

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

November 14, 2022 MINUTES 6:00 p.m.

The Spring Lake Board of Aldermen held a regular meeting in the Grady Howard Conference Room of the Spring Lake Municipal Building with Mayor Kia Anthony presiding.

Board Members Present: Mayor Pro Tem Robyn Chadwick
Alderwoman Sonà Cooper
Alderman Marvin Lackman
Alderman Raul Palacios
Alderwoman Adrian Thompson

Others Present:

Michael Porter, Town Attorney
Jason Williams, Interim Town Manager
Patricia Hickmon, Interim Town Clerk
Banard Lemon, Audio Visual Coordinator
Dysoaneik Spellman, Police Chief
Tim Garner, Director of Water Treatment Plant

1. Call to order

Mayor Anthony declared a quorum and called the meeting to order.

2. Invocation and Pledge of Allegiance

Mrs. Janice Dickerhoff gave the invocation and led the Pledge of Allegiance.

3. Additions or Deletions

Mayor Anthony requested that the agenda be amended to add item d. Board of Aldermen Comments to New Business. Alderwoman Cooper requested a motion to update Consent Item d. by removing the Application for Military and Veterans Advisory Committee and keeping the application for the Minimum Housing Appeals Board. Alderwoman Cooper explained that the Military and Veterans Advisory Committee is full and if the committee wants to add more positions, then they would need to come before the Board of Aldermen to request more positions or alternates. Aldermen Lackman stated for clarification if Ms. Anderson would like to come to the meetings, she can come to the meetings as a citizen and she could talk to the Committee Board.

4. Approval of Agenda

Action: Approval with the agenda be amended to add item d. Board of Aldermen Comments to New Business and to update item d. by removing Application for the Military and Veterans Advisory Committee and keeping the Application for Minimum Housing Appeals Board- Malisa M. Anderson

Motion by: Alderman Lackman
Second by: Alderwoman Thompson
Vote: Unanimous

5. Approval of Consent Items

Action: Approval of the draft minutes of the October 24, 2022 Work Session, Draft Minutes of the November 3, 2022 Special Meeting, Application for the Military and Veterans Advisory Committee – Debra Clyde, Application for the Minimum Housing Appeals Board- Malisa M. Anderson

Motion by: Alderwoman Cooper
Second by: Mayor Pro Tem Chadwick
Vote: Unanimous

6. Public Comment

Marcheal Crocker was not present at the Board meeting.

Betty Sanford, 104 Wapiti Drive, stated that so much is going on in the Town of Spring Lake that she doesn't understand what is happening. Ms. Sanford stated that the roads are terrible, you have to ride around so you won't hit potholes just in our neighborhood in the Deerfield section, and that we make enough money to fix those roads not only to patch them up. Ms. Sanford stated not only when the roads are patched up the roads fall apart again, so we need to do the whole road. Ms. Sandford stated she is serious and asked "what are we going to do about it?" Ms. Sanford stated that the Town makes enough money to do it, and the Town charges enough money for the water bill to do it, so we need to get those things straight. Ms. Sanford stated that the houses are blocked up, and have boards on them, those things need to be taken care of. Ms. Sanford stated that animals on the side of the road, that a deer has been dead for a long time, and that what's left now are bones because nobody went by and picked it up. Ms. Sanford stated that trash is all over the sides of the roads and nobody is doing anything about it. Ms. Sandford stated she sees people on Facebook but, that ain't hittin' it. Ms. Sanford stated I want the roads fixed as soon as possible, not only that, I want more policemen on the force. Ms. Sanford stated that she wants the policemen to get more money. We get the policemen out on the road in the communities so, they can see what is going on. Ms. Sanford stated that you see kids walking around doing things they shouldn't be doing. We had a big thing going on in Raleigh, we don't want the same thing going on here. So, we need more policemen, and need to increase their pay, because they work hard and their families want to see them come home.

7. Public Hearing

Mayor Anthony declared the opening of the Public Hearing for Zoning Case ZON-22-0059 – Rezoning from R6 Residential District to R5 Residential District or to a more restrictive zoning district from 0.64 +/- acres; located at 147 Chapel Hill Road; submitted Jose Ricardo Flores (applicant) on behalf of Alternative Investments Holdings (owner).

Mayor Anthony asked if anyone would speak in favor of Zoning Case ZON-22-0059.

Mr. Jose Ricardo Flores spoke in favor of Zoning Case Zon-22-0059. Mr. Flores stated that the quality types of homes that we build will increase your property value by beautifying and making it safer in our communities. Mr. Flores stated that they really do a good job and have no intention to bother neighbors and everything will be built to 2018 Building Codes. Alderwoman Cooper asked how many townhomes will it be. Mr. Flores replied that we are trying to build two buildings with four each as a minimum based on the density but it is not our intention to go the maximum really to keep it safe. Mayor Anthony stated that she wanted to make sure you are aware that construction on the Civic Center abutted up to that property and making sure that one of their goals is to preserve that area. Did you take that into consideration? Mr. Flores stated definitely. Alderman Lackman stated let me get this straight and you are looking at putting two buildings on there and each of those buildings will have four homes, so a total of eight residents' homes are available. Mr. Flores replied yes sir, that is our intention.

