

The Town of Spring Lake

BOARD OF ALDERMEN

James P. O'Garra, Mayor Pro Tem
James Christian, Alderman
Soñia L. Cooper, Alderwoman
Jackie Jackson, Alderwoman
Fredricka Sutherland, Alderwoman



CHARTERED IN 1951

OFFICE OF THE MAYOR

Larry G. Dobbins, Mayor

ADMINISTRATION

Daniel Gerald, Town Manager
Rhonda D. Webb, Town Clerk
Ellis Hankins, Town Attorney

Special Meeting of the Board of Aldermen

September 10, 2018

5 p.m.

The Board will hold a Special Meeting to discuss Town Goals prior to the Regular Meeting.

Regular Meeting of the Board of Aldermen

September 10, 2018

7 p.m.

PROPOSED AGENDA

1. **Call Meeting to Order**
2. **Invocation** – Alderman Christian
3. **Pledge of Allegiance**
4. **Additions or Deletions to Agenda**
5. **Approval of Agenda**
6. **Approval of Consent Items**
 - a. Minutes of the August 27, 2018 Regular Meeting
7. **Public Forum**
8. **Presentations**
 - a. Sales Tax Distribution – Ms. Amy Cannon
9. **New Business**
 - a. Resolution (2018) 10, Approving Grant Application for Mutzberg Property Walking Trail – Mr. Cooney
 - b. Police Department Vehicle Lease Proposal – Chief McDuffie
10. **The Last Word** – Alderman Christian
11. **Adjournment**

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

August 27, 2018

MINUTES

7:02 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 James O'Garra presiding.

Board Members Present: Alderman Christian
Alderwoman Soña Cooper
Alderwoman Jackie Jackson
Alderwoman Fredricka Sutherland
Mayor Larry Dobbins - absent

Others Present:

Daniel Gerald, Town Manager	Ellis Hankins, Town Attorney
Tom Cooney, Public Works Director	Troy McDuffie, Police Chief
Claiburn Watson, Finance Director	Jason Williams, Interim Fire Chief
Rhonda Webb, Town Clerk	

2. Invocation

Alderwoman Sutherland gave the invocation.

3. Pledge of Allegiance

Mayor Pro Tem O'Garra led the meeting in the pledge of allegiance.

4. Additions or Deletions to Agenda

The Board added Rate and Fee Schedule Amendment as Item 9b and deleted Item 11, Closed Session.

5. Approval of Agenda

The Board approved the agenda as amended.

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

Motion by: Mayor Pro Tem O'Garra

Second by: Alderwoman Jackson

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

a. Minutes of the August 13, 2018 Regular Meeting.

Action: The Board approved a motion to approve the consent items.

Motion by: Mayor Pro Tem O'Garra

Second by: Alderwoman Jackson

Vote: Unanimous

7. Public Forum

Michael Allen, 615 Goodyear Drive, Spring Lake, spoke concerning speeding in his neighborhood. He requested that the Police Department patrol the area more. He suggested putting speed bumps in the area to help with the speeding.

Tony Burgess, 208 N. Main Street, Spring Lake, presented the Mayor with a trophy and a check for the Recreation Department for \$500. Mayor Pro Tem O'Garra accepted it on behalf of Mayor Dobbins.

Henry Ponder, 1630 Mack Street, Spring Lake, stated that he is on the Recreation Advisory Committee and stated that on January 26, 2018, Mr. Jones employment with the Town was terminated. The Chair and Vice Chair of the Recreation Advisory Committee resigned and it was assumed that all the members of the committee would resign. He stated the Chair and vice Chair resigned because of the way Mr. Jones termination came about and stated it was clear to many that the termination of Mr. Jones was set in motion at the Board's Special meeting on December 12, 2017 where the following items were discussed:

