

TOWN OF BROADWAY  
BOARD OF COMMISSIONERS  
MEETING MINUTES

MAY 23, 2022

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

Board members present were Mayor Donald Andrews, Commissioners Tommy Beal, April Collins, Lynne Green, Teresa Kelly, and Jim Paschal. Also, Town Counsel Jimmy Love, Town Manager John Godfrey, and Town Clerk Laura Duval were present.

The meeting was called to order by Mayor Andrews. Mayor Pro Tem Beal gave the invocation, which was followed by the Pledge of Allegiance.

Mayor Andrews requested the addition of two items to the agenda: under Old Business: Item A. EB-5870 Sidewalk Project and a Closed Session to discuss a personnel issue at the end of the meeting. Commissioner Kelly made the motion to accept the Agenda as amended. The motion was seconded by Commissioner Paschal. Motion carried unanimously.

Consent Agenda – April 25 Meeting Minutes and April financial statements. Commissioner Paschal made the motion to accept the consent agenda as submitted. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Public Comments – Cindy Young, of 122 Milton Avenue, Broadway, voiced her concerns about the revision of the chicken ordinance. Ms. Young is concerned about sanitation issues, diseases, and free range chickens. She commented if chickens are allowed to roam freely and get in her back yard, she doesn't want to be held responsible should her dog attack them. Ms. Young feels if chickens are allowed in Town, the ordinance may later be expanded to allow goats and pigs. She also expressed that she does not want Broadway to become the chicken town.

New Business – Town Manager John Godfrey reviewed highlights from his budget message. The proposed budget for FY 2022-2023 has come with challenges to ensure the Town of Broadway can continue to provide needed services to its citizens. Public Safety is increased so that police salaries will be more competitive with surrounding municipalities and counties. Body cameras, tasers, and storage will be provided to our officers for their protection, as well as, our citizens. The Town received an unexpected 22% increase in healthcare costs, which is addressed in this budget. The rising cost of fuel is hard to predict as costs continue to increase. In order to make needed repairs and to maintain all Town facilities, an increase was budgeted in repairs and maintenance for buildings. An increase of \$.04 cents on the tax rate is needed to provide the services our citizens need. The tax rate will increase from \$.49 cents per

\$100 valuation to \$.53 cents per \$100 valuation. In order to keep the Utility Fund self-supporting as required by the state, there is a recommendation for a 7% increase in water and sewer rates. The average water bill will increase by \$2.52 per month. Mr. Godfrey feels that they have diligently considered all available options and have created a budget necessary to provide services to the Town that citizens require and expect. Mayor Andrews expressed his thanks to the Town Manager and Finance Director for their work on the budget. They have done a good job to develop a budget that meets the needs of our Town. The Mayor met with them regularly the last few months, and it is not an easy task to come up with a budget. In some cases you have to look at trends and hope you make the right decision. The budget process is not taken lightly. It required much time, thought, and effort.

A Public Hearing was held for citizen comments on the proposed annual budget ordinance for FY 2022-2023. Mayor Andrews opened the Public Hearing.

No one spoke against the proposed budget ordinance for FY 2022-2023.

Bob Stevens, of 121 W. Lake Drive, Broadway, spoke in favor of the proposed budget ordinance for FY 2022-2023. Mr. Stevens thanked the Town Board for their willingness to serve. They are facing hard decisions that affect the future of Broadway. He spoke in favor of the tax increase of \$.04 per \$100 valuation. Mr. Stevens doesn't like tax increases but when the future of the Town is involved, you have to stand up and bite the bullet. Inflation continues to grow. Just as prices are going up for the average citizen, prices are going up for the Town. He discussed reasons why he is in favor of the tax increase.

