

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

February 25, 2013

**MINUTES**

7:00 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 Chris V. Rey presiding.

**Board Members Present:** Mayor Pro Tem Napoleon Hogans  
Alderman James Christian  
Alderman Richard Higgins  
Alderman James O'Garra  
Alderwoman Fredricka Sutherland

**Others Present:**

Tommy Burns, Town Manager	Tony Buzzard, Town Attorney
Byron Blumenfeld, Water Resource Manager	Allen Coats, Finance Director
Paul Hoover, Director of Public Works	Troy McDuffie, Police Chief
Ken Metcalf, Recreation Director	Tina West, HR Director
Rhonda Webb, Town Clerk	

**2. Invocation**

Alderman O'Garra gave a nonsectarian invocation.

**3. Pledge of Allegiance**

Mayor Rey led the meeting in the pledge of allegiance.

**4. Additions or Deletions to Agenda**

There were no additions or deletions to the agenda.

**5. Approval of Agenda**

The agenda was approved.

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

**Motion by:** Mayor Pro Tem Hogans

**Second by:** Alderman Higgins

**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 February 11, 2013 Regular Meeting
- b. Resolution (2013) 8, Designating Police Chief McDuffie as ABC Designee for Town

**Action:** The Board approved a motion to approve the consent items as listed in a and b on the agenda.

**Motion by:** Mayor Pro Tem Hogans  
**Second by:** Alderman Higgins  
**Vote:** Unanimous

## **7. Public Forum**

Pastor Sid Lathan of 1005 McNeil Street spoke regarding the Little Miss Spring Lake Pageant. He stated last year was the inaugural pageant and he hopes to grow the event to include a Miss Teen Spring Lake. The next Little Miss Spring Lake Pageant is scheduled for June 28 and June 29, 2013.

## **8. Presentations**

### **a. 5K Run for Education Proceeds Presentation**

Mayor Rey thanked the Town of Spring Lake for presenting a check for \$490.25 to Phi Beta Sigma. The proceeds will go to the Elementary and Middle Schools in Spring Lake.

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

## **9. New Business**

### **a. Case No. 97-023, Consideration of the Starbright Investment LLC, Request for a C(P) Site Plan & Group Development Review; Spring Lake Zoning & Subdivision Ordinances; Zoned: C(P); Total Acreage: 072 +/-; Located at 101 Sleepy Drive; Submitted by Starbright Investment LLC (Owner) and Gerrad Allison (Developer)**

Mr. Scott presented Case No. 97-023 and stated the applicant is requesting a change in use to allow a tailoring shop and dentist office. Staff recommends approval with attached conditions.

**Action:** The Board approved a motion to approve Case 97-023.  
**Motion by:** Alderwoman Sutherland  
**Second by:** Alderman Christian  
**Vote:** Unanimous

(A copy of the agenda memo, 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. Appointment, Recreation Advisory Committee**

Mr. Metcalf requested Board approval for the application submitted from Christopher McIver to serve on the Recreation Advisory Committee as a Manchester Township representative for a three-year term expiring February 29, 2016.

**Action:** The Board approved a motion to approve appoint of Christopher McIver to the Recreation Advisory Committee as a Manchester representative for a three-year term expiring February 29, 2016.  
**Motion by:** Alderman O'Garra  
**Second by:** Alderman Higgins  
**Vote:** Unanimous

(A copy of the agenda memo and application from Christopher McIver is hereby incorporated by reference and made a part of these minutes – see attachment four.)

### **c. Appointment, Community Appearance Commission**

Ms. Webb requested Board approval for the application submitted by Steve Starnes to serve on the

Community Appearance Commission for a three-year term to expire February 29, 2016.

**Action:** The Board approved a motion to approve appoint of Steve Starnes to serve on the Appearance Commission.

**Motion by:** Alderwoman Sutherland

**Second by:** Alderman O'Garra

**Vote:** Unanimous

(A copy of the agenda memo and application from Steve Starnes is hereby incorporated by reference and made a part of these minutes – see attachment five.)