It was stated that the Town was paying out more than \$140,000 in salary for the Recreation Director and the Assistant Recreation Director and that they are never around. The Board members all agreed that one of them should have been at the Swearing In Ceremony. They all agreed that they are never around and that they both work banker's hours. He stated there are more important issues that the Board of Aldermen should be concerned about that would improve the Town of Spring Lake than to be concerned about someone being in attendance at a Swearing In Ceremony. He stated some of you on this Board were aware that Mr. Jones went on vacation every year around this time. It was also stated that citizens had expressed concerns that the Recreation Center's overall performance is going down. He stated "my question is how many of those citizens utilize the Recreation Center". He stated that he uses the Center at various times of the day and he hasn't seen any of you or many other citizens for that matter. He stated that he knows most of the people who use the exercise equipment regularly and the performance of the facility did not go down, it improved because Mr. Jones didn't sit in his office, he was out networking with local businesses and schools to create activities to keep the children involved. He stated that he joined the center in 2006 and he supported the center and paid his membership fees even though he had the option to use the Fort Bragg facilities at no cost.

He stated the following items were also discussed in the meeting:

1. Hours of operation – who set the hours of operation when the center was open? He stated that he was under the impression that the director at that time with the approval of the Board set the hours.
2. There is nothing for teenagers to do at the recreation center – when has there ever been anything for teenagers to do at the recreation center? He stated it seems the activities at the center are focused on seniors and children under the age of twelve (12).

3. When kids are out of school, why is the recreation center closed? That is a statement without merit. The recreation center operates Monday through Friday, 7 am until 9 pm, Saturdays 10 am until 6 pm and closed on Sundays and Holidays – the Board approved these hours.
4. The budget is going up and services are less with no activity for children in Spring Lake. He stated the budget goes up every year to operate and expenses, right? He then inquired what services we are referring to.
5. Why is the Recreation Center closed on Sunday? He stated you already know why the center is closed on Sunday. Again, the Board of Aldermen approved the operating hours for the center when it was built. Can you name one Recreation Center in the County that is open on Sundays? It would cost to operate the center on Sunday; will you approve an increased budget so the center can operate on Sunday?

He stated with all of these issues that were discussed at the Special Meeting on December 12, 2017, the issues discussed seems to have been a way to cover up the true intentions of the Board because within two months from the date of the meeting the new Manager was hired and Mr. Jones was terminated. Nothing personal Mr. Gerald. He stated each of you knows there is a Recreation Advisory Committee because the committee members were approved by the Board of Aldermen. The questions that the citizens have about the Recreation Center should have been brought before the Recreation Advisory Committee at the monthly meeting and you, the members of the Board, should have advised those citizens to attend the monthly meeting to address their concerns during the public forum. Their concerns would have been presented to you in the minutes from the committee. He stated he thinks all of you know the purpose of the Advisory Committee. It is there to formulate the Master Plan for the Recreation Center for the Town; to make recommendations to the Board of Aldermen from time to time with respect to the Recreation programs, facilities, resources, and needs of the Town; to advise the Recreation Director with respect to the recreation programs and activities; to assist in coordinating the recreation programs of the Town with private, public, and semi-public agencies of the Town; to perform other such duties as assigned by the Town Board of Aldermen, to advise the budgetary planning of the entire Recreation program. When the Recreation Committee Chair and Vice-Chair resign their position, no one on the Board nor the new Director reached out to any other member on the board to coordinate what action would take place. It was my understanding that the new Director and the Board of Aldermen wanted to wait it out according to the by-laws which state any member missing three consecutive meetings or four meetings total in a calendar year shall be subject to dismissal from the committee upon a majority vote of the committee and ratification by the Board of Aldermen. Members of the Recreation Advisory Committee are appointed by the Board of Aldermen for a three-year term. It was my understanding that the new Director had scheduled a Recreation Advisory Committee meeting for September 2018. I called the new Director and advised him that the remaining members of the Committee wanted to have a regular scheduled meeting of the Advisory Committee on August 20, 2018 at 7 p.m. and he agreed. Four members of the Advisory Committee, which creates a quorum, convened at 7 p.m. on 20 August 2018 but the Director was not there due to personal reasons. We, the remaining members, determined that we will serve out our term. We highly recommend that each of you read the minutes for every Advisory Committee meeting and see what our recommendation will be in future improvement of the activities of the Recreation Center. Let me address it again, the statement about citizens concern and the Center's overall performance is going down. I want to be real about this. There has been