Mr. Stevens stated there are citizens who want to cut the night time patrol officer. They are unaware there is one sheriff's deputy working night shift who patrols the area from Swann Station Road to Deep River Road. Broadway would not get the coverage it needs at night. Through an interlocal agreement, the Town receives \$90,000 from Lee County in assistance and part of that covers a mutual aid agreement between police and deputies. Body cameras are needed to protect our officers and citizens. They will help protect the Town from liability and lawsuits. A separation allowance or pension is paid every month to two retired police officers as required by the state. These two officers will draw the SEP until they reach age 62. Broadway is a training ground for police officers. Salaries here have not been competitive, so officers get experience here and then move on to higher paying departments. The part-time Finance Director is retiring, and a full-time Finance Director is now needed with the addition of government grants requiring extensive documentation and reporting. The salary for a qualified full-time Finance Director will most likely double. Once Town Counsel retires, the cost for another attorney will be astronomical. Water and Sewer Infrastructure needs upgrading. Most of the water system was installed in 1960, and the lines are over their life expectancy and will need to be replaced soon. The Town is responsible for that maintenance. The sewer plant is at capacity now. The Town Board will have to decide on the future of the WWTP. The City of Sanford has been very cooperative and very helpful to Broadway. The state is requiring that Watson Lake be stabilized. Mr. Stevens believes the \$.04 cent tax increase is justified based on these issues.

With no other comments in favor of the proposed budget, Mayor Andrews closed the Public Hearing.

The Mayor reviewed a few highlights contained in the budget. A 3% COLA is included for employees. The Town has a good staff that earns the respect of the Town Board and the Mayor. They make the Board's job easier because of all the hard work they do. The 22% increase in health insurance hit in January, and that cost has to be absorbed in the budget. The Town has been without tech support. The Town hopes to hire a company to help with tech support for computers and software. Technology quickly goes out of date, and we hope to enlist the services of a company that will provide support as needed.

Since January 1, the Town has been down one officer. Chief Gunter has worked 12 hour shifts five days a week and has never complained. The police department is underpaid. Broadway cannot compete with surrounding counties. Currently, the starting salary for a patrol officer is \$37,000, so a \$5,000 increase is included in this budget. That will get the Town closer to the starting pay of the City and County. Our police officers do a great job. The purchase of body cameras and tasers will be a point of accountability for our officers and also provide back up for them. The unlimited storage capacity is more expensive than the cameras. With a lease the Town will receive upgrades as technology improves. These are good steps that will protect our citizens and our officers. The Town has a new officer coming on line shortly. He has completed BLET and is getting all his certifications then the Town will be back to full staff. In the meantime Chief Gunter, Sgt. Nelson, and Officer Hogan have covered a lot of time. The Mayor acknowledged and appreciated their willingness to cover extra shifts as needed to protect the citizens of Broadway.

Two years ago, the Town received a \$100,000 grant to study our water and sewer infrastructure. The studies were completed in January. One statement that stood out in the report was: if the Town does not follow any of the recommended options, it is behind on funding its water and sewer operations, and the rates need to be adjusted. The study recommended raising rates 15% every year until rates catch up. The Town decided on a 7% increase instead. The Town is responsible for all repairs, and those have to be contracted out because we do not have the manpower nor equipment.

The Town was fortunate to have about \$5 million growth in the tax base, but that generates only \$24,000 in income. The Town Board does not take the budget lightly. They met on May 10 and discussed the budget line by line. Mayor Andrews asked the Town Board if they would like staff to go back and make any changes to the budget at this time. They did not.

The Town Board will vote on the proposed budget ordinance for FY 2022-2023 at the June 27 meeting.

Mayor Andrews advised a Public Hearing was held on April 25 to discuss revisions to the animal ordinance that would allow ownership of chickens inside the Town Limits. He then presented the revised Chicken Ordinance for adoption. Commissioner Kelly made the motion to adopt the revised Chicken Ordinance allowing

hens within the Town Limits. The motion was seconded by Commissioner Green. She assured the public that the ordinance covers the questions and concerns that were mentioned during public comment and citizen inquiries. If the guidelines stipulated in the ordinance are not followed, the Town will deal with those situations. Commissioner Collins added the ordinance will regulate the chickens already owned here. Citizens with chickens will be required to register with the Town Hall and will be monitored through a permitting process, which will incorporate code enforcement. Most surrounding towns allow the ownership of chickens. Mayor Andrews stated the Town contracts with State Code Enforcement, Inc to help with code enforcement issues, such as, junk cars, grass cutting, and now chickens. The ordinance does not allow free range chickens, no roosters, and the number of chickens allowed is limited. Motion carried unanimously to adopt the revised ordinance.

