

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

May 13, 2019

**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 Dobbins presiding.

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

**Others Present:**

Daniel Gerald, Town Manager  
Lt. Brown, Police Department  
Jay Graves, Recreation Director  
Jason Williams, Fire Chief  
Rhonda D. Webb, Town Clerk

Ellis Hankins, Town Attorney  
Tim Garner, Water Resources Director  
Claiburn Watson, Finance Director

**2. Invocation**

Mayor Pro Tem O'Garra gave the invocation.

**3. Pledge of Allegiance**

Isiah Jenkins, Boy Scout Troop 94, led the meeting in the pledge of allegiance.

**4. Pledge of Allegiance**

Ms. Ann Lewis sang the National Anthem

**5. Additions or Deletions to Agenda**

The Board added as Item 7b a presentation by Lillian Black Elementary School and 7c an introduction by Mr. Hankins. They added an update on the Starlight Motel as Item 9h.

**6. 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:** Alderwoman Sutherland

**Vote:** Unanimous

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

## **7. Approval of Consent Items**

The Board approved the consent items:

- a. Minutes of the April 22, 2019 Regular Meeting

**Action:** The Board approved a motion to approve the consent items: Minutes of April 22, 2019 Regular Meeting.

**Motion by:** Alderwoman Sutherland

**Second by:** Alderwoman Jackson

**Vote:** Unanimous

## **b. Presentation by Lillian Black Elementary School**

Ms. Lewis stated that Alma Easom and Lillian Black received a fellowship from the Museum of Art to do the Lion King Musical. They performed two songs for the Board of Aldermen.

## **c. Introduction by Mr. Hankins**

Mr. Hankins introduced Eric Xing from Cary Academy. He is a junior at the Academy who is interested in State and Local Government.

## **8. Public Forum**

Mr. Rex Perry, 1013 Karen Circle, stated that it is nice that the tennis courts are named after Cal Tenhet but he believes we should name the Recreation Center after Mr. Tenhet. He stated Mr. Tenhet started the Recreation Center from the trunk of his car. He also stated that we do not need an umpire for ages 4-7 in baseball. He stated the recreation program is not being run right. He stated we need to get out of the good old boy system. He stated his friend applied for the Program Director position. He stated the person is a retired GS13 who wrote programs for recreation and he was passed over for the job.

## **9. New Buisness**

### **a. Case P19-038: Consideration of Eric Fisher Property; Request for a CB/MSOD Site Plan Review; Spring Lake Zoning Ordinance; Zoned CB/MSOD; Total Acreage: 0.43 AC +/- Located at 115 S Main Street (FR 1449); Submitted by Eric Fisher (Owner)**

Ms. Page presented Case P19-038 to approve a site plan for a restaurant. She stated the property owner is requesting a change in use within an existing structure. She stated the proposed development is located in the CB/Main Street Overlay District where restaurants are an allowed use. The developer also submitted a front elevation drawing showing the proposed signage. The property has 100 feet of street frontage along Main Street and is served by the Spring Lake water and sewer system. Ms. Page advised there are conditions which are listed in the Planning & Inspections Department staff recommendation document and requested conditional approval.

**Action:** The Board approved a motion to approve Case 19-038 with conditions.

**Motion by:** Alderman Christian

**Second by:** Alderwoman Jackson

**Vote:** Unanimous

(A copy of the Agenda Memo, Cumberland County Planning & Inspections Department Action Memorandum, Site Plan Sketch, Building Photos and Recommended Conditions of Approval is hereby incorporated by reference and made a part of these minutes – see attachment two.)

**b. Approval of Proposed Website Design Contract**

Mr. Gerald presented the proposed website contract from Vision Quest Venture LLC. He stated we received one other proposal but the submission was not formatted correctly and did not contain a presentation. We were not able to get three proposals. He requested the Board provide direction on either approving the proposed contract or sending the project back out for RFQs. Mr. Hankins stated that if the Board approves the contract it will need two minor revisions: It is to be construed under NC Law and lawsuits rising under the agreement shall be filed in the courts in NC. Alderwoman Cooper asked if we approached the original website design company to see if they would redesign the website at a lower price. Mr. Gerald stated we did reach out to them and other designers but they did not respond.

**Action:** The Board approved a motion to approve the proposed website design contract.

**Motion by:** Alderwoman Jackson

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

<b>Vote:</b> Yes	No
Mayor Pro Tem O'Garra	Alderwoman Sutherland
Alderman Christian	
Alderwoman Cooper	
Alderwoman Jackson	

(A copy of the Agenda Memo and contract is hereby incorporated by reference and made a part of these minutes – see attachment three.)