very little upgrades to the equipment in the Center since the opening in 2006. The Town website states, and I quote, it is a state-of-the-art facility. He stated that is an understatement. The Recreation Center has nothing that appeals to citizens between the ages of sixteen and forty. The equipment that is there is limited and the full workout circuit for the Nautilus equipment is not provided. The Center does not have weight equipment for the members who are into body building – why not? The Recreation Center offers citizens free memberships – why? There are areas in the Recreation Center that are not being used efficiently. The room with the pottery and the firing kiln is rarely used and there are only one or two people in there on certain days. I heard that the new Director of the Recreation Center was told to get the new sauna installed. You didn't give him very much of a choice to my understanding. This is something I think should have been brought to the Advisory Committee. Nothing personal Mr. Graves, but the location of that sauna is a bad idea. The gaming equipment was upgraded but how many people really use it? My recommendation or suggestion:

1. The storage room at the back of the equipment room should have been cleaned out and the sauna put in there.
2. Seniors, like myself, should be charged a membership fee to use the facility and get a 10% discount.
We can use the Senior Center. It has exercise equipment we can use at no cost. Provide weights for those citizens that are into body building. I heard all kinds of excuses as to why the Center will not provide weights for the citizens that are into body building – why not? It would generate revenue.
3. Move the pottery and firing kiln to the Senior Center. There is enough space to accommodate it. I can show you space that is not being used efficiently.
4. The splash pad is in the works, but why not a skate park or a swimming pool? Wouldn't that give the kids something to do when they are out of school as you asked in your meeting?

At this time Mayor Pro Tem O'Garra stated that Mr. Ponder had been given more than the allotted time and thanked him for having so much interest in the gym. Mr. Ponder stated that he will continue to have the interest and thanked the Board for their time.

8. Presentations

a. Thomas Court Remembrance Proclamation

The Court Family was not able to attend the meeting.

b. Recognition of Fire Department's Call to Bragg Muffler

Battalion Chief Richardson stated that the personnel in the Fire Department touch people's lives every day. He stated that being a part of saving someone's life gives you a feeling that you have never experienced before. On April 12, 2018 Spring Lake Fire and EMS personnel responded to Bragg Muffler Shop where Mr. Lynn Allen had no pulse and was not breathing. Fire and EMS personnel worked on him and transported him to Cape Fear Valley Hospital where he made a full recovery and is here with us tonight. Battalion Chief Richardson introduced the following people who worked on Mr. Allen and saved his life: Michael Crower, Angela Barlow, Captain Steven Barker, Lieutenant Tommy Elder and Devon Gloria, Brandon Fitzhugh, Chief Williams and Chief McLamb. Mr. Allen thanked them for saving his life and stated he would not be here tonight if it hadn't been for them.

There was another incident on July 30, 2018 where a man walked into the Fire Department complaining about chest pain. Ms. Carol Shaffer was the first person he encountered. She quickly got him help and stayed with him and prayed for him during the incident. He stated that the last thing he remembers is Ms. Shaffer praying for him. He was in the operating room for four hours and was told after the surgery that he shouldn't even be here. He stated he knows he is alive today because of the help he received at the Spring Lake Fire Department. He stated that he is thankful to God that he is alive today and he thanked the people of the Spring Lake Fire Department for saving his life.

