

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

October 9, 2017

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 Pro Tem Dobbins presiding.

Board Members Present: Alderman James Christian
Alderwoman Densie Lucas
Alderman James O'Garra
Alderwoman Fredricka Sutherland

Mayor Chris Rey was absent

Others Present:

William Zell, Interim Town Manager	Tony Buzzard, Town Attorney
JC Combs, Assistant Recreation Director	Tom Cooney, Public Works Director
Tim Garner, Interim Water Resource Director	Rosa Henegan, Human Resource Officer
Troy McDuffie, Chief of Police	T.J. McLamb, Fire Chief
Claiburn Watson, Finance Director	Rhonda D. Webb, Town Clerk

2. Invocation

Alderman Christian gave the invocation.

3. Pledge of Allegiance

Alderman O'Garra led the meeting in the pledge of allegiance.

4. Additions or Deletions to Agenda

The Board added Declaring Property Surplus as Item 9d and Discussion of the Borrow Pit behind WT Brown as Item 9e.

5. Approval of Agenda

The Board approved the agenda as amended.

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

Motion by: Alderwoman Lucas

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 September 25, 2017 Regular Meeting
- b. 2017 Trick or Treat Hours

Action: The Board approved a motion to approve the consent items: Minutes of September 25, 2017

Regular Meeting and 2017 Trick or Treat Hours.

Motion by: Alderwoman Lucas

Second by: Alderwoman Sutherland

Vote: Unanimous

7. Public Forum

Kisha Lee, 110 Murray Fork Drive, spoke. She stated "this is my first even speaking here and I've been coming here, been here over 20, over 30 years. Speaking on and of the Town of Spring Lake, it's an honor to even come here, come up here and speak of the behalf of the Town of Spring Lake. I have been through so much with the Town of Spring Lake that they have picked the person that they want to have to talk to about the Town of Spring Lake, how beautiful the Town of Spring Lake is. For I to come here to see what is going on from in and out, how broke you are, how much that I have to do in order for it to be in the Town of Spring Lake, it was dramatic. For I to have to put a law suit against you of what you have done, it was dramatic. For I to stand here and talk to you about the business of what you have to do, of I being the lawsuit person would affect it because I would put more money on it, of the lawsuit against you. The business of the new business of what you have for number 9 of the Counseling Center that requested the site plan of review from the audience of the total area of .34 plus the growth of the land of the lake which you are going to destroy the lake of the contractors for the service of you have to pay half of what is coming out of your pocket. How would I know this just from one sheet of paper? Because I have seen, heard you scream, talk about situations of how you have to spend money out of your pocket with these contractors because they are pulling money out of your pocket. That's how many years I have been here, that's how many times I have been here, that's how many times and years I have seen you flip flop through everyone and everything. For I to stand here with the Town of Spring Lake right behind me is a honor, to represent them as a Town of Spring Lake. For I to have a lawsuit that Mr. Tony has on his desk, I will continue to put one on you and my price will continue to go up and up and up. The Town of Spring Lake will never, ever going to let me go, they will make me stay here for the rest of my days. So, for I to put a lawsuit against you, for I to do whatever I need to do, I don't care if I have to sit up there or not but the lawsuit person of the Town of Spring Lake will never go away, because they love I. For I to stand here and talk to you about your situation on one sheet of paper right here with nothing else, it's beauty. For I have to go to your High School and your Colleges to see if your students and your everything else is beauty.

At this point Mayor Pro Tem Dobbins stated "with all due respect, three minutes have passed and I thank you".

Ms. Lee said "thank you".

Sandra Stump, 3317 Arrowhead Road, spoke concerning the bus system and expressed concern about the numerous breaks in the bus schedule. She mentioned that people have to sit outside in the heat and wait for the bus for two hours. She stated she would like to have a Saturday route to the mall.

Betty Sanford, 104 Wapiti Drive, thanked everyone on the Board. She also thanked Mr. Cooney for the work that he has been doing and stated that they do what they say they will do. She stated she would like to see Mendoza Park get a little bit better, she would like to see a pool at Mendoza Park and would really like to see a bowling alley. She stated we need to have our money here in Spring Lake and not in Sanford and Fayetteville. She would like to see sit down restaurants in Spring Lake. She also stated the people running for office need to do what they say they will do.

8. Presentation

a. FAMPO Update on Odell Road

Alderman O'Garra gave the Board of Aldermen an update on the Odell Road proposed interchange. He stated he has spoken with NCDOT and he requested that Ms. Webb get a copy of the minutes from the last time they

came to Town to speak about the Odell Road options. Alderman O'Garra stated he corrected NCDOT in saying they had 72 people who approved the original route. He stated that NCDOT has three potential routes: Odell Road, Manchester Road and just behind the Smith's property. We have yet to receive a copy of those minutes.

Alderwoman Sutherland requested a copy of the letter that was sent to NCDOT to come provide a public forum.

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

9. New Business

a. Case P17-113: Consideration of Spring Lake Counseling Center, PLLC, Request for a CB Site Plan Review; Spring Lake Zoning Ordinance; Zoned: CB; Total Acreage: 0.34+/-; Located at 104 Lake Avenue; Submitted by John W. Pyles – DC Construction & Services LLC (Construction Co.)

Mr. Cooney advised Town staff is recommending approval of Case P17-113 without the dumpster pads in the front of the building. He stated the Counseling Center is currently beside the First Baptist Church and they have no access to their property because of the new roadway.

Action: The Board approved a motion to approve Case P17-35.