Mayor Andrews advised that Planning Board members, Betsy Kelly and Sue Tipton, have agreed to serve another three-year term. Commissioner Paschal made the motion to re-appoint Betsy Kelly and Sue Tipton to the Planning Board. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Mayor Andrews presented the interlocal agreement for debris disposal with the City of Sanford for adoption. The City has agreed to allow the Town to dispose of yard debris at the Fifth Street facility rather than drive to Johnsonville. This agreement will cut down on distance, manpower, and time. Commissioner Kelly made the motion to approve the interlocal agreement relating to leaf and limb disposal with the City of Sanford. The motion was seconded by Commissioner Collins. Motion carried unanimously.

Mayor Andrews asked the Town Board if they are interested in obtaining prices for resurfacing Cats, Fiddler, and Beale Drives. They are next on the list for resurfacing. It may possibly be out of our price range right now. Root work is also needed on Beale Drive. The next streets on the list for resurfacing are Hickory, Oakland, Forest, and Third. East Lake and Stevens Drives are in need of having roots cut; they are pushing up the asphalt. Commissioner Green made the motion to spec out resurfacing for Cats, Fiddler, and Beale Drives. The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

Mayor Andrews would like to hold a Town Hall meeting with the public to lay out the costs and challenges of infrastructure issues. The Mayor stated there are only two options for resolving issues with the Wastewater Treatment Plant: expand the WWPT at an estimated cost of \$22 million plus 25% added for inflation or interconnect with the City of Sanford at an estimated cost of \$14 million. The Town Board was in agreement with the Town Hall meeting. Mayor Andrews scheduled the meeting for Tuesday, June 7 beginning at 6:00 p.m. at the Community Building. Commissioner Kelly asked if a representative with Withers-Ravenel would be invited to answer questions. The Mayor will invite Bill Cowen to further explain the options since he lives locally. Mayor Pro Tem Beal made the motion to have a Town Hall meeting with the public to explain infrastructure issues. The motion was seconded by Commissioner Paschal. Motion carried unanimously.

Mayor Andrews advised rentals of the Broadway Community Building were suspended during COVID. He asked the Town Board if they are comfortable resuming rentals of the facility. If so, the Mayor would like to see the hours and rental fees changed for out of town residents. The new out-of-town rate would be \$500 plus the \$200 refundable cleaning deposit. The in-town rate is \$225. The hours for rental will be 7:00 a.m. – 11:00 p.m. The rentals will resume July 1. Mayor Pro Tem Beal made the motion to adopt the new rental rate and new hours of use for the Community Building beginning July 1. The motion was seconded by Commissioner Kelly. Motion carried unanimously.

Mayor Andrews reported he has been questioned about the unavailability of restrooms at Watson Lake Park. He asked the Town Board if there is interest in providing a portable toilet during the months of June, July and August. Cumberland Septic will charge \$85 per month or \$135 for an ADA toilet and service it weekly. The Town Board agreed a portable ADA toilet would be the better option. Commissioner Kelly made the motion to provide a portable ADA toilet at Watson Lake Park during the months of June, July, and August. The motion was seconded by Commissioner Green. Motion carried unanimously.

Mayor Andrews advised the Town is in the process of acquiring sidewalk easements for the EB-5870 sidewalk project. It's a joint effort between the Town and DOT to add a sidewalk from Mansfield Drive to Hollywood Pizza on South Main. The long-range plan is to extend the sidewalk from the City Limits to Gilbert Lett Drive. Initial contact letters were sent to property owners about obtaining easements. The next step in the process is actually obtaining the sidewalk easement. Authorization is needed for staff to negotiate easements then the legal portion would be handled by Town Counsel. Commissioner Kelly made the motion to authorize Town staff to negotiate the purchase of the easements. The motion was seconded by Commissioner Paschal. Motion carried unanimously.

