

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

October 22, 2012

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, Public Works Director	Troy McDuffie, Police Chief
Jason Williams, Asst. Fire Chief	Rhonda Webb, Town Clerk

2. Invocation

Alderwoman Sutherland 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.

Motion by: Alderman O'Garra

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 October 8, 2012 Regular Meeting

Action: The Board approved a motion to approve the consent items.

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. Public Hearing, Conveyance of Land in the Spring Lake Business and Industrial Center

Mayor Rey opened the public hearing.

No one spoke for or against the conveyance of Land in the Spring Lake Business and Industrial Center.

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

Motion by: Alderman Higgins

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.)

9. New Business

a. Resolution (2012) 30, Authorizing Sale of Real Property for Economic Development

Mr. Burns clarified the memo has a typo which should read 13.55 acres instead of 15.55 acres. This typographical error does not occur in the contract or resolution. He stated the Town early in the year entered into negotiations with RLM for the sale of property in the spring lake Industrial Park. That sale was to be ratified in February 2012. However, at that time a litigation action and lis pendens were filed on behalf of the Gentry Group was filed which tied up this property. He stated through ongoing litigation the lis pendens have been removed and we are not able to convey property in the Industrial Park with clear title. He stated the economic incentive sale contract does entail several performance benchmarks that must be met by RLM. They include construction and number of jobs creation and are outlined in the next agenda item.

Alderwoman Sutherland inquired about the jobs that will be created and requested clarification about whether it means jobs for Spring Lake citizens or jobs in Spring Lake. She stated in one place on the paperwork it states jobs for Spring Lake citizens and in another it states jobs in Spring Lake and felt this should be corrected. Mr. Burns clarified it means the location where the industry is located. The jobs are not just for Spring Lake citizens but for anyone who applies for them. She also inquired about the time frame and Mr. Burns stated the contract requires construction to begin within 12 months from the date of closing and completion is required within 24 months from the date of closing. He also stated the time frame for the jobs is within five years.

Mayor Pro Tem Hogans inquired about the dollar amount for the property and asked how that amount was determined. Mr. Burns advised he looked at a 2006 appraisal and compared it to the 2013 valuation on the property. The 2006 appraisal had the pre-development acreage for the property at \$4,500. This was prior to any improvements on the property. After the post-development activities had been completed (water and sewer infrastructure) the 2006 assigned value was \$10,000. The 2013 assigned tax valuation on the current 10-acre RLM property is \$144,000 which equates to \$14,000 per acre. The amount for this sale (just over \$11,000 per acre) was derived from taking the \$150,000 and dividing it by the 13.55 acres. Mayor Pro Tem Hogans also inquired about the price for the remaining acreage being more than what is being asked from RLM. Mr. Burns advised the incentives in this sale are based on the owner occupied model versus the potential purchaser being a speculative developer who will develop

spec buildings for the open market.

Alderwoman Sutherland stated the Town spent approximately \$60,000 to put infrastructure in and that equates to RLM paying \$90,000 for the land. This is stated just for the record because a citizen asked me.

Action: The Board approved a motion to approve Resolution (2012) 30.

Motion by: Alderman Higgins

Second by: Alderman Christian

Vote: Unanimous

(A copy of the agenda memo and Resolution (2012) 30 is hereby incorporated by reference and made a part of these minutes – see attachment three.)

b. Resolution (2012) 31, Approving Contract for Economic Incentive Sale and Option to Purchase

Mr. Burns stated this item is the contract that we just discussed and requested the Board's approval.

Action: The Board approved a motion to approve Resolution (2012) 31.

Motion by: Alderman Christian

Second by: Mayor Pro Tem Hogans

Vote: Unanimous

(A copy of the agenda memo, Contract for Economic Incentive Sale and Option to Purchase, Map and Resolution (2012) 31 is hereby incorporated by reference and made a part of these minutes – see attachment four.)

c. Case No. 12-118. Consideration of the Hampton Inn Spring Lake Lots 1, 2 & 3, Request for a Zero Lot Line Subdivision Review; Spring lake Subdivision Ordinance; Zoned: C(P); Total Acreage; 4.2 +/-; Located at 1050 N. Bragg Blvd.; Submitted by Trimurti of Spring Lake, LLC

Mr. Scott presented the specifics of Case No. 12-118 and stated Cumberland County Planning & Inspections Department, as well as Spring Lake Staff recommends approval. He also advised the Case meets the Town's Ordinances.

Action: The Board approved a motion to approve Case 12-118.

Motion by: Alderwoman Sutherland

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the agenda memo, Case Letter from Cumberland County Planning & Inspections Department and Site Profile is hereby incorporated by reference and made a part of these minutes – see attachment five.)

d. Resolution (2012) 32, Authorizing Tentative Award for Construction of Lower Little River Interceptor – Rehabilitation Project

Mr. Blumenfeld requested approval of Resolution (2012) 32 for the tentative award to the low bidder for the renovation of the Lower Little River Interceptor Rehabilitation project.

Action: The Board approved a motion to approve Resolution (2012) 32.

Motion by: Alderwoman Sutherland

Second by: Alderman O'Garra

Vote: Unanimous

(A copy of the agenda memo and Resolution (2012) 32 is hereby incorporated by reference and made a part of these minutes – see attachment six.)

e. Budget Ordinance Amendment (2012) 17, Authorized Positions, Police Department

Chief McDuffie requested authorization for a temporary part-time, as needed, position for an Administrative Aide to allow Ms. Jones to train the person who will take the position that she is vacating. He will also use Ms. Jones for IT duties as needed. He stated he has funds in the current budget and no additional funds will be necessary to make this happen. It was clarified Ms. Jones will only be utilized until the new hire is fully trained and can handle the duties Ms. Jones took care of.

