

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

June 24, 2013

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 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:

Ken Metcalf, Interim Town Manager	Byron Blumenfeld, Water Resources Manager
Allen Coats, Finance Director	Troy McDuffie, Police Chief
T.J. McLamb, Fire Chief	Rhonda Webb, Town Clerk

2. Invocation

Alderman Christian gave a non-sectarian invocation.

3. Pledge of Allegiance

Mayor Rey led the meeting in the pledge of allegiance.

4. Additions or Deletions to Agenda

The Board added Case 12-136, Consideration of the Dr. Jain Medical office and multi-use office/retail building – AKA Kidz Care Plaza condominium review as item 9I to the agenda.

Action: The Board approved a motion to add Case 12-136 to the agenda as item 9I.

Motion by: Mayor Pro Tem Hogans

Second by: Alderman Higgins

Vote: Unanimous

5. Approval of Agenda

The Board approved the amended agenda.

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

Motion by: Alderman Higgins

Second by: Mayor Pro Tem Hogans

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 June 10, 2013 Special Meeting

- b. Minutes of the June 10, 2013 Regular Meeting
- c. Minutes of the June 11, 2013 Special Meeting

Action: The Board approved a motion to approve the consent items which consists of the minutes of June 10, 2013 Special Meeting, June 10, 2013 Regular Meeting and June 11, 2013 Special Meeting.

Motion by: Alderman Higgins

Second by: Mayor Pro Tem Hogans

Vote: Unanimous

7. Public Forum

No one spoke at the public forum.

8. Public Hearing

a. 2013-2014 Proposed Budget

Mr. Coats reminded the Board that the proposed 2013-2014 Budget includes the additional approved amount for the Spring Lake Economic Development Corporation.

Mayor Rey opened the Public Hearing. No one spoke for or against the 2013-2014 Proposed Budget.

Action: The Board approved a motion to close the public hearing.

Motion by: Mayor Pro Tem Hogans

Second by: Alderman O'Garra

Vote: Unanimous

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

b. LGC Application for Street Paving

Mr. Coats presented the LGC application for street paving and advised the public hearing is one of the requirements to submit the application.

Mayor Rey opened the Public Hearing. No one spoke for or against the LGC application for street paving.

Action: The Board approved a motion to close the public hearing.

Motion by: Alderwoman Sutherland

Second by: Alderman O'Garra

Vote: Unanimous

9. New Business

a. Agreement, Marketing Agreement for Industrial Park Property

Mr. Hunt advised he is unable to sell undivided property by state law. He is requesting the Board approve an agreement with Grant Murray to market the Industrial Park property. Because the Town Attorney did not receive this agreement for review prior to the meeting, the general consensus was to table this item to the next meeting.

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

b. Resolution (2013) 21, Main Street Façade Guidelines

Mr. Hunt reviewed some of the suggested guidelines in the Main Street Master Plan Façade Improvement Guidelines and presented Resolution (2013) 21 to support the Plan and Guidelines. He advised we were given a \$35,000 grant from Cumberland County to begin a Façade Program. There are also other funding opportunities such as NCDOT, CDBG, PARTF, etc. He requested the Board's approval. It was clarified if businesses apply for the loan they will have to abide by the guidelines. Mr. Hunt will bring back the application with guidelines for the Board's approval prior to information being given to businesses.

Action: The Board approved a motion to adopt Resolution (2013) 21.

Motion by: Alderwoman Sutherland

Second by: Alderman Christian

Vote: Unanimous

(A copy of the agenda memo, Façade Improvement Guide and Resolution (2013) 21 is hereby incorporated by reference and made a part of these minutes – see attachment four.)

c. Resolution (2013) 22, Cumberland County Overhills Sewer District

Mr. Blumenfeld requested the Board approve Resolution (2013) 22 which is associated with the workshop item discussed earlier in the evening.

Action: The Board approved a motion to Resolution (2013) 22.

Motion by: Mayor Pro Tem Hogans

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the agenda memo, Letter from Cumberland County, PowerPoint Presentation and Resolution (2013) 22 is hereby incorporated by reference and made a part of these minutes – see attachment five.)

d. Board to Consider Appointment of Deputy Town Clerk

Mr. Metcalf advised he observed the need for the Board to appoint a Deputy Town Clerk and requested the Board appoint Ms. Debora Hudson as Deputy Town Clerk.