Mayor Anthony asked twice if anyone would like to speak in favor of Zoning Case ZON-22-0059.

Mayor Antony asked if anyone wanted to speak as opposed to Zoning Case ZON-22-0059.

Ms. Deidre Parker, 160 Chapel Hill Road, stated that she wasn't aware of what was going on and they came to survey the land and they moved the stob, and took some of my land. Ms. Parker stated she has taken pictures of it and the Civic Center surveyed the land and they didn't take anything. Ms. Parker explained that they are moving stobs and weren't aware that they were in my yard when they were surveying the land and I didn't get any letter or anything. Ms. Parker stated where are you going to park. I'm really not for it. Ms. Parker explained that this was heir property and that was her grandparent's property and no one said anything to the other siblings.

Mayor Antony asked twice if anyone wanted to speak as opposed to Zoning Case ZON-22-0059.

Mayor Anthony declared that the public hearing is closed.

Alderman Palacios asked Mr. Portman to remind us of the protocol for notifying residents. Mr. Portman explained per statute a legal ad in the Fayetteville Observer and that we have to run that twice. We also send a notification letter to every resident within 600 feet of the abutting property, so they were notified about the case from the Joint Planning Board and notified about this hearing as well. Mr. Portman stated we do two mailouts per case as well as legal ads.

8. New Business

a. ZON-22-0059 – Rezoning from R6 Residential District to R5 Residential District or to a more restrictive zoning district from 0.64 +/- acres; located at 147 Chapel Hill Road; submitted Jose Ricardo Flores (applicant) on behalf of Alternative Investments Holdings (owner). – Christopher Portman, Planner, Cumberland Planning

Mayor Anthony and Alderwoman Cooper stated that the minutes from the Cumberland County Joint Planning Board stated R6 to R5A in the subject line. Mr. Portman explained that the zoning was from R6 to R5 and sorry for that. Mr. Portman stated that their intent was to build townhomes on 0.64 acres. Mr. Portman presented a planning staff report presentation. Alderwoman Cooper stated you said this was going to be for townhomes, approximately how many? Mr. Portman answered he will let the applicant answer on their behalf of them.

Action: Approval of ZON-22-0059 – Rezoning from R6 Residential District to R5 Residential District or to a more restrictive zoning district from 0.64 +/- acres; located at 147 Chapel Hill Road; submitted Jose Ricardo Flores (applicant) on behalf of Alternative Investments Holdings (owner). – Christopher Portman, Planner, Cumberland Planning

Motion: Alderwoman Cooper

Second by: Alderman Palacios

Vote: Unanimous

(Cumberland County Planning Presentation incorporated into these minutes as Appendix A)

b. Resolution (2022) 2023 Holiday Schedule – Jason Williams, Interim Town Manager

Mr. Williams stated that the proposed 2023 Holiday Schedule mirrors the 2022 Holiday schedule and it is exactly the same holidays for 2023.

Action: Approval of Resolution (2022) 2023 Holiday Schedule

Motion: Alderwoman Cooper

Second by: Alderman Palacios

Vote: Unanimous

c. Oath of Office, Interim Town Manager, Jason W. Williams – Honorable Kia Anthony, Mayor

Mayor Anthony administered the Oath of Office to Chief Jason W. Williams.

Alderman Lackman presented roses to Chief Williams.

d. Board of Aldermen Comments

Mayor Anthony stated that we just completed our first year and although it might seem like it, a lot of work has been done for the Town of Spring Lake. Mayor Anthony gave a quick overview of some of the things that we have accomplished this year. Mayor Anthony explained that it was not in no particular order. Mayor Anthony stated that we had our audit report and we had six findings, we have since then knocked out ninety-plus percent. Mayor Anthony stated that Ms. Tucker has been prosecuted and the case has been handed off to the FBI and is out of our hands for prosecution. That should bring some closure to the residents knowing that justice will be served for the embezzlement of a half million dollars from the Town of Spring Lake. Mayor Anthony stated that we received the money back from the mishandling of \$10,000 to the Economic Developer was recovered. We recovered the missing vehicles, only to find out the vehicles were not missing it was a miss handling of records. Mayor Anthony stated that our close session minutes have been brought up to date and we can't recover what we don't have. Mayor Anthony stated we have put in cash handling policies for the missing revenue. Mayor Anthony stated that we have hired a Police Chief, and we have hosted several Town cleanups by Alderman Lackman and by the Sanitation Department. Mayor Anthony explained that we have three new housing developments and now a fourth coming to the Town. Mayor Anthony stated we had several new businesses to open and we now have a balanced budget while rebuilding our reserves. Mayor Anthony stated that we have hosted several festivals for the Town. As of today, we have completed the merger with Fayetteville Cumberland Parks and Recreation. Mayor Anthony explained that now we are a

part of the tax district and that will be a \$100,000 cost saving to the Town. The Town remains in control of real property and facilities. Cumberland County is in control of the management and the employees. Our facilities will get upgrades and parks. Mayor Anthony stated we are in the process of hiring a Town Clerk. We have hired a new Attorney, Mr. Porter. We hosted an employee luncheon. Mayor Anthony stated we have revitalized Town committees and the Board had a strategic planning session to map our way forward. Mayor Anthony stated that the street sweeper is back up and you will see it go through your neighborhood. Mayor Anthony stated we have a brand-new land use plan and this is a huge benefit for the Town for the next twenty years. Mayor Anthony stated that we have our Civic Center being revitalized on Chapel Hill Road, the Fire Department has maintained an ISO rating of two for several years, and we got our new early voting site. Mayor Anthony recognized the Cumberland County Delegation.