Motion by: Alderman Christian

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the Agenda Memo and the Cumberland County Planning & Inspections Department Action Memorandum and Site Profile is hereby incorporated by reference and made a part of these minutes – see attachment three)

b. Police Vehicle Take Home Policy

Chief McDuffie requested an amendment to the Town's take-home vehicle policy. He stated this policy was implemented in 2011-2012 when gas prices were nearly \$4 per gallon. Since the fuel cost has decreased significantly he feels this policy is outdated. He also advised that other Cumberland County agencies' vehicle policy do not require officers to pay a fee to take their vehicles home. He requested that the Board eliminate the \$25 fee.

Action: The Board approved a motion to approve to eliminate the monthly \$25 fee on the take home policy.

Motion by: Alderman Christian

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the Agenda Memo and Memo from Chief McDuffie is hereby incorporated by reference and made a part of these minutes – see attachment four.)

c. Ordinance (2017) 9, Sunday Brunch Bill

Mr. Zell stated the State Legislation passed a Bill allowing each individual municipality to approve the sale of alcohol beginning at 10 a.m. on Sunday. He stated if approved it will allow businesses in Town who are legally permitted to sell alcohol, to begin selling it at 10 a.m. instead of at noon on Sundays. He told the Board they would need a super majority (4 affirmative) to pass this Ordinance tonight since this is the day of introduction for this Ordinance. If it does not pass with a super majority, it will only require a simple majority should they bring it back at a future meeting.

Alderman Christian requested to recuse himself from the vote. Alderman O'Garra stated that he would like to have someone from one of the businesses to come ask for it.

Action: The Ordinance died for lack of a motion.

Motion by:

Second by:

Vote:

(A copy of the Agenda Memo and Ordinance (2017) 9 is hereby incorporated by reference and made a part of these minutes – see attachment five.)

d. Declaring Surplus

Mr. Zell reported that the Recreation Department has some Halloween items that are no longer of use to them and Mr. Zell requested that the Board of Aldermen declare them surplus so the Recreation Department can sell them items.

Alderwoman Sutherland stated she did not understand the memo that Mr. Davis approved. She also stated a flyer is already out advertising the sale of these items. Mr. Zell stated that he understands and that is why he is requesting clarification of the Policy once the Board determines the disposition of the Halloween items.

Action: The Board approved a motion to approve the items listed as surplus property.

Motion by: Alderman Christian

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the Agenda Memo, Letter from Recreation Department and List of Property to be Declared Surplus is hereby incorporated by reference and made a part of these minutes – see attachment six.)

Mr. Zell also asked the Board of Aldermen for clarification on Section 1.8 of the Purchasing and Contracting Policy. He read part of Section 1.8 of the Policy which states the Town Manager may declare surplus any individual item of excess personal property reported to him or her in writing by a department head when both the Finance Department and the Department Head estimate its value to be less than \$500. He stated that is why Mr. Davis had approved the items for surplus because each individual item is not valued more than \$500. He stated he wants to be clear going forward.

Alderwoman Sutherland stated the Board wants the Policy interpreted the way the Policy is interpreted. She stated if some of the items are not deemed to be sold, why not just donate them because from what she is hearing, and she has not looked at the items, but some of it may not even be able to be sold. Mr. Zell stated a lot of it is novel things. She also stated that even with some of the uniforms, we could donate them if someone is interested and she asked why as a Town could we not just donate them.

Alderman O'Garra also believes the Policy should be taken as written. He stated the items will bring in some money. He stated the he believes Mr. Davis followed the policy and he agrees with the way it was handled.

Alderwoman Sutherland stated the question still has not been answered. Mr. Buzzard stated that the way the Policy is written now, the items could be declared surplus by the Manager and disposed of without bringing it to the Board for approval and he asked them if they are ok with that and if not, the Policy needs to be changed.

Alderwoman Lucas stated she believes the Policy needs to be clarified because there may be other situations like this where individual items in mass quantities may need to be handled differently. Mr. Zell stated that the Policy

also requires the Manager to report to the Board anything that gets sold.

The Board of Aldermen requested the Town Attorney draft wording to clarify the Policy so that collection of similar items that together will exceed \$500 should come to the Board of Aldermen for approval.

e. Discussion on the Borrow Pit

Alderwoman Sutherland stated that she has been approached by a citizen who expressed concern about the huge hole behind McDonalds and the public safety of that area. She would like to see some signs of caution put around that area or have it secured in some way. She stated that she understands we would need to discuss this with the owner of the property to make this happen. Mr. Cooney stated the Town, through Mr. Davis, has inquired about the acquisition of that land. The stated the actual reclamation of the land is under the rules of the North Carolina Department of Environment and Natural Resources for closing that out. It is considered a mine or open pit and currently NC DOT is leasing the land up front where you see all the signs. He stated in talking with Mr. Zell they are still working on a viable plan to bring to the Board. At this time, it is private property and the majority of the land on the residential side and behind the school has fencing and the open area is actually the property of Fort Bragg. Alderwoman Sutherland stated there is no fencing in the residential area behind McDonalds. Mr. Cooney stated at the very back there are a few residences that they yards go right to the pit. Alderwoman Sutherland stated that in the area by Wilson Avenue you can walk through and there is no fencing so evidently they forgot about those residents. Mr. Cooney stated he will verify her concerns with the State and find out what the status is and report back to the Board. Alderwoman Sutherland stated we need to do our due diligence to take care of the safety of our citizens.

10. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned.

Motion: Alderman O'Garra

Second by: Alderman Christian

Vote: Unanimous



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

ATTEST:

Larry G. Dobbins
Larry G. Dobbins
Mayor Pro Tem