Action: The Board approved a motion to approve the recommendation for Deputy Town Clerk.

Motion by: Alderman Christian

Second by: Alderman Higgins

Vote: Unanimous

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

e. Oath of Office, Deputy Town Clerk

Mayor Rey administered the oath of office to Ms. Hudson.

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

f. Resolution (2013) 23, Board to Ratify Community Appearance Commission Vote to Remove Member

Ms. Webb advised that the Community Appearance Commission unanimously voted to remove Deanna Signal from their roster at the May 2013 Appearance Commission meeting. They submitted a letter requesting the Board to ratify their vote.

Action: The Board approved a motion to ratify vote.

Motion by: Alderman Christian

Second by: Mayor Pro Tem Hogans

Vote: Unanimous

(A copy of the agenda memo, letter from the Appearance Commission and minutes for the Appearance Commission's May 2013 meeting is hereby incorporated by reference and made a part of these minutes – see attachment eight.)

g. Charter Amendment, Community Appearance Commission

Ms. Webb advised the Community Appearance Commission is requesting the Board consider amending their Charter to allow Spring Lake business owners to serve on the Appearance Commission. She stated Resolution (2013) 23 grants that request by replacing the current Charter with the one in the packet. The Board expressed concern about how many businesses could serve on the Commission and the possibility that the Commission could, at some point, become all business owners with no residents.

Action: The Board approved a motion to approve Resolution (2013) 23 with the stipulation that no more than 2 non-resident Spring Lake business owners may serve on the Commission at any one time.

Motion by: Mayor Pro Tem Hogans

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo, Community Appearance Commission Charter with changes noted and Resolution (2013) 23 is hereby incorporated by reference and made a part of these minutes – see attachment nine.)

h. Budget Ordinance (2013) 7, 2013-2014 Budget

Mr. Coats presented Budget Ordinance (2013) 7 and requested approval. A Board member expressed interest in looking hard at pay raises next year and to look mid-year at the possibility of some type of bonus.

Action: The Board approved a motion to adopt the FY 2013-2014 Budget.

Motion by: Alderman Higgins

Second by: Mayor Pro Tem Hogans

Vote: Unanimous

(A copy of the agenda memo and Budget Ordinance (2013) 7 is hereby incorporated by reference and made a part of these minutes – see attachment ten.)

i. Budget Amendment 2013.19, Year End All Departments

Mr. Coats presented Budget Amendment 2013.19 to clean up each department's budget and to ensure the Town does not violate the State statutes regarding budget.

Action: The Board approved a motion to approve Budget Amendment 2013.19.

Motion by: Mayor Pro Tem Hogans

Second by: Alderman Christian

Vote: Unanimous

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

j. Project Ordinance (2013) 8, Fire Department Rescue Vehicle

Mr. Coats advised this project ordinance is associated with the workshop item discussed earlier this evening. We are creating a project ordinance where the proceeds from the fire truck sale this year and the sale of any additional equipment will be put into a fund to be used to help purchase the rescue vehicle discussed earlier. This will also allow us to pay the down payment out of this year's budget.

Action: The Board approved a motion to approve Resolution (2013) 8.

Motion by: Alderwoman Sutherland

Second by: Alderman Higgins

Vote: Unanimous

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

k. Board to Discuss Yard Sale Ordinance

Mr. Hoover advised the Town's Ordinance currently allows two yard sales per year per residence. He advised several residents have requested that we consider allowing more than two yard sales per year. Cumberland County allows four yard sales per year, Fayetteville allows six yard sales per year, Hope Mills allows four yard sales per year and Sanford allows two yard sales per year but they do not require a permit. He advised two yard sales per year may be a little restrictive and requested guidance from the Board as to whether they wish to increase the total number of yard sales permitted. He also advised some business owners have expressed interest in holding yard sales. He stated our Ordinance permits yard sales at residential addresses only and is for the sale of personal property. Our zoning Ordinance does permit some outside displays (items that would normally be sold outside) in some zoning areas and is pretty restrictive. He does not recommend extending yard sale permits to businesses. The Board asked Mr. Hoover what his suggestion would be and he advised four would be a good number. Mr. Hoover advised residents must pay a fee and obtain a permit to hold a yard sale.