Mayor Pro Tem Chadwick stated that she wants to reiterate the Board of Adjustments is looking for some participation and if you are interested, please let me know or a Board member.

Alderman Palacios stated he wanted to recognize our Interim Town Clerk, she was just reelected as the President-Elect for the NC Permitting Personnel Association of North Carolina and she recognize beyond Spring Lake. Alderman Palacios stated that is more to say about the Justine Jones contract situation the Treasurer provided dates he can meet with the Mayor and those dates did not work for the Mayor and the Mayor has provided several dates that worked for her and those dates did not work for the Treasurer, so the Town is playing hot potato with this contract, in my opinion, we need to move on but this is where we are right now. I'm sorry for the conserve to Town that this decision continues to bring to the Town and I wish the Town would on.

Alderwoman Thompson thanked everyone who attended the Veteran's Day Ceremony and thanked Lynn and Janine for putting the program together. Alderwoman Thompson stated that Thanksgiving is coming up and remembered Thanksgiving safety. Also, keep an eye on the elders since the weather is changing. Police Department on the 17th at La Vista is having a community meeting at 1107 N Bragg Blvd starting at 5:30 pm.

Alderman Lackman thanked Alderwoman Thompson for covering the two things he was going to address.

Alderwoman Cooper stated that we did a great Veteran's Day Event and unfortunately, we were unable to honor the elder that was supposed to be honored and we are going to bring him back. It really warmed my heart to hear about his service. Alderwoman Cooper thanked the staff that was there and they work very hard with very little. Alderwoman asked everyone to give all staff members a round of applause. Alderwoman Cooper stated she still supports Justine Jones and I feel like a lot of the turmoil back and forth with her is undeserved and a lot of it is being done by people in the community that doesn't know what they are talking about and a lot of gossip. Alderwoman Cooper stated that we have the right to ask them to approve the contract and that no other city or town where LCG have taken over their finances has told them whom they can hire as Town Manager. I have looked over eighteen municipalities and I believe this is unfair treatment.

Mayor Anthony thanked Alderwoman Cooper for the logistic planning for the Haunted Lakes.

Chief Williams stated that the water will be off on Odell Road and Goodyear area on Wednesday from 9:00 am to 3:00 pm for the new development.

Mr. Porter stated that he will give an update on legally where we are at on the proposed contract for the Town Manager, Justine Jones. Our Finance Officer is an employee of the LGC which is Mr. Erwin and he answers to the LGC. All contracts for any municipality have a pre-audit certification. Mr. Porter stated that we have submitted the contract for Justine Jones to Mr. Erwin and the entire LGC for approval. Mr. Porter stated that Treasurer Folwell made some public comments, and he has since reiterated those public comments were his personal views and he was not a spokesperson for the LGC. Mr. Porter stated that the LGC held a meeting two weeks ago in the western part of the state and we were told to submit the proposed contract at the start of that meeting so they can take a look at it. Mr. Porter stated we received no response and we reach out again to the Treasurer's Office, Mr. Erwin, multiple LGC staff members, and Board members requesting action or an official response. Mr. Porter stated as we cannot discuss the contract negotiations and personnel matters openly in a public meeting and that North Carolina law makes that a misdemeanor.

9. CLOSED SESSION

Action: The Board approved a motion to go into closed session pursuant to N.C.G.S. § 143-318.11(a)(1) Privilege-Confidential-Approval Closed Session Minutes, Pursuant to N.C.G.S. § 143-318.11(a)(3) – Attorney-Client Privilege, and Pursuant to N.C.G.S. § 143-318.11(a)(6) – Personnel

Motion by: Alderwoman Cooper

Second by: Mayor Pro Tem Chadwick

Vote: Unanimous

Alderwoman Copper made a motion, seconded by Alderman Palacios, to reconvene in open session.

Mayor Pro Tem Chadwick stated a motion was made in close session to approve closed session minutes for August 22, 2022, August 29, 2022, September 15, 2022, September 22, 2022, September 23, 2022, September 26, 2022, and September 29, 2022.

10. ADJOURNMENT

Action: There being no further business to come before the Board, the meeting was adjourned at 8:02 pm.

Motion by: Alderwoman Thompson

Second by: Mayor Pro Tem Chadwick

Vote: Unanimous

ATTEST:

Patricia Hickmon
Interim Town Clerk




Kia Anthony
Mayor