

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

November 26, 2018

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 Larry G. Dobbins presiding.

Board Members Present: Mayor Pro Tem James O'Garra
Alderman James Christian
Alderwoman Soña Cooper
Alderwoman Jackie Jackson
Alderwoman Fredricka Sutherland

Others Present:

Daniel Gerald, Town Manager	Ellis Hankins, Town Attorney
Tim Garner, Water Resources Director	Jay Graves, Recreation Director
Troy McDuffie, Police Chief	Claiburn Watson, Finance Director
Jason Williams, Interim Fire Chief	Rhonda Webb, Town Clerk

2. Invocation

Alderwoman Jackson 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 switched item 7 and item 9 in the order on the agenda so that item 7 is Presentations and item 9 is Public Forum.

Action: The Board approved a motion to make item 7 Presentations and item 9 Public Forum

Motion by: Alderwoman Jackson

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

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: Alderwoman Jackson

Second by: Mayor Pro Tem O'Garra

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 October 22, 2018 regular Meeting and Minutes of the November 1, 2018 Special Meeting.

Action: The Board approved a motion to approve the consent items: Minutes of the October 22, 2018 Regular Meeting and Minutes of the November 1, 2018 Special Meeting.

Motion by: Alderwoman Sutherland

Second by: Alderwoman Jackson

Vote: Unanimous

7. Public Forum Presentations

a. Spring Lake Middle School Athletics

Dr. Tremaine Canteen, Athletic Director for Spring Lake Middle School stated that her mission is to clean up the appearance and performance of the Athletic Department. She stated that she cannot do this by herself and stated that she works with extraordinary coaches, teachers and students but most of all extraordinary parents. She announced that Spring Lake Middle School has held the division title for eight years. She recognized all athletics who received an award for the first nine weeks. Coach Bellamy recognized the 2018 Spring Lake Middle School Division 3 Football Champions

b. Duke Energy, Neighborhood "Energy Saver" Program

Mr. Taylor stated the program was started to help citizens understand how and why their electricity bill fluctuates. They plan to begin the program in January 2019. They will go door to door, see if the measures will help residents save on their energy usage and bill and then educate them. Everyone who lives within the yellow area is eligible to participate in the program. The program will not cost the residents any money. They plan to have a kickoff event and will let us know when it will be. They requested the Mayor attend the kickoff and speak. Teams of two will go door to door. They will send out a letter approximately one month ahead of time. A postcard will then go out to let residents know when the kickoff will be. Residents will then get another postcard that tells them the date and approximate time they will be in the neighborhood. Property owners and renters are eligible to participate. Anyone inside the designated area can participate as long as they are an active Duke Energy customer. Duke Energy will provide seminars for residents who are outside the designated area if there is interest.

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

c. Hurricane Florence Update

Mr. Watson and Interim Chief Williams provided the Board with an update on where we are with Hurricane Florence. Alderwoman Sutherland expressed concern about the roadway asphalt being laid extremely thin and stated she would like to have a thicker layer that will last longer. Alderwoman Cooper expressed concern regarding the barrels in the New Holly Hills area. She has almost been hit and so have others. Mr. Garner stated that they should start soon on the repairs on Regina. The Town was waiting to see if we would get reimbursed from FEMA before expending the funds and Alderwoman Cooper stated that sometimes you have to consider safety. Mayor Pro Tem O'Garra asked about asphalt in the cold weather. He was told it must be at least 50 degrees to pour asphalt and Mr. Gerald stated the ground has to be a certain temperature but he is not sure what the threshold is. He also stated that we must do everything exactly as FEMA requires or we will not get reimbursed. Interim Chief Williams stated FEMA must put eyes on each issue and

inspect each location before any work can be done on it. Mr. Watson stated that our insurance company has already paid some and he expects to get more in next week. Alderwoman Cooper stated that she understands the barrels cannot be moved but she would like to get lighting at the barrels or something that will help with safety.

d. Introduction of New Police Officers

Chief McDuffie introduced four new officers: Orlando Smith, Chelsea Hunt, John Benninger, and Kevin Love. The Spring Lake Board of Aldermen welcomed them.

8. Public Hearing

a. P18-34 Rezoning 1/28 +/- acs R6A to C3 or a More Restrictive Zoning 940 Lillington Hwy, Owner Buchanan Roofing (Spring Lake)

No one spoke for or against Case P18-34.

