

UNIFIED DEVELOPMENT ORDINANCE

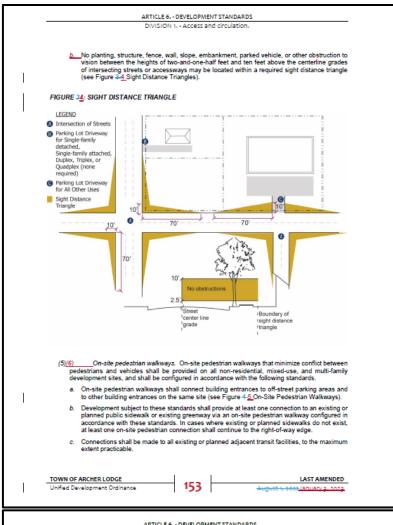
Effective Date: June 7, 2021

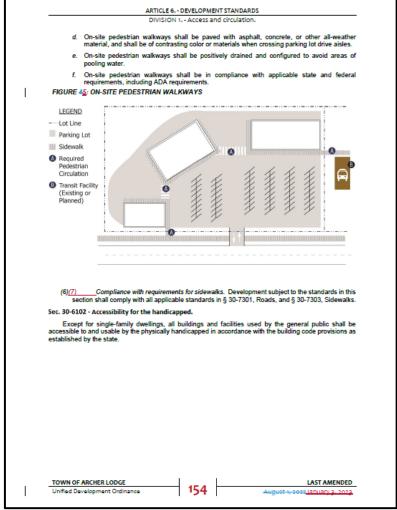
Amended: August 1, 2022 January 3, 2023

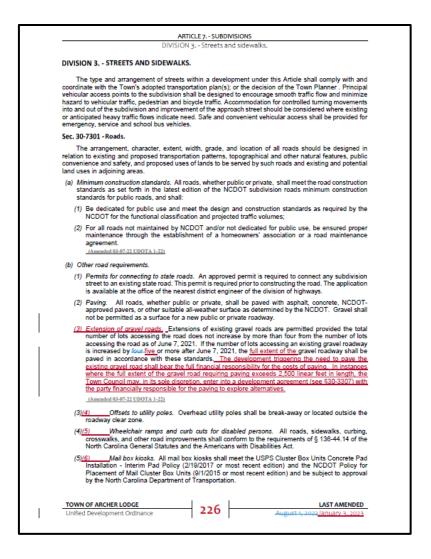




## ARTICLE 6. - DEVELOPMENT STANDARDS DIVISION 1. - Access and circulation. 3. Except when configured as paired driveways, driveways serving individual single-family detached dwellings, individual single-family attached dwellings, duplex, triplex, or quadruplex buildings shall be located at least 50 linear feet from any other driveway ne same or different lot. For the purposes of this section, paired driveways are up to two driveways, whether on the same or different lots, where one side of a driveway is no greater than five feet away from the side of the other paired driveway. (Amounted 08-01-32 LIDOTA 3-23) e. Driveway surfacing. New driveways established after the effective date of these standards that abut a paved street shall be surfaced with asphalt or six inches of concrete for a distance of at least five feet from the edge of the right-of-way or the driveway radius point, whichever is greater. New driveways established after the effective date of these standards serving a multi-family, commercial, institutional, or industrial use shall be fully paved with asphalt, concrete, pavers, or other suitable all-weather surfacing other than crushed stone. (Amended 08-01-22 UDOTA 3-22) (4) Shared Driveways. De to a maximum of four individual residential lots configured with single-family detached dwellings may establish access across one or more different lots via a single shared driveway provided the shared driveway (see Figure 3, Shared Driveways): The minimum separation between the easement and any other platted access or right-of-way is at least 150 feet; 6. The shared driveway connects to a publicly maintained or a private street built to public Maintenance of a shared driveway shall be the responsibility of the landowners whose lots receive access via the shared driveway. In no instance shall the Town be responsible for maintenance or repair of a shared driveway. TOWN OF ARCHER LODGE Unified Development Ordinance LAST AMENDED 151 August 1, 202 ARTICLE 6. - DEVELOPMENT STANDARDS DIVISION 1. - Access and circulation. FIGURE 3: SHARED DRIVEWAYS 1 LEGEND 0 • Driveway **6** B Easement Min. Width 25' Public Street Access Driveway Min. Width 15' Driveway Min. Width 15' Min. Separation 150' 0 a. Corner lots and lots with driveways, alleys, or other methods of ingress/egress to a street shall include sight distance triangles to ensure visibility for drivers and pedestrians moving through or in an intersection. Required sight distance triangles shall be configured in accordance with the sight distance triangle requirements table below.







