

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

April 14, 2014

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 Chris V. Rey presiding.

Board Members Present: Mayor Pro Tem James O'Garra
Alderman James Christian
Alderwoman Densie Lucas
Alderwoman Fredricka Sutherland

Others Present:

Ken Metcalf, Town Manager	Tony Buzzard, Town Attorney
Byron Blumenfeld, Water Resource Manager	Allen Coats, Finance Director
Paul Hoover, Public Works Director	T.J. McLamb, Fire Chief
Shakir, Police Department	Gail Elder White, Recreation Director
Rhonda Webb, Town Clerk	

2. Invocation

Mayor Pro Tem O'Garra 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

There were no additions or deletions to the agenda.

5. Approval of Agenda

The Board approved the agenda.

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

Motion by: Alderwoman Lucas

Second by: Mayor Pro Tem O'Garra

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 March 24, 2014 Special Meeting
- b. Minutes of the March 24, 2014 Regular Meeting
- c. Proclamation, Spring Litter Sweep

Action: The Board approved a motion to approve the consent items which consist of the minutes from March 24th Special Meeting, March 24th Regular Meeting and Spring Litter Sweep Proclamation.

Motion by: Alderman Higgins

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

7. Public Forum

Robert Cooper, 130 Deerfield Drive, spoke regarding the streets being marked and thanked the Town for ensuring that happened. He also commended the Board for providing a direct telephone number for the bus system.

8. Presentation

a. Certificate of Achievement, Cameron Reed

Mayor Rey presented Mr. Reed with a Certificate of Achievement for obtaining the honor of being named Cumberland County's Youth of the Year for the Spring Lake Boys & Girls Club. Mr. Reed received a standing ovation.

(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. Ordinance (2014) 4, Prohibiting Activity On or Within 1000 Feet of a School

Dr. Till advised he appreciates the Board considering this Ordinance and advised he would answer any questions the Board may have regarding the proposed Ordinance. This Ordinance is necessary to ensure the safety of the students. This Ordinance came about because of an incident that occurred at Terry Sanford High School where the school did not have the tools to move a group of loiterers. This Ordinance is only enforceable during the school day and does not prohibit activity during non-school hours.

Action: The Board approved a motion to approve Ordinance (2014) 4 Prohibiting Activity On or Within 1000 Feet of a School.

Motion by: Alderwoman Sutherland

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo and Ordinance (2014) 4 is hereby incorporated by reference and made a part of these minutes – see attachment three.)

b. Case No. 14-034, Consideration of the Tandon IV, LLC; Request for a C(P) Site Plan & Group Development Review

Mr. Scott presented Case No. 14-034, stating the developer is requesting an addition of a medical office/clinic and existing retail business at 1095 North Bragg Boulevard. He advised both Spring Lake and County staff recommends approval with attached conditions.

Action: The Board approved a motion to approve, with the modified conditions, Case No. 14-034.

Motion by: Alderman Christian

Second by: Alderwoman Lucas

Vote: Unanimous

(A copy of the agenda memo and Cumberland County Planning & Inspections Department Action

Memorandum showing conditions and Site Profile is hereby incorporated by reference and made a part of these minutes – see attachment four.)

c. Certificate of Sufficiency, Green Property Annexation

Ms. Webb reported the petition for annexation from Mr. Green is signed by all owners of the property and is therefore sufficient. She requested the Board accept the Certificate of Sufficiency.

Action: The Board approved a motion to accept the Certificate of Sufficiency for the Green Property.

Motion by: Alderman Higgins

Second by: Alderman Christian

Vote: Unanimous

(A copy of the agenda memo, Certificate of Sufficiency and ownership information is hereby incorporated by reference and made a part of these minutes – see attachment five.)

d. Feasibility Study, Green Property Annexation

Mr. Rooney presented the feasibility study for the Green Property. He advised the property is located on the west side of Chapel Hill Road. There is no significant cost to the Town to provide services to the property. Connection to the water and sewer system is the financial responsibility of the property owner.

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

e. Budget Amendment 2014.15, Fire Department

Mr. Coats advised Budget Amendment 2014.15 budgets the proceeds from the insurance company to cover the cost of the repairs to the Fire Department 2008 Pumper vehicle.

Action: The Board approved a motion to approve Budget Amendment 2014.15.

Motion by: Alderwoman Sutherland

Second by: Alderman Christian

Vote: Unanimous

(A copy of the agenda memo and Budget Amendment 2014.15 is hereby incorporated by reference and made a part of these minutes – see attachment seven.)

f. Budget Amendment 2014.16, Police Department

Mr. Coats presented Budget Amendment 2014.16 to budget insurance proceeds to cover the cost of the repair of a Police Department 2007 Ford Explorer damaged in the October 8, 2013 accident.

Action: The Board approved a motion to accept Budget Amendment 2014.16.

Motion by: Alderman Higgins

Second by: Alderman Christian

Vote: Unanimous

(A copy of the agenda memo and Budget Amendment 2014.16 is hereby incorporated by reference and made a part of these minutes – see attachment eight.)

g. Budget Amendment 2014.17, Police Department

Mr. Coats presented Budget Amendment 2014.17 to budget insurance proceeds to cover the cost of the repair of a Police Department 2011 Dodge Charger damaged in a December 3, 2013 accident.