Action: The Board approved a motion to close the Public Hearing

Motion by: Alderwoman Cooper

Second by: Alderwoman Jackson

Vote: Unanimous

b. P18-41 Spring Lake Zoning Ordinance Text Amendment Conditional Zoning

No one spoke for or against Case P18-41.

Action: The Board approved a motion to close the Public Hearing

Motion by: Alderwoman Cooper

Second by: Alderwoman Jackson

Vote: Unanimous

9. Public Forum

Harold Belton, 206 Tram Road, spoke regarding Case 18-101, Circle K. He stated he is here to ask questions of the Board regarding this case. He asked the following questions:

1. Has an environmental assessment been done for water mitigation on that site?
2. Has the Town been provided anything regarding safety mechanisms should there be a gas leak on that site?
3. He wants to know about the lights and noise at night.
4. What is being done to get from Tram Road to Highway 87 and then to Vass Road?
5. He asked about truck parking and safety. He stated getting in and out of there is a safety concern.
6. He expressed concern about the lawlessness with this being a large gas station and convenience store.

The Mayor requested Mr. Belton speak with the Town Manager who will answer all his questions. Mr. Gerald asked Mr. Belton to leave the questions with him so that he could give a written response. Alderwoman Sutherland requested that the Board Members receive a copy of the answers as well.

9. New Business

a. Budget Ordinance Amendment (2018) 8, Appendix A, Position Classification Plan and Appendix B, Authorized Employee Positions

Mr. Gerald presented the proposed changes to Appendix A and Appendix B. This item was tabled at the last meeting. He proposed to delete the Director of Public Works position and replace it with Town Engineer, delete the Director of Streets, Grounds & Sanitation and replace it with Director of

General Services and delete the Senior Maintenance technician position and replace it with Building Maintenance Specialist. He clarified that this request would not change the number of employees. Alderwoman Cooper asked why these changes could not wait until the new budget year since we just went through this process in June. Mr. Gerald stated the storm really showed the value of having an engineer on the Town's staff. Mr. Cooney was an engineer and his knowledge was invaluable and with him leaving the Town would benefit greatly by having an engineer on staff. Alderwoman Cooper inquired if the Town Engineer is something we need right away and Mr. Gerald stated yes. Alderwoman Cooper stated she understands the need for a Town Engineer but expressed hesitation about the other changes. Mr. Gerald stated that he would really like to make all the changes but if the other changes give her pause, he definitely needs the Town Engineer. Alderman Christian inquired if these positions already have someone in them or will we have to hire new people. Mr. Gerald stated the only new hire would be for the Town Engineer who would essentially take the place of the position Mr. Cooney held. Alderwoman Sutherland stated she concurs with the need for the Town Engineer but the other positions are already in place and she would like to wait until budget time as well. She asked if there would be any pay increase and Mr. Gerald stated no pay increases, just a title change. She stated if the other two are only title changes, she believes it would be efficient to approve the Town Engineer and wait on the other two. Alderwoman Jackson asked how this will affect the budget and Mr. Gerald stated it will not affect the budget at all it just makes it more efficient.

Action: The Board approved a motion to hire a Town Engineer.

Motion by: Alderwoman Sutherland

Second by: Alderman Christian

Vote: Unanimous

b. Case P18-34 Rezoning of 1.28+/- Acres from R6A Residential to C3 Heavy Commercial or to a More Restrictive Zoning District

Ms. Page stated this case is to rezone 1.28 acres from R6A Residential to C3 Heavy Commercial or to a more restrictive zoning district. The property is located at 940 Lillington Highway. The Planning Board recommends denial of R6A and instead suggests C(P) Planned Commercial and states it is consistent with the adopted Spring Lake Land Use Plan which calls for "heavy commercial" at this location. They also found that approval of the request is reasonable and in the public interest because the C(P) Planned Commercial district will enable the Board of Aldermen to have oversight of the proposed site plans, ensuring the development complies with the minimum Town standards and that the district is in harmony with surrounding zoning and existing land uses.

Action: The Board approved a motion to approve Case P18-34 rezoning of 1.28 acres from R6A to C(P).