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

#### Approved to Open the Hearing at 7:01 p.m.

CARRIED UNANIMOUSLY

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

#### Approved to Close the Public Hearing at 7:02 p.m.

CARRIED UNANIMOUSLY

Moved by: Council Member Purvis Seconded by: Council Member Jackson **Approved the Consistency Statement.** 

CARRIED UNANIMOUSLY

Moved by: Council Member Jackson Seconded by: Council Member Purvis

Adopted Ordinance#AL2023-01-1 (aka: UDO-TA-1-23) Amending the Code of Ordinances, Town of Archer Lodge, NC, Chapter 30 - Unified Development Ordinance.

CARRIED UNANIMOUSLY

#### b) Discussion and Consideration of Appointing a Town of Archer Lodge Representative for the Johnston County Economic Development Advisory Board

Mayor Mulhollem informed that Mayor Pro Tem Castleberry has served on this board for a number of years and had completed an application to serve the Johnston County Economic Development Advisory Board another year to represent the Town.

Mayor Mulhollem opened the floor for discussion. No further discussion.

Having no further discussion, Mayor Mulhollem called for a motion.

Moved by: Council Member Purvis Seconded by: Council Member Jackson

Approved to reappoint Mayor Pro Tem Castleberry to serve as a Town of Archer Lodge Representative for the Johnston County Economic Development Advisory Board for one year.

CARRIED UNANIMOUSLY

## c) Discussion and Consideration of Appointing a Voting Delegate for NCLM

Mr. Gordon recommended that the Town Administrator position be appointed as a voting delegate for the North Carolina League of Municipalities and noted that it is a one time vote.

Moved by: Council Member Jackson Seconded by: Mayor Pro Tem Castleberry

Approved to appoint the Town Administrator as a Voting Delegate for the North Carolina League of Municipalities (NCLM).

CARRIED UNAMIMOUSLY

# d) Discussion and Consideration of Selecting 10 of the 16 NCLM's Proposed Advocacy Goals

Mr. Gordon advised Council of the list of proposed North Carolina Municipalities Advocacy Goals that was included in their agenda packet and reviewed the list of goals that he would recommend for the Town from that list.

The recommended Advocacy Goals are as follows:

- 1. Create an adequate and permanent funding stream for local infrastructure.
- 2. Expand state transportation funding streams of construction and maintenance for municipal and state-owned secondary roads.
- 3. Increase state funding for public transportation operations.
- 4. Expand incentives and funding for local economic development.
- 5. Expand incentives that encourage regionalization of water and sewer, as well as other municipal services, when appropriate.
- 6. Enhance state systems and resources for local law enforcement officer recruitment, training, and retention.
- 7. Provide state assistance for yearly financial audits, ensuring that a adequate number of auditors are available.
- 8. Revise state law contracting laws to better protect public entities from the effects of inflation.
- 9. Update annexation petition thresholds to make voluntary annexations easier to initiate.
- 10. Provide local revenue options beyond property tax.

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

Approved to authorize the Town Administrator to vote on the North Carolina Municipalities proposed Advocacy Goals as presented.

CARRIED UNANIMOUSLY

## e) Discussion and Consideration of Adopting Budget Amendment for Fiscal Year Ending June 30, 2023 ~ (BA 2023 02)

Ms. Kim Batten explained the following reasons for amending the budget:

- Funds affected by BA 2023 02 are as follows: General Fund, Capital Reserve Fund, Public Safety Reserve Fund, ARPA Fund Grant, and the SCIF Fund Grant.
- Increased revenues of the General Fund and the Capital Reserve Fund.

- Reappropriating expenditures in funds shown.
- Increased investment earnings in all funds shown which affects the expenditures in those funds as shown.