Action: The Board approved a motion to approve Budget Amendment 2014.17.

Motion by: Alderman Christian

Second by: Alderwoman Lucas

Vote: Unanimous

(A copy of the agenda memo and Budget Amendment 2014.17 is hereby incorporated by reference and made a part of these minutes – see attachment nine.)

h. Resolution (2014) 6, Opposing the Elimination of 440th Airlift Wing at Fort Bragg

Mayor Rey requested the Board approve Resolution (2014) 6.

Both Alderman Christian and Mayor Pro Tem O'Garra stated they want to keep the 440th Airlift Wing here and feel it would be devastating to our area.

Mayor Rey advised the discussion of the "Save the 440th Airlift Wing Coalition" was centered around the economic impact to our area should they eliminate the 440th Airlift Wing and Mayor Rey pointed out to the Coalition that at that level the Pentagon does not care about the impact to our economy. His concern is that the military did spend almost \$60M of taxpayers money to prepare for the C130J's to come to Pope Air Force Base. They also spent almost \$20M to build a flight simulator for new pilots to train to be here. His concern is that we really need to take a look at the individuals who are making these kinds of decisions if we are going to be a nation who just throws away money. There has already been money spent to keep the outfit here and it should stay here. He hopes with the right questions being asked at the top level, it will hopefully be resolved soon because he doesn't believe the top brass understood what they were doing when that decision was made.

Action: The Board approved a motion to adopt Resolution (2014) 6.

Motion by: Alderman Christian

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

(A copy of the agenda memo and Resolution (2014) 6 is hereby incorporated by reference and made a part of these minutes – see attachment ten.)

i. Briefing on Young's Lake, Fort Bragg/Spring Lake Property

Mr. Blumenfeld reported the Fort Bragg Department of Public Works requested the Town offer a consensus for the option they wish Fort Bragg to consider. The options are:

1. Relocate the utilities currently located in the dam and create a permanent breach for the free flow of the stream.
2. Modify the existing riser structure to provide a controlled release for storm water runoff.
3. Rebuild the riser structure and restore the lake level to the original design.
4. Do nothing and leave the circumstances as they presently exist.

Mr. Blumenfeld advised he is an advocate of putting risers in the area to allow a smaller amount of water to be accumulated but still keeping the reservoir only in a smaller state. He requested the Board think about what they want to do and advise at a future meeting.

Alderwoman Sutherland asked what purpose the lake serves. Mr. Blumenfeld advised when the lake was drained we were in a drought situation and he was surprised they drained it. It serves as a potential for firefighting and recreation but he has not been briefed enough to be able to expound on its purpose. He is only telling what he has heard. He also stated he questions where the fence is but that is a different issue. He also stated when you get a lot of sediment it flows with the water and is dumping more sediment into Wellons Lake. Alderwoman Sutherland inquired about the railroad track stating there is some history about that track and a discussion about the railroad track and its ownership ensued. Mr. Blumenfeld advised persons owning property that abut the railroad right of way owns the land to the center of the railroad right of way. If the property owners do not claim this land it remains an abandoned railroad right of way. Mr. Metcalf advised Fort Bragg will be at the 28th meeting to give more information.

(A copy of the agenda memo and email from Fort Bragg is hereby incorporated by reference and made a part of these minutes – see attachment eleven.)

j. Board to Consider Approval of July 4th Downtown Festival

Mr. Metcalf advised the Town held a festival meeting in February and there was some interest in having a July 4th celebration. This has now reached the Manager's office which he passed along to the Board and has Mr. Hunt prepared to make a presentation to the Board regarding the proposed festival.

Mr. Hunt advised the idea was born in the festival meeting and further developed from the ribbon cutting and grand opening of the Shops of Main Street. The Spring Lake Chamber Board of Directors, Dr. Aziz, Miller Properties, Kingdom Community Development, Bragg Hospitalities, Shops of Main, Spring Lake Medical Clinic and Hall Real Estate all support the idea of having a July 4th Main Street Festival. He suggested having food vendors, live entertainment, kids play zone and a car show. Main Street restaurants can sell food but must provide it in a carryout container. He stated they wanted to make it a diverse day of events all culminating with the Fort Bragg fireworks display. He stated they will have craft vendors and a wing eating contest. They will have the required number of port-a-johns and wash areas as outlined by the Health Department. They will work with the Spring Lake Fire Department to ensure inspection of all UVL connections and propane tanks. The Cumberland County Division of Public Health will inspect all vendors. He stated they see Main Street as a diamond in the rough and want to make it a place where people want to be. They propose to block Main Street from the South side of Ruth Street and the North side of Spring Avenue. This will allow traffic to egress onto Main Street from Laketree and the other neighborhoods and from Spring Avenue. People will still be able to come and go. The stage is proposed to be located on the sidewalk of the Professional Building or at the North side of Main Street near Spring Avenue. There will be a vendor access point at North First Street. He reminded the Board that most businesses including the Post Office are closed that day because it is a holiday.

He requested the Town request on behalf of the Chamber to close portions of Main Street from North Spring Avenue to South Ruth Street from 6 a.m. July 4, 2014 until 1 a.