**d. Ratification of Community Appearance Commission Vote**

Ms. Webb advised the Board that at the Community Appearance Commission's January meeting the Commission voted to remove Ms. Sheila Vannoy from the roster due to non-attendance. Prior to taking this vote, the Commission contacted Ms. Vannoy who stated she has too much on her plate to continue to serve at this time. Ms. Webb requested, on behalf of the Community Appearance Commission, that the Board ratify their vote to remove Ms. Vannoy from the roster.

**Action:** The Board approved a motion to ratify the Community Appearance Commission's vote to remove Ms. Vannoy from the roster.

**Motion by:** Alderman O'Garra

**Second by:** Alderwoman Sutherland

**Vote:** Unanimous

(A copy of the agenda memo letter from the Community Appearance Commission and Community Appearance Commission Minutes from January 2013 is hereby incorporated by reference and made a part of these minutes – see attachment six.)

**e. Resolution (2013) 6, Declaring Surplus Property**

Mr. Coats requested the Board to approve Resolution (2012) 6 to declare a Chevrolet Impala as surplus and direct staff to sell surplus personal property on GovDeals.

**Action:** The Board approved a motion to approve Resolution (2013) 6.

**Motion by:** Mayor Pro Tem Hogans

**Second by:** Alderman Christian

**Vote:** Unanimous

(A copy of the agenda memo, Resolution (2013) 6 and Vehicle Inspection Form is hereby incorporated by reference and made a part of these minutes – see attachment seven.)

**f. Ordinance (2013) 2, Cumberland County Animal Control Ordinance**

Mr. Burns presented the Cumberland County Animal Control Ordinance and advised the County's Ordinance is not compatible with the current Town's Animal Ordinance. He requested the Board adopt the County's Animal Control Ordinance since the County is handling animal control for us. Mr. Burns clarified that one of the changes to the County's Ordinance is that tethering is not allowed unless the animal is tethered and under the control of the owner. Concern was expressed that County Animal Control is slow in responding and the Board requested we let the County know about this concern. Mayor Pro Tem Hogans requested some type of monthly report from the County on animal control calls.

**Action:** The Board approved a motion to approve Ordinance (2013) 2.

**Motion by:** Mayor Pro Tem Hogans

**Second by:** Alderman O'Garra

**Vote:** Unanimous

(A copy of the agenda memo, Letter from Cumberland County Regarding Cumberland County Animal Control, Cumberland County Ordinance Chapter 3 and Ordinance (2013) 2 is hereby incorporated by reference and made a part of these minutes – see attachment eight.)

**g. Interlocal Agreement, Animal Control**

Mr. Burns advised this agreement goes along with the previous agenda item and must be in place for the County to continue to perform animal control services. The County is not requesting funds from the Town to perform this service.

**Action:** The Board approved a motion to approve the Interlocal Agreement for Animal Control.

**Motion by:** Mayor Pro Tem Hogans

**Second by:** Alderman O'Garra

**Vote:** Unanimous

(A copy of the agenda memo, Letter from Cumberland County Regarding Cumberland County Animal Control and Agreement for Interlocal Undertaking, Animal Control is hereby incorporated by reference and made a part of these minutes – see attachment nine.)

**h. Authorization to Negotiate Change Order (Lower Little River Interceptor Project)**

Mr. Burns stated the engineer is requesting authorization to negotiate a change order on the Lower Little River Interceptor Project. We have had some discrepancies in some of the line sizing on this project. He requested approval for the negotiation with the understanding that the Town must authorize and approve the formal change order when it comes.

**Action:** The Board approved a motion to approve the Authorization Request to Negotiate the Change Order for the Lower Little River Interceptor Project.

**Motion by:** Alderman O'Garra

**Second by:** Mayor Pro Tem Hogans

**Vote:** Unanimous

(A copy of the agenda memo and Letter from MacConnell & Associates is hereby incorporated by reference and made a part of these minutes – see attachment ten.)

