

Town of Spring Lake  
Regular Meeting of the Board of Aldermen  
Municipal Building  
300 Ruth Street  
Spring Lake, NC 28390

December 8, 2014

**MINUTES**

7 p.m.

The Spring Lake Board of Aldermen held a regular scheduled meeting in the Grady Howard Conference Room of the Spring Lake Municipal Building with Mayor Chris V. Rey presiding.

**Board Members Present:** Mayor Pro Tem James O'Garra  
Alderman James Christian  
Alderman Richard Higgins  
Alderwoman Densie Lucas  
Alderwoman Fredricka Sutherland

**Others Present:**

Ken Metcalf, Town Manager	Byron Blumenfeld, Water Resource Manager
Rosa Henegan, Human Resources Director	Paul Hoover, Public Works Director
John Kleinert, Maintenance Director	Troy McDuffie, Police Chief
T.J. McLamb, Fire Chief	Tina West, Interim Finance Director
Gail Elder-White, Recreation Director	Rhonda Webb, Town Clerk

**2. Invocation**

Alderwoman Lucas gave a non-sectarian invocation.

**3. Pledge of Allegiance**

Mayor Rey led the meeting in the pledge of allegiance.

**4. Additions or Deletions to Agenda**

Alderwoman Sutherland requested to add a Police Presentation to the agenda as item 10g.

**5. Approval of Agenda**

The Board approved the agenda.

**Action:** The Board approved a motion to approve the agenda as amended.

**Motion by:** Alderman Higgins

**Second by:** Alderman Christian

**Vote:** Unanimous

(A copy of the agenda is hereby incorporated by reference and made a part of these minutes – see attachment one.)

**6. Approval of Consent Items**

The Board approved the consent items:

a. Minutes of the November 24, 2014 Regular Meeting

**Action:** The Board approved a motion to approve the consent items for November 24, 2014 Regular Meeting.

**Motion by:** Alderwoman Sutherland

**Second by:** Alderman Christian

**Vote:** Unanimous

## **7. Public Forum**

Josie Miller, Lillington, NC, wanted to say thank you for all the support during a very difficult time.

## **8. Public Hearing**

### **a. Case P14-50: Initial Zoning of 2.53 +/- Acres to M(P) Planned Industrial or to a More Restrictive Zoning District, Located at 508 and 516 W. Manchester Road, Owned by Hershel L. and Eleanor F. Boyd**

Mayor Rey opened the Public Hearing. No one spoke for or against Case P14-50.

**Action:** The Board approved a motion to close the Public Hearing on Case P14-50: Initial Zoning of 2.53 Acres.

**Motion by:** Alderman Higgins

**Second by:** Alderwoman Lucas

**Vote:** Unanimous

(A copy of the agenda memo is hereby incorporated by reference and made a part of these minutes – see attachment two.)

## **9. Presentation**

### **a. iSeeiText App**

Mr. Joe McGee of The NetWorksNow Corporation developed a device app that will allow users to report crimes, immoral acts, suspicious activity, etc. anonymously. He has found that people are hesitant to call 911 because they do not want to get involved. This app will allow every user to speak up without “getting involved.” This app is free and will be funded by private investors and will be available January 1, 2015. He stated the report will go to the appropriate entity. For example, if the app user is reporting something for Spring Lake Middle School the report will go directly to the School Resource Officer. A resident can ask for their community to be added and the NetWorksNow Corporation will contact the appropriate authority for their area.

(A copy of the agenda memo and informational flyer is hereby incorporated by reference and made a part of these minutes – see attachment three.)

### **b. Rick Heicksen Appreciation**

Mr. Heicksen was not able to attend the meeting and Mr. Michael Rutan accepted the plaque on his behalf. Alderman Higgins stated he has worked with Mr. Heicksen for the past 25 years and stated that “Rick has a true public servant spirit” and he is so appreciative of all Mr. Heicksen has done for Spring Lake.

(A copy of the agenda memo is hereby incorporated by reference and made a part of these minutes – see attachment four.)

### **c. Spring Lake Oilers Football Team**

Mayor Rey announced that our own Spring Lake Oilers won the 10U Championship and also won the 2014 Turkey Bowl Championship.

(A copy of the agenda memo is hereby incorporated by reference and made a part of these minutes – see attachment five.)

## **d. PARTF Grant**

Ms. Elder-White stated the Spring Lake Recreation Department submitted for a PARTF grant last year but the application was not successful. They learned that PARTF is looking for smaller grants so they can spread the money out. This year they are asking to apply for a grant to reconstruct the tennis courts, outdoor exercise stations and playground equipment. The total project they are proposing is \$126,500 and the Town’s match would be \$63,250 and can be spread out over three years. She asked for a consensus to move forward and task the Clerk with setting a public comment session. The three phases and proposed budget information are detailed in the PowerPoint Presentation.