Mr. Gordon confirmed the increased costs in quotes for the park and thanked JM Daniels Construction Company for helping to keep costs for construction to a minimum.

Discussion followed.

The adopted Budget Amendment (BA 2023 02) appears as follows:



Having no further discussion, Mayor Mulhollem called for a motion.

Moved by: Council Member Purvis

Seconded by: Mayor Pro Tem Castleberry

Adopted Budget Amendment (BA 2023 02) for Fiscal Year Ending June 30, 2023.

CARRIED UNANIMOUSLY

#### 7. TOWN ATTORNEY'S REPORT:

a) Attorney Burrell wished everyone a Happy and Prosperous New Year and welcomed Mr. Chris Allen on board.

### 8. TOWN ADMINISTRATOR'S REPORT:

a) Mr. Gordon reported that construction has slowed down at the park, waiting for the land to dry due to the rain. He stated that once the land dries, the ballfields will be ready for sod and for the installation of an irrigation system. Mr. Gordon also mentioned that the Town now has a truck for the park.

No further comments or discussion.

#### 9. ASSISTANT TOWN ADMINISTRATOR/FINANCE OFFICER'S REPORT:

#### a) Interim Financial Reports for November 2022

Ms. Batten shared an interim summary of all funds ending November 30, 2022. She noted that the collection rate for revenues are at 33%. The actual net difference between revenues and expenditures in the general fund is a deficit of \$94,986.63.

Regarding the Capital Reserve Fund, it's 82% to 83% collected. The budget amendment accounts for the increase.

Regarding the Park Reserve Fund, additional investment earnings were received as well as \$2,600 from the General Fund for the \$0.02 tax designation.

Regarding the Public Safety Reserve Fund, a little less than \$3,900 of investment earnings have been received. The budget amendment accounts for the increase.

When comparing revenues in November 2022 with November 2021, we had more ad-valorem from motor vehicle taxes and our revenues were higher last November than this November. Our investment earnings are a lot higher this November than last November. Ms. Batten stated that the expenditures that were higher last November were Public Safety, Capital Reserve Fund, and Public Safety Reserve. November 2022 was better than November 2021 by approximately \$23,500 due to higher expenditures in 2021.

Regarding the PARTF Project Fund 41, Ms. Batten mentioned that we have received approximately \$91,000 in revenues and that there are some encumbrances that are coming up to be paid.

Regarding the ARPA Fund 42, Ms. Batten stated that the revenues this year has been \$526,412, and we have spent \$270,887. Ms. Batten explained that \$623,849 is encumbered.

Regarding the SCIF Fund 43, Ms. Batten stated that the grant was \$850,00, and we have spent \$38,653. Ms. Batten explained that we have encumbered \$229,000. This leaves roughly \$580,000 left.

No further comments or discussion.

#### 10. HUMAN RESOURCES OFFICER/TOWN CLERK'S REPORT:

**a)** Ms. Martin welcomed the new Parks and Recreation Director, Chris Allen. She expressed how she was proud of the Town for being able to get such a qualified candidate.

Ms. Martin also explained that she had been working on creating new hire orientation and all of the new hire paperwork for Chris and any future employees of the Town.

No further comments or discussion.

#### 11. PLANNING/ZONING REPORT:

a) Mr. Emory reported that there hasn't been any loss in time with his transition into the role. He has been receiving inquiries daily. Mr. Emory explained that he has been processing permit requests and has done some minor subdivision requests, which have all been family related.

He shared that he has received positive feedback on Mr. Curry in Code Enforcement, such as how happy the citizens were with the professionalism and the ease of the process. Mr. Emory also shared a positive email from a citizen regarding the citizen having a pleasant experience working with him, Mr. Emory, and complimented his customer service.

He stated that everything is going well in planning and that he was working towards finishing up some projects that have been going on.

No further comments or discussion.

#### 12. CODE ENFORCEMENT OFFICER'S REPORT:

#### a) Monthly Report

Mr. Curry shared the following update:

- 23 new cases have been opened
- 23 notice of violations were issued
- 11 cases were abated
- 6 hearings
- 22 signs were picked up
- Inspections, follow ups and in-person meetings or attempted inperson meetings were made with all violators
- Gave an update on a couple of properties that made progress and that were successful
- Assisted Animal Control with contact and delivery of documentation

Mr. Emory elaborated on Mr. Curry's report on assisting Animal Control stating that it was something that was thought through and was very strategic.