**c. Board to Consider Approval of Amended Interlocal Agreement for the Cumberland County Joint Planning Board**

Mr. Gerald stated this agreement is coming back to the Board for consideration. He recommended approval so that Spring Lake would be a part of the newly revised Planning Board. It was clarified that Spring Lake is the last holdout.

**Action:** The Board approved a motion to approve the Amended Interlocal Agreement for the Cumberland County Joint Planning Board

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

**Second by:** Alderwoman Jackson

<b>Vote:</b> Yes	No
Mayor Pro Tem O'Garra	Alderman Christian
Alderwoman Cooper	Alderwoman Sutherland
Alderwoman Jackson	

(A copy of the Agenda Memo, Interlocal Agreement and Backup Documentation is hereby incorporated by reference and made a part of these minutes – see attachment four.)

**d. Appointment, Military and Veterans Affairs Advisory Committee**

Ms. Webb advised that the Military and Veterans Affairs Advisory Committee currently has 4 vacancies. She

stated Ms. Lynne Watterson submitted an application to serve on the committee. If appointed, she would serve a three-year term ending May 31, 2022. She requested the Board of Aldermen determine the appointment of Ms. Lynne Watterson.

**Action:** The Board approved a motion to appoint Ms. Lynne Watterson to the Military and Veterans Affairs Advisory Committee for a three-year term ending May 31, 2022.

**Motion by:** Alderman Christian

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

**Vote:** Unanimous

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

**e. Discussion, Restructure of Board Appointed Committees and Authorization to Combine the Spring Lake Community Appearance Commission and the Spring Lake Sustainability Committee**

Ms. Webb presented amended By-Laws for the proposed Spring Lake Appearance and Sustainability Committee. She stated it has been hard to keep enough people on the Appearance Commission to be able to function and the Sustainability Committee has only one member and it has been that way since the committee was formed. She proposed to combine the two and lower the number of members to five to help make it easier to hold an official meeting and take action. She requested the Board of Aldermen approve Resolution (2019) 7 to dissolve the Community Appearance Commission and the Spring Lake Sustainability Committee and create the Spring Lake Community Appearance Commission and Sustainability Committee.

**Action:** The Board approved a motion to adopt Resolution (2019) 7.

**Motion by:** Alderman Christian

**Second by:** Alderwoman Jackson

**Vote:** Unanimous

(A copy of the Agenda Memo and Application for Appointment is hereby incorporated by reference and made a part of these minutes – see attachment ~~five~~ six RRLW)

**f. Board to Determine May 27<sup>th</sup> Meeting Schedule**

The May 27, 2019 meeting falls on Memorial Day and the Board of Aldermen was asked to determine if they wanted to cancel the meeting or reschedule it.

**Action:** The Board approved a motion to cancel the May 27, 2019 Meeting.

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

**Second by:** Alderwoman Jackson

**Vote:** Unanimous

(A copy of the Agenda Memo is hereby incorporated by reference and made a part of these minutes – see attachment ~~six~~ seven RRLW)

**g. Board to Consider Approval of Amended Spring Lake Chamber of Commerce Contract**

Mr. Gerald stated he is presenting the amended contract for the Spring Lake Chamber of Commerce. He stated staff is recommending \$35,000 in the proposed budget. He also stated the attorney has some legal