**Action:** The Board approved a motion to move forward and tasked the Clerk to set a public comment session for January 12, 2015.

**Motion by:** Alderman Christian

**Second by:** Alderwoman Sutherland

**Vote:** Unanimous

(A copy of the agenda memo and PowerPoint Presentation is hereby incorporated by reference and made a part of these minutes – see attachment six.)

#### **10. New Business**

##### **a. Case P14-50: Initial Zoning of 2.53 +/- Acres to M(P) Planned Industrial or to a More Restrictive Zoning District, Located at 508 and 516 W. Manchester Road, Owned by Hershel L. and Eleanor F. Boyd**

Mr. Scott thanked the Board for recognizing Mr. Heicksen who will celebrate a 40 year career at the end of this month. Mr. Scott presented Case P14-50 for the initial zoning of the Boyd property. Mr. Scott advised the County Planning and Town staff recommends approval of initial zoning to M(P).

**Action:** The Board approved a motion to approve Case P14-50.

**Motion by:** Alderman Higgins

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

(A copy of the agenda memo and Cumberland County Planning & Inspections Department action Memorandum and Site Profile is hereby incorporated by reference and made a part of these minutes – see attachment seven.)

##### **b. Application for Appointment, Community Appearance Commission**

Ms. Webb reported that Ms. Tammy Stephens and Ms. Heather Cundiff submitted applications to serve on the Community Appearance Commission. If appointed they will serve a 3-year term expiring December 31, 2017.

**Action:** The Board approved a motion to appoint Ms. Stephens and Ms. Cundiff to the Community Appearance Commission for a 3-year term expiring December 31, 2017.

**Motion by:** Alderman Christian

**Second by:** Alderwoman Sutherland

**Vote:** Unanimous

(A copy of the agenda memo and Applications from Tammy Stephens and Heather Cundiff is hereby incorporated by reference and made a part of these minutes – see attachment eight.)

##### **c. Resolution (2014) 29, Endorsement of Linden Oaks Annexation**

Mayor Rey advised we have been discussing the potential annexation of Linden Oaks with Fort Bragg and have Colonel Sanborn's verbal approval for initiating this process. This annexation would increase Spring Lake's population, thus allowing us to submit for grant dollars we currently are not eligible for.

**Action:** The Board approved a motion to approve Resolution (2014) 29.

**Motion by:** Alderman Higgins

**Second by:** Alderman Christian

**Vote:** Unanimous

(A copy of the agenda memo and Resolution (2014) 29 is hereby incorporated by reference and made a part of these minutes – see attachment nine.)

**d. Discussion, Use of Proceeds from the Industrial Park Land Sale**

Mr. Metcalf stated at the last meeting staff presented some possible ways to expend the funds received from the payment for the sale of the Industrial Park property. It was proposed that we pay off some debt and then use what would have been a debt payment toward employee pay increases. Ms. West advised there are three separate proposals on the table for the Board to consider concerning the funds. They are listed below:

**1. Sun Trust Loan Payoff**

**2. Additional Payment to Spring Lake Chamber of Commerce**

**3. Employee Salary Adjustment**

Ms. West advised the Town makes an annual debt payment of \$81,933.96 to Sun Trust. The loan payoff is \$164,740.20. It was proposed that we take the \$150,000 plus the debt payment, already budgeted, and make the payoff for this loan. Item #2, is a proposal to give the Spring Lake Chamber an additional \$2,500 for a negotiation fee which will leave \$64,693.76 left for the Board to use as they see fit which could be used to fund item #3. Ms. West prepared a budget amendment for each item for the Board's consideration. The Clerk requested that the Board address each item separately and hold a vote on each item.

**Item: 1. Sun Trust Loan Payoff**

**Action:** The Board approved a motion to approve Budget Amendment 2015.12.

**Motion by:** Alderwoman Sutherland

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

Alderwoman Sutherland clarified that her motion was to take \$150,000 and the already budgeted payment to pay off the Sun Trust loan instead of the employee salary adjustment. Ms. West clarified that we will not see any interest savings on this payoff.

Ms. West advised Budget Amendment 2015.13 would allocate \$2,500 to the Spring Lake Chamber

**Item: 2. Additional Payment to Spring Lake Chamber of Commerce**

**Action:** A motion was made to approve Budget Amendment 2015.13 and was later withdrawn and item was tabled to January 26, 2014.