Action: The Board approved a motion to approve an increase from two times to four times per year for yard sales.

Motion by: Alderman O'Garra

Second by: Alderwoman Sutherland

Vote: Unanimous

(A copy of the agenda memo and current Yard Sale Ordinance is hereby incorporated by reference and made a part of these minutes – see attachment ten.)

1. Case 12-136, Consideration of Dr. Jain Medical Office and Multi-Use Office/Retail Building – AKA Kidz Care Plaza Condominium Review

Ms. Speicher advised the subject property was previously approved for a C(P) site plan in January of this year. On Friday, the developer requested to be approved for a condominium development which means the individual three units could be sold but the land, parking, landscape, signage, etc. would remain in common area. She requested the Board's conditional approval as a C(P) Site Plan and Condominium Development Plan.

Action: The Board approved a motion to approve Case 12-136.

Motion by: Alderman O'Garra

Second by: Alderman Christian

Vote: Unanimous

(A copy of the Cumberland County Joint Planning Department Memo and Case No.12-136 documentation is hereby incorporated by reference and made a part of these minutes – see attachment eleven.)

10. Closing Comments.

Alderman Christian

- Happy 4th of July, it's coming up and I hope everyone remembers what it is all about.

Alderwoman Sutherland

- Mr. Mayor I would like to congratulate you and your wife on your new baby.
- Ms. Hudson we thank you for stepping up to the plate to give Rhonda some help.
- I want to thank Paul, Allen and Chief McDuffie for the work that you do for this great Town of Spring Lake.
- Thank you for being patient with us while we find a new Town Manager.
- Thank you Ken Metcalf for stepping up to the plate and for the great job that you have done for this Great Town of Spring Lake.

Alderman Higgins

- I have worked for or with about six mayors for this town and I believe this is the first time a Mayor has had a baby while in office, congratulations.

Alderman O'Garra

- Welcome to my church members, I'm glad to have you here tonight.
- Debora, congratulations. I hope they pay you more money.
- I am going to hit on something that we may need to go back to. We are working to try to achieve things and save money and I think there needs to be a better accountability on some of the funds. I am referring to the \$500 that the Board members receive. We need to have a checks and balances system on this money. It is given to us for a specific purpose and I believe we need to submit receipts on how the money is utilized. If we can't produce receipts, then we need to stop getting the money.

Mayor Pro Tem Hogans

- I associate myself to most of the things that have been said tonight.

Mr. Metcalf

- I want to congratulate Debora Hudson and thank her for stepping up, I thank the Chief for being flexible in allowing her to do this and I thank Rhonda for her input in this process.

- I want to thank the Town Board for adopting the budget tonight and for your patients with your interim manager during the budget process. I want to thank the Town staff for their hard work and in particular Allen Coats.
- I would like Chief McDuffie to provide an update to the Board on panhandling. Chief McDuffie said the Police Department is addressing anyone they see panhandling or peddling on an individual basis. There is an Ordinance in place, which is sufficient and this issue is under control.

Mr. Buzzard

- Case 12-136 "blew up" on Friday morning due to no fault of staff and it was something that had to be done today. I commend Ms. Speicher and Paul for getting that before you.

Ms. Webb

- I too would like to congratulate Ms. Hudson and thank the Board for appointing a Deputy Clerk.

Mayor Rey

- I thank everyone for being here.
- Kudos to Ms. Hudson. Thank you for stepping up for the community we know you love.
- Thank you to this Board, we did it again, we passed another budget.
- Thank you again to the staff for your hard work this past year. Thank you for putting this together and making sure we have the right information to make the right decisions on behalf of the people we represent.
- Thank you Ken for your continued work as Interim Manager, you have taken on a lot and done a lot.
- Jeff, through this last fiscal year, you have done a lot of work in the economic development department, we thank you for what you guys are doing and the direction we are going.
- Thank you to the Appearance Commission for your continued work and support.
- Thank you all for your congratulations and prayers for my family.

12. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned at 8:08 p.m.

Motion: Mayor Pro Tem Hogans

Second by: Alderman O'Garra

Vote: Unanimous

ATTEST:


Chris V. Rey
Mayor





Rhonda D. Webb, MMC
Town Clerk