items he would like to address. Mr. Hankins stated the existing contract needed some work to apply with the authorizing statutes and he stated he redrafted the contract. He stated the contract lists very specifically some items that the Chamber does and will continue to do in the area of economic development that the Town has statutory authority to contract for. He stated the Town and the Chamber are two separate entities. He stated the agreement is between the Town and the Chamber of Commerce. He stated there are two things that the Board will need to approve: the revised agreement and the increased appropriations if the Board sees fit to do so. He stated that the yellow highlighted section in paragraph 3 states that the Chamber further agrees that all the funds provided by the Town under this agreement shall be used solely to fund the salary of the consultant/chairperson hired by the Chamber who shall work exclusively on business recruitment and economic development. Mr. Hankins stated that he is not sure this statement is appropriate for the Town to dictate that in this agreement. That is something that should be between the person and the Chamber. He also highlighted a sentence in section 11c that says Chamber consultant/chairperson shall have an assistant managing the headquartered office located at 300 Ruth Street. Mr. Hankins inquired if this person is to be a Town employee or someone else. Mr. Gerald stated that person will not be a Town employee. He stated that Dr. Washington still wants to maintain an office in Town Hall but she is not opposed to switching to a different office. He stated we would prefer that they move the Chamber out of Town Hall but we have not received confirmation from the President of the Chamber. Alderwoman Sutherland stated that we have requested a quarterly report from the Chamber and she also stated the contract states the Chamber will provide the Town with an audit report done by a certified public accountant and we have not received an audit report. Mr. Hankins stated that it is important to receive an audit report but for this year it will not be prepared until after June, just like the one the Town has done. Ms. Eaton stated that two quarterly reports were prepared for the 6 months that were agreed upon in the current contract. She stated the only thing that was not prepared was a professional audit for the 6 months that were completed. She stated she provided the Chamber Board of Directors with the reports. Alderwoman Sutherland expressed concern that the Board of Aldermen did not receive a copy of those reports. Ms. Eaton stated that she believes a better location for the Chamber is in an area where there are businesses and entrepreneurs, which is where it is located now. Mr. Hankins asked if it was Ms. Eaton's preference to take the statement out of the contract that references the office at Town Hall and she told him yes. Mr. Gerald stated he would like to check with Dr. Washington before we make that change. Mayor Pro Tem O'Garra asked how many new businesses Ms. Eaton has brought into the Chamber and she stated when she took over the Chamber had less than 40 members. Currently they have 69 members. Alderwoman Jackson stated that she thinks Ms. Eaton has done a wonderful job but she and the Board of Directors needs to sit down and talk. Alderwoman Jackson stated that the Head of the Chamber should be telling the Board what they want to do. Alderwoman Cooper stated she would like for Ms. Eaton to put contact information out so people will know how to contact the Chamber. Mayor Pro Tem O'Garra apologized to Ms. Eaton and stated that he knows the Board of Directors has not met since she began.

**Action:** The Board approved a motion not to increase the additional \$30,000.

**Motion by:** Alderwoman Sutherland

**Second by:** Alderman Christian

<b>Vote:</b>	Yes	No
	Alderman Christian	Mayor Pro Tem O'Garra
	Alderwoman Cooper	Alderwoman Jackson
	Alderwoman Sutherland	

(A copy of the Agenda Memo and proposed contract is hereby incorporated by reference and made a part of

these minutes – see attachment ~~seven~~ eight *R102*

**h. Update on Starlight Motel**

Mr. Gerald advised that the State found asbestos on the site. The owners have to secure a permit that they will have to pay for before they can move the asbestos. The town is setting a meeting date to speak with the State to see where we go from here. Alderwoman Sutherland stated that it is not fair that we do not keep the public updated on what is going on with this location. She stated she believes we need to be more proactive and get something done quickly. Alderwoman Sutherland stated we need to be more proactive. Mr. Gerald requested that if anyone has questions about that site, please direct them to him. He stated the owner has the ability to go in and knock it down before we condemn it. Mr. Hankins stated if progress is not made soon, we need to speak with the owners about fencing off the property to keep people out for safety.

**10. The Last Word**

Mayor Pro Tem O'Garra stated he is glad everyone came out this evening.

**11. Closed Session G.S. 143-318.11(a)(3) – Attorney-Client Privilege**

**Closed Session G.S. 143-318.11(a)(5) – Acquisition of Real Property**

**Action:** The Board approved a motion to go into Closed Session pursuant to G.S. 143-318.11(a)(4)- Economic Development and G.S. 143-318.11(a)(6) - Personnel.

**Motion by:** Alderwoman Jackson

**Second by:** Alderwoman Cooper

**Vote:** Unanimous

**Action:** The Board approved a motion to go back into open session at 9:24 p.m.

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

**Second by:** Alderwoman Jackson

**Vote:** Unanimous

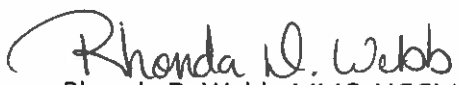
**12. Adjournment.**

**Action:** There being no further business to come before the Board, the meeting was adjourned at 9:25 p.m.

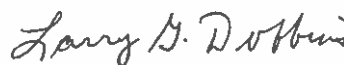
**Motion:** Alderwoman Cooper

**Second by:** Alderwoman Sutherland

**Vote:** Unanimous

  
Rhonda D. Webb, MMC, NCCMC  
Town Clerk

ATTEST:

  
Larry Dobbins  
Mayor