**Motion by:** Mayor Pro Tem O'Garra

**Second by:** Alderwoman Lucas

Alderman Christian stated that we gave Mr. Hunt a \$5,000 budget increase earlier in the year for the sale of the Industrial Park property and inquired if this isn't the same thing. Mr. Hunt stated The Board gave him a \$5,000 budget increase for the first part of the sale of the land. The deal was a three-year deal with \$150,000 for the first year and full payment within three years. Alderman Christian inquired if we have a contract with Mr. Hunt to pay him extra money for negotiating this deal and Mr. Hunt advised that we do not. He further explained that he was able to negotiate an early payment of the remaining funds for the sale. Alderman Christian inquired if Mr. Hunt had informed the Board that he expected extra money for this negotiation and Mr. Hunt replied no. Alderman Christian expressed concern with extending an additional \$2,500 for something we never had a contract for. He further stated he considers this part of what the Town is already paying Mr. Hunt for and that it is part of his job. He stated this is not personal, he just see this as what we already pay \$35,000 for economic development services. He stated the Town has already extended a \$5,000 bonus for the sale of property in the Industrial Park. Mr. Hunt requested to reflect back to the budget process where he requested \$40,000 for economic development services which did not include the Industrial Park because at that time Grant Murray was the realtor marketing the property in the Industrial Park. Since that time, the Board approved a \$35,000 contract with the Spring Lake Chamber of Commerce for Economic Development Services. Mr. Hunt stated since then he has negotiated a contract to get the Town out of under Grant Murray for 1% and he was able to sell the property to RLM with a payment agreement to cover a three-year period. The Board at that time agreed to increase the request by \$5,000 to bring it back up to what he had originally requested. The current request is based on the negotiations that Mr. Hunt was able to conduct and obtain the remaining \$150,000 from RLM now instead of waiting for

the payment over the next three years. He stated a lot of work has occurred to get the land sold and that is why the additional request is being made. Alderman Christian stated that he believes any additional work Mr. Hunt does on behalf of the Town needs to be approved in advance through a contract. He will not feel comfortable doing business in this manner without a contract and again stated that this is not personal. He wants a clear understanding for the Board and the taxpayers of what the money is going to be used for. Mr. Hunt stated that he understands but advised that the Board just spent the proceeds. Alderman Christian advised these are completely separate issues.

Alderman Higgins requested that the two remaining items (#2 and #3) be tabled. He stated because the additional payment was made in Executive Session, this will give the Board and the Attorney time to read the minutes of the Closed Session. He would also like to get the attorney's opinion on this. He stated he has all confidence in what Jeff is doing with the economic development but without knowing exactly what was discussed and decided this could leave some bad feelings and he does not want to see that happen. Additionally, he would like to be able to discuss these items at the upcoming budget retreat scheduled for January 13, 2015.

**Item: 2. Additional Payment to Spring Lake Chamber of Commerce**

**Item: 3. Employee Salary Adjustment**

**Action:** The Board approved a motion to defer items 10d(2) and 10d(3) until January 26, 2015.

**Motion by:** Alderman Higgins

**Second by:** Alderwoman Sutherland

**Vote:** Unanimous

(A copy of the agenda memo, proposed funding source for SunTrust loan payoff, debt schedule for General Fund, salary adjustment cost estimates is hereby incorporated by reference and made a part of these minutes – see attachment ten.)

**e. WWTP Influent Pump Project Notice of Award and Notice to Proceed**

Mr. Blumenfeld stated the project exceeds the manager's authority to execute the necessary documents and requested the Board authorize the Mayor to execute the necessary documents.

It was clarified that the project will start in January 2015.

**Action:** The Board approved a motion to authorize the Mayor to be the designated signee for the loan documents for this project.

**Motion by:** Alderman Higgins

**Second by:** Alderman Christian

**Vote:** Unanimous

(A copy of the agenda memo, Letter from MacConnell & Associates, Notice of Award, Notice to Proceed and Construction Contract is hereby incorporated by reference and made a part of these minutes – see attachment eleven.)

**f. Board to Determine Meeting Schedule for December 22<sup>nd</sup> Regular Meeting**

Mayor Rey requested the Board cancel the Regular Meeting scheduled for December 22<sup>nd</sup>.

**Action:** The Board approved a motion to cancel the Regular Meeting scheduled for December 22, 2014.

**Motion by:** Mayor Pro Tem O'Garra

**Second by:** Alderman Christian

**Vote:** Unanimous

(A copy of the agenda memo is hereby incorporated by reference and made a part of these minutes – see attachment twelve.)

**g. Recognition of Police Department**

Alderwoman Sutherland stated she is extremely proud of the Spring Lake Police Department for the quick, professional work in dealing with the ABC Store robbery. She congratulated the Department and the Chief on their work and the "body count" that the Police Department has.

**10. Adjournment.**

**Action:** There being no further business to come before the Board, the meeting was adjourned at 8:10 p.m.

**Motion:** Alderman Higgins

**Second by:** Alderman Christian

**Vote:** Unanimous



*Rhonda D. Webb*  
Rhonda D. Webb, MMC, NCCMC  
Town Clerk

ATTEST:

Chris V. Rey  
Mayor