Manager's Report – Town Manager Godfrey advised on April 26, he spoke to a 10<sup>th</sup> grade Civics class about managing a municipality. The students were very perceptive and appeared genuinely interested in the dynamics of managing a municipality. Mr. Godfrey encouraged the students to get involved in local government because they are the future leaders of our country who will decide how society runs.

Town Manager Godfrey attended National Day of Prayer at the NC Veterans Memorial on May 5. He also visited with town officials of Wake Forest to inquire and learn more about their involvement with WWTP capacity concerns.

The Town Manager visited the WWTP Land Application Site on Buchanan Farms. Charles R. Underwood completed work on a brush rotor for the oxidation ditch and put it back into service at the WWTP. A NCDEQ official completed a sewer inspection of the collection system on May 11. No major deficiencies were noted.

A water leak on Colonial Drive was repaired.

Mr. Godfrey continues to meet weekly by phone or office visit with SCEI staff as they monitor town ordinances and compliance.

The Town Manager assisted Public Works staff with reading water meters and also delivered water samples to Harnett Regional Water on several occasions.

He also met or communicated with officials from Duke Energy, NCDEQ, AXON Cameras, City of Sanford Water Department, NCRWA, and Conservation Easement staff with 3 Rivers Land Trust.

Southern Corrosion inspected the water tank and submitted a water tank maintenance agreement. Mr. Godfrey distributed the information to the Town Board. According to the agreement at the end of each year, the Town has 90 days to decide whether to continue with the agreement. Each year stands on its own. The agreement covers upkeep, maintenance, preventative maintenance, and the possibility of installing Christmas lights on the water tank. The annual premium for the first year of the service is \$13,500. All subsequent year premiums will be the total of the immediate prior year's premium amount plus the % change in the CPI for that previous year. The cost of the annual agreement would have to be incorporated into the budget each year.

Commissioner Comments – Commissioner Green thanked admin staff and the mayor for their work on the budget. She also expressed her thanks to Chief Gunter and his officers for protecting and serving our citizens. Commissioner Green appreciated the ladies who came to the meeting and stayed the entire time. She stated it's good to have citizen input and feedback. Commissioner Green expressed to Mr. Godfrey that she would like for the Civics class to attend a Town Board meeting because she is concerned about who will serve after some of the seasoned commissioners no longer serve. She is thrilled that he spoke with that class, and hopefully they will get involved and run for public office someday.

Mayor Pro Tem Beal echoed Commissioner Green's comments on the budget and is glad to see citizens at the meeting. He also expressed citizens' appreciation for the benches at Watson Lake Park.

Commissioner Collins had been asked if a club or church needs permission from the Town to have a picnic at the park. Mayor Andrews advised no permission is needed. Commissioner Collins thanked the Town Manager for speaking to the young people and encouraging them to get involved in their communities.

Commissioner Kelly inquired about the Plant Pathways Company public announcement event on June 9. Mayor Andrews explained that SAGA, Dalrymple Farms, and NC State Ag Center have a joint project for studying Stevia plants related to extracting sweetener. Commissioner Kelly also thanked staff and the Mayor for their work on the budget. She also extended thanks to the police department.

Mayor Comments – Mayor Andrews announced the Memorial Day Service will be held on Monday, May 30, beginning at 10:00 a.m. at the NCVM.

The Mayor expressed his thanks to admin staff for their work on the budget. It is not an easy task, and a lot of time and effort went into the budget preparation. Mayor Andrews thanked Chief Gunter for his hard work in taking on a new task as Police Chief with one officer down.

Mayor Andrews entertained a motion to go into closed session to discuss a personnel matter. Commissioner Paschal made the motion to go into closed session to discuss a personnel matter per G.S. 143.318.11(a)(6). The motion was seconded by Mayor Pro Tem Beal. Motion carried unanimously.

With no further business to come before the Town Board, Mayor Pro Tem Beal made the motion to adjourn the meeting. The motion was seconded by Commissioner Paschal. Motion carried unanimously to adjourn.

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Donald F. Andrews  
Mayor

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Laura K. Duval, Town Clerk