9. New Business

a. Harvesting Timber from Mutzberg Tract and Mendoza Park

Mr. Gerald stated the Mutzberg tract was purchased with the intent to allow nature trails and passive recreation areas. He requested the Board give him permission to selectively harvest the timber by the highest bidder. The proposed trail alignment will be brought back to the Board for approval. He also stated that we have been granted access to the property through Mr. Carl Manning's property.

Action: The Board approved a motion to allow staff to proceed with the project accepting the highest bid regarding the timber removal.

Motion by: Alderwoman Sutherland

Second by: Alderman Christian

Vote: Unanimous

b. Rate and Fee Schedule Amendment

Ms. Webb presented the proposed amendments for the Recreation Department's Rate and Fee Schedule. She stated staff is recommending to reduce the deposit for the gymnasium to \$250 and the per hour charge to \$40.

Action: The Board approved a motion to approve the amendment to the Rate and Fee Schedule for the Community Center fees.

Motion by: Alderwoman Cooper

Second by: Alderman Christian

Vote: Unanimous

10. The Last Word

Alderwoman Sutherland stated it is always a pleasure serving. People sometimes do not understand that you give a lot of yourself when you care and you serve the whole community. She thanked the first responders for all they do and when the first responders arrive on the scene it is going to be a team effort. She stated she appreciates us working as a team for the Town to go forward and be productive.

She stated they went to the schools this morning to greet the students as they returned to school. She stated there was a request and she is looking for volunteers to provide two (2) gallons of red paint, two (2) gallons of blue paint and two (2) gallons of black paint for W.T. Brown.

Lift each other up and not bring people down and the great Town of Spring Lake will go up.

11. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned at 7:42 p.m.

Motion: Alderwoman Cooper

Second by: Alderman Christian

Vote: Unanimous

Rhonda D. Webb, MMC, NCCMC
Town Clerk

ATTEST:

Larry G. Dobbins
Mayor



Attachment # _____

Agenda Item No.9a
Request for Town Aldermen Action

To: Honorable Mayor Dobbins and Spring Lake Board of Aldermen
From: Thomas B. Cooney III, Public Works Director
Date: September 10, 2018
Subject: Request for approval of a resolution in support of the Town seeking a grant for the development of walking trails throughout the Mutzberg Property.

Purpose:

A requirement of the Grant Application process for funds that may be available for the creation of walking trails throughout the Mutzberg Property along the Little River, the Town of Spring Lake must provide a resolution in support of the project and resolve to support the project financially as well.

Overview:

The Fayetteville Area Metropolitan Planning Organization (FAMPO) is currently taking applications for funds to made available by the Federal Highway Administration under the Transportation Alternatives Program. Town staff has completed the application and needs to include a resolution of support and a commitment to provide the matching funds if the Town is awarded a grant to construct this project. The present estimate to construct the trails is \$544,635.00. The grant is designed to provide grant funding up to 80% of the total cost of the project with the Town being responsible for the remaining 20%. In this project the Town's responsibility would be \$108,927.00.

As with any grant program the Town could be awarded the full amount of the project minus the matching funds required by the Statute's or a portion of those funds or no funding at all depending on the number of submissions and the nature of the submissions requesting funds.

Recommendation:

The Public Works Director believes this is an opportunity to get funding for the construction of trails and walkways on this beautiful piece of land that has been entrusted to the Town of Spring Lake in the hopes that it will be developed into a natural park for the citizens to enjoy. The recommendation is to approve the resolution provided for your consideration.

Action Needed:

The Board of Aldermen can vote to either approve or reject the recommended Resolution to support seeking a grant from FAMPO and agree to provide the matching funds as required to obtain grant funds.

Attachments:

Resolution in support of seeking grant funding from FAMPO for the walking trails.
Copy of the construction estimate as prepared by the Public Works Director.