Action: The Board approved a motion to approve Budget Ordinance (2012) 17.

Motion by: Alderman O'Garra

Second by: Mayor Pro Tem Hogans

Vote: Unanimous

(A copy of the agenda memo, Sheet showing proposed changes to authorized positions and Budget Ordinance (2012) 17 is hereby incorporated by reference and made a part of these minutes – see attachment seven.)

f. Ordinance (2012) 16, Demolition of Property at 118 North First Street

Mr. Kelly requested approval of Ordinance (2012) 16 to demolish 118 North First Street. The property is more than 75% fire damaged, is open and dangerous.

Action: The Board approved a motion to approve Ordinance (2012) 16.

Motion by: Alderman Christian

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo and Ordinance (2012) 16 is hereby incorporated by reference and made a part of these minutes – see attachment eight.)

g. Budget Amendment 2013.6, Water and Sewer Department

Mr. Coats presented Budget Amendment 2013.6 to budget State Revolving Fund loan and principal forgiveness funds for the rehabilitation of the Lower Little River Sewer Interceptor and requested approval. This Budget Amendment is associated with Resolution (2012) 32.

Action: The Board approved a motion to approve Budget Amendment 2013.6.

Motion by: Alderwoman Sutherland

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo and Budget Amendment 2013.6 is hereby incorporated by reference and made a part of these minutes – see attachment nine.)

h. Budget Amendment 2013.7, Water and Sewer Department

Mr. Coats presented Budget Amendment 2013.7 to fund the balance of the loan closing associated with the Lower Little River Interceptor Rehabilitation Project. He stated the State Revolving Fund funds cannot

be used to cover the closing costs. This Budget Amendment is associated with Resolution (2012) 32.

Action: The Board approved a motion to approve Budget Amendment 2013.7.

Motion by: Alderman O'Garra

Second by: Alderwoman Sutherland

Vote: Unanimous

(A copy of the agenda memo and Budget Amendment 2013.7 is hereby incorporated by reference and made a part of these minutes – see attachment ten.)

i. Appointment, Spring Lake Board of Adjustment

Ms. Webb requested the Board to approve the reappointment of Ms. Mary Thomas to the Spring Lake Board of Adjustment for a three year term to end October 31, 2015.

Action: The Board approved a motion to approve the reappointment of Mary Thomas to the Spring Lake Board of Adjustment for a three-year term expiring October 31, 2015.

Motion by: Alderman Christian

Second by: Mayor Pro Tem Hogans

Vote: Unanimous

(A copy of the agenda memo, background sheet and application for appointment from Ms. Thomas is hereby incorporated by reference and made a part of these minutes – see attachment eleven.)

10. Closing Comments.

Alderwoman Sutherland

- Thanked everyone for coming out. Please continue to come and support the Town. If you have any situations that you need us to know, please let us know.
- Please go out and vote.

Alderman Higgins

- Welcomed everyone.
- I hope we have at least one condemnation each week.
- Commended everyone involved in the moving forward with the development of our Industrial Park, this is a great move.

Alderman O'Garra

- I like everything Mr. Higgins said.
- Fall Festival will be held this coming Saturday from 4:00 to 8:00 p.m. at the Community Center.
- Let's go home and watch TV (stated in jest).

Mayor Pro Tem Hogans

- There has been a tremendous increase in crime in the Holly Hills area. He expressed concern about this and stated the strategy we need to put forward is crime prevention. He asked staff to find a way to remind people to secure their property, lock their car doors and storage rooms.

Alderman Christian

- Glad everyone came out, it is good to see everyone.
- I would like to piggy back on what Mr. Hogans said. I encourage people to attend your community watch meetings. If you don't have one please let me know, I will be happy to help you organize one.

- We do seem to have a problem with 911 routing the calls to the proper place.
- Saturday is the Beverly Davis Cancer Walk at Mendoza Park at 9:00 a.m.
- Wished his mother and brother a Happy Birthday.
- Great to see us moving forward on the First Street property.
- Encourage everyone to go vote.

Mr. Burns

- November 2, 2012 is the first annual Public Safety Golf Tournament at Kings Grant beginning at 9:00 a.m.

Mr. Buzzard

- We are looking for a fourth on our golf team for the tournament.

Mayor Rey

- Mayor Rey introduced Nicole Ford, Miss Spring Lake, who will be representing Spring Lake in the Miss North Carolina Pageant next month. She introduced herself.
- Spring Lake is a member of the National League of Cities. They have a free prescription drug program for seniors. We will be participating in this program in the near future.
- Recognized and applauded the Board for the decisions made tonight to help grow the Town.

II. Adjournment.

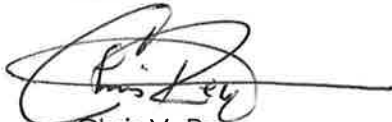
Action: There being no further business to come before the Board, the meeting was adjourned at 7:43 p.m.

Motion: Mayor Pro Tem Hogans

Second by: Alderwoman Sutherland

Vote: Unanimous

ATTEST:


Chris V. Rey
Mayor




Rhonda D. Webb, MMC
Town Clerk