Motion by: Alderwoman Cooper

Second by: Alderwoman Jackson

Vote: Unanimous

c. Case P18-41 Revisions and Amendments to the Town of Spring Lake Zoning Ordinance.

Ms. Page reported that this case is text amendments only to revise and amend the Town's Zoning Ordinance by replacing conditional use district and permit with conditional zoning. The Cumberland County Planning Board recommends approval.

Action: The Board approved a motion to approve Case P18-41 revisions and amendments to the Town of Spring Lake Zoning Ordinance.

Motion by: Alderwoman Jackson
Second by: Mayor Pro Tem O'Garra
Vote: Unanimous

d. Case No. 18-094 Consideration of Waterford Strip Center; Request for a Zero Lot Line Subdivision & C(P) Site Plan Review

Ms. Page stated this case is consideration of Waterford strip center, request for zero lot line subdivision and C(P) plan review. She stated the property owner is requesting approve of a strip shopping center for commercial/retail/restaurant space and zero lot line subdivision.

Action: The Board approved a motion to approve Case 18-094 for consideration of Waterford strip center, request for zero lot line subdivision and C(P) site plan review.
Motion by: Alderwoman Cooper
Second by: Alderman Christian
Vote: Unanimous

e. Case No. 18-101 Consideration of Circle K – NTI Bragg/Vass; Request for a C(P) Site Plan Review

Ms. Page stated this case is for consideration of Circle K. The property owner is requesting approval of a convenience store. The proposed development is located across the existing street right-of-way of Tram Road and would be required to go through the street closing process by the town of Spring Lake Board of Aldermen prior to any development of this site. Alderwoman Jackson inquired about the questions raised earlier from Mr. Belton and wanted to know if we will answer those prior to approving this. Mr. Gerald stated we already have the answers to his questions and everything he was concerned about is addressed. Alderwoman Jackson clarified that the answers we have will cover his concerns and Mr. Gerald stated yes.

Action: The Board approved a motion to approve Case No. 18-101 the consideration of Circle K – NTI Bragg Blvd/Vass Road, request for C(P) site plan review.
Motion by: Alderwoman Cooper
Second by: Alderman Christian
Vote: Unanimous

f. Interlocal Agreement for Building Inspections Services

Mr. Gerald requested the Board approve the agreement between the Town and Cumberland County for building inspections and plan review services. He stated we currently have two projects that require a level three building inspection. Currently, the Town does not have a building inspector and with the upcoming new developments, we need to have a building inspector review the building plans for code compliance.

Action: The Board approved a motion to approve the Interlocal Agreement between Cumberland County and the Town of Spring Lake for Building Inspections Services.
Motion by: Alderwoman Sutherland
Second by: Alderwoman Cooper
Vote: Unanimous

f. Ordinance (2018) 9, Condemnation and Demolition, 200 S. Bragg Boulevard

Mr. Porter requested the Board approve the request to demolish the structure located at 200 S. Bragg Boulevard. He stated in 2013 the Town issued a written notice for a sign and advertising violations. In 2016 a hearing was called but no one from the business showed up. Later in 2016 a

representative for the property agreed to maintain the property in an effort to sell or lease the building. He was given extra time because of the Bragg Boulevard roadway work. He failed to complete the work that was required and in October of 2018 an order for condemnation set for November 26, 2018 was issued. Mr. Gerald stated that he concurs with the request. He also stated that he would like for the Town Attorney to handle this from here on because the owner is being litigious. Mr. Hankins stated that he would like time to ensure that all the required statutory and constitutional steps have been taken.

Action: The Board approved a motion to approve the condemnation subject to subsequent legal review and approval.

Motion by: Alderwoman Sutherland

Second by: Alderwoman Cooper

Vote: Unanimous

g. Board to Determine December 24, 2018

Mayor Dobbins requested the Board to determine the meeting schedule for the December 24, 2018 Regular Board Meeting.

Action: The Board approved a motion to cancel the December 24, 2018 meeting.

Motion by: Alderwoman Cooper

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

10. The Last Word

Mayor Pro Tem O'Garra stated Good Night.

11. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned at 8:42 p.m.

Motion: Mayor Pro Tem O'Garra

Second by: Alderwoman Sutherland

Vote: Unanimous



ATTEST:

Larry G. Dobbins
Larry G. Dobbins
Mayor

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