RESOLUTION (2018) 10

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF FUNDING THROUGH THE TRANSPORTATION ALTERNATIVES PROGRAM WHICH IS FUNDED THROUGH THE FEDERAL TRANSPORTATION ACT – MOVING AHEAD FOR PROGRESS IN THE 21th CENTURY ACT ADMINISTERED BY THE FAYETTEVILLE AREA METROPOLITAN PLANNING ORGANIZATION

WHEREAS, the Town of Spring Lake, North Carolina desires to improve accessibility within the Town by adding Walking Trails to the Mutzberg Property along the Little River (Project) to better serve the citizens of Spring Lake; and

WHEREAS, the Town of Spring Lake, North Carolina desires to add these walking trails and make other related improvements to provide access to what will become a nature preserve within the Town of Spring Lake. It is the Town's intent to provide access to these natural areas and vistas of the Little River for all citizens and visitors regardless of their mobility limitations; and

WHEREAS, the Town of Spring Lake, North Carolina desires to finance the Project through The Transportation Alternatives Program which is funded through The Federal Transportation Act – Moving Ahead For Progress In The 21th Century Act administered by the Fayetteville Area Metropolitan Planning Organization; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of any contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Aldermen of Spring Lake, North Carolina, meeting in regular session on the 13th day of June, 2016, make the following findings of fact:

1. The proposed project is necessary as it will better serve the citizens of Spring Lake.
2. The proposed funding is desirable as the Town will only be obligated for 20 percent of that portion of the project which will be funded by the Program.
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the contract is competitively bid and the rates will not be raised.
4. The Town of Spring Lake's debt management procedures and policies are good because the Town is in good financial condition, the Town's General Fund has a positive cash flow, and the Town has successfully met its responsibilities on all previous debt obligations.
5. No increase in taxes is necessary to meet the sums that will fall due under the proposed contract.
6. The Town of Spring Lake is not in default in any of its debt service obligations.

- 7. The attorney for the Town of Spring Lake has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.
- 8. The proposed project will be done under the Town's General Fund. The probable net revenues of the project to be financed will be sufficient to meet the sums to fall due under the proposed contract.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor is hereby authorized to act on behalf of the Town of Spring Lake in filing an application with the Fayetteville Area Metropolitan Planning Organization for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 10th day of September, 2018.

The motion to adopt this resolution was made by Alderman

_____, seconded by Alderman
 _____ and passed by a vote of _____ to _____.

 Larry G. Dobbins
 Mayor

ATTEST:

 Rhonda D. Webb, MMC, NCCMC
 Town Clerk

This is to certify that this is a true and accurate copy of Resolution No. _____ Adopted by the Town of Spring Lake Board of Aldermen on the _____ day of _____, 2018.

 Town Clerk

 Date



Attachment # _____

Agenda Item No. 9b
Request for Town Aldermen Action

To: Honorable Mayor Dobbins and Spring Lake Board of Aldermen
From: Troy McDuffie, Chief of Police
Date: September 10, 2018
Subject: Police Department Vehicle Fleet Lease Proposal

Purpose:

To provide the Board of Aldermen information on a vehicle lease program for the Police Department vehicle fleet.

Overview:

The Town Finance Director, Butch Watson and I recently met with a representative with the Enterprise Fleet Management program regarding the discussion on implementing a vehicle lease program for the police department vehicle fleet.

I've discussed the option with the Town Manager, Mr. Gerald and I also have had further discussion with Mr. Watson regarding the financial advantage of leasing, versus the finance purchasing of police vehicles. After conducting a cost analysis it was concluded that, over the long-term use of a police vehicle, it will be more feasible and cost effective to lease. Mr. Ben Kraurheimer, the representative with Enterprise Fleet Management, will also make a presentation to the Board in order to give a detail overview of Enterprise's vehicle lease program and to answer questions.

Recommendation:

It is my proposal that the Board allow the department to move forward with implementing a Vehicle Lease Program for the police department vehicle fleet.

Action Needed:

Motion to approve or deny the vehicle lease program request.