Council Member Wilson asked if Mr. Emory had an update on the Piedmont Natural Gas, Co. Pump Station:

- Mr. Emory responded that he reached out to the attorney for Piedmont Natural Gas and was informed as far as the water supply, it is a multi-step process, they have some permits already on hand and they are being regulated by the state on how to go about doing the process properly. Mr. Emory noted that he had received an email from the attorney indicating the exact steps and advising that the stream issue is a little more involved, but Piedmont Natural Gas has an Army Corp of Engineers for the proper certifications and confirmed that the plans for the buffer complies with the Town's UDO Ordinance. Mr. Emory contacted the citizen and explain all of this information to him and put him in touch directly with the attorney. Mr. Emory received some certification prior to the meeting, and he issued the zoning permit for them.
- Mr. Wilson questioned the security at the site. Mr. Emory responded that the security was not regulated by the ordinance

and noted that the conditions are already set, so no further conditions can be set on this permit.

Discussion followed.

Mr. Emory shared that his goal is to steer as best as he could towards the direction that will best serve the citizens.

#### 13. MAYOR'S REPORT:

a) Mayor Mulhollem wished everyone a Happy New Year and noted that 2022 was challenging. He stated that it will continue to be very busy at Town Hall with all of the projects and the park. He welcomed Chris Allen, the new Parks & Recreation Director.

#### 14. COUNCIL MEMBERS' REMARKS:

(non-agenda items)

- a) Council Member Wilson encouraged everyone to get their COVID/Flu vaccine shots.
- b) Council Member Jackson wished everyone a Happy New Year. He welcomed Chris Allen and noted that he was the first Parks & Recreation Director and with a brand new park. Council Member Jackson expressed that he is ready to get the park going.
- c) Mayor Pro Tem Castleberry wished everyone a Happy New Year and welcomed Chris Allen.
- d) Council Member Purvis reiterated the same as the other council members and added that he was looking forward to working with Chris Allen.

#### 15. <u>CLOSED SESSION - PERSONNEL MATTER:</u>

§ 143-318.11(a)(6)

a) Attorney Burrell advised that pursuant to NCGS § 143.318.11(a)(6), personal matters, the Town Council is authorized to enter into Closed Session pending a motion and vote.

Moved by: Council Member Jackson Seconded by: Council Member Purvis

Approved to enter in Closed Session at 8:22 p.m.

CARRIED UNANIMOUSLY

#### 16. RETURN TO OPEN SESSION:

a) Mayor Mulhollem called for a motion to return to Open Session.

Moved by: Mayor Pro Tem Castleberry Seconded by: Council Member Purvis

Approved to return to Open Session at 9:02 p.m.

CARRIED UNANIMOUSLY

#### 17. POTENTIAL ACTION:

#### a) Selection of Candidate for Town Administrator Position

Mayor Mulhollem called for a motion to appoint Bryan Chadwick as Town Administrator with a starting salary of \$105,000 and the general full-time employee benefit package.

Moved by: Council Member Purvis Seconded by: Council Member Jackson

Appointed Bryan Chadwick as Town Administrator with a starting salary of \$105,000 and the general full-time employee benefit package.

CARRIED 3 to 1

## b) Approving the Assistant Town Administrator/Finance Officer Job Description and Reclassification of Position

Mayor Mulhollem called for a motion to approve the reclassification for the Assistant Town Administrator/Finance Officer position with an increase from Grade 28 to Grade 30 and include a 5% salary increase over the current salary.

Moved by: Council Member Jackson Seconded by: Council Member Purvis

Approved the reclassification for the Assistant Town
Administrator/Finance Officer position with an increase from Grade 28
to Grade 30 and include a 5% salary increase over the current salary.

CARRIED 3 to 1

#### 18. ADJOURNMENT:

Mulhollo

a) No further business.

Moved by: Mayor Pro Tem Castleberry Seconded by: Council Member Purvis **Adjourned meeting at 9:07 p.m.** 

CARRIED UNANIMOUSLY

Matthew B. Mulhollem, Mayor

enny Martin, Town Clerk

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