**i. Resolution (2013) 7, Accepting Loan Offer for Lillington Highway Water Main Project**

Mr. Coats advised Resolution (2013) 7 is for the Lillington Highway Project. This Resolution is the authorization to accept a loan in the amount of \$1,314,666 for the completion of this project. The interest for this loan is 0%. This project is to upsize approximately 7,350 feet of water line from Harnett County to our water tank. It was clarified this is a 20-year loan.

**Action:** The Board approved a motion to approve Resolution (2013) 7 Accepting the Loan Offer for Lillington Highway.

**Motion by:** Alderwoman Sutherland

**Second by:** Alderman Higgins

**Vote:** Unanimous

(A copy of the agenda memo, DENR Loan Offer and Acceptance Document and Resolution (2013) 7 is hereby incorporated by reference and made a part of these minutes – see attachment eleven.)

**10. Closing Comments.**

**Alderman O'Garra**

- Allen Coats, you have really impressed me, you turned out to be a people person, you are doing an outstanding job in that aspect.
- I thank everyone for coming out this evening.
- Spring Lake's boxing coach is having an event on May 4, 2013 at the Community Center.

**Mayor Pro Tem Hogans**

- I thank the Department Heads for your good work, keep up the effort. IT is greatly appreciated by me and by the citizens.

**Alderman Christian**

- I look forward to working on the budget next month.
- I appreciate all the good words and encouragement. I am doing a lot better with my recovery.
- Glad everyone came out.

**Alderwoman Sutherland**

- Chief, we are still having a problem with calling 911 and being connected to Fort Bragg first and then to Fayetteville. This causes a delay in getting help. Please take another look at this.
- We have to do something about the potholes by Bank of America. This is going to cause a serious accident. Citizens are asking us to do something about it.
- I want to thank the citizens and Town employees for the yard work and debris clean up that you are doing. I appreciate it and I'm sure the citizens appreciate it.

**Alderman Higgins**

- I associate myself with all the remarks that have been made concerning our employees.
- I appreciate those who are stepping up to serve on the committees. We thank you for volunteering your services.

**Mr. Burns**

- To comment on Ms. Sutherland's concerns, I asked the Town Attorney just before the meeting to ride over there after the meeting and look at the situation. We crafted a policy and we need to see to what extent we can take this. It is an issue that we hear about frequently.
- Our first Board retreat is scheduled for March 19, 2013 beginning at 10:00 a.m. at McKellar's Lodge. It is going to be a tough budget year.
- There is an ongoing debate about the sales tax distribution and this is something we will need Board action on soon. We are trying to find a compromise on this issue and for Spring Lake the potential impact is \$320,000 and we have to try to find a way to mitigate this.

**Mayor Rey**

- Great work everyone.
- I look forward to the Mayor's Cup, the Second Annual Mayor's Cup, Boxing Tournament on May 4, 2013.

**11. Closed Session Pursuant to G.S. 143-318.11(a)(4) – Economic Development**

**Action:** The Board approve a motion to go into Closed Session pursuant to G.S. 143-318.11(a)(4).

**Motion:** Mayor Pro Tem Hogans

**Second by:** Alderman O'Garra

**Vote:** Unanimous

**Action:** The Board approved a motion to go back into Open Session.

**Motion by:** Alderman O'Garra

**Second by:** Mayor Pro Tem Hogans

**Vote:** Unanimous

**12. Adjournment.**

**Action:** There being no further business to come before the Board, the meeting was adjourned at 8:17 p.m.

**Motion:** Alderman Higgins

**Second by:** Alderman O'Garra

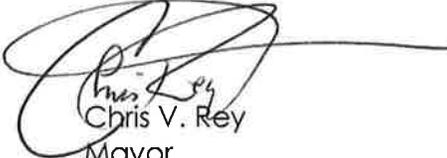
**Vote:** Unanimous



*Rhonda D. Webb*

Rhonda D. Webb, MMC  
Town Clerk

ATTEST:

  
Chris V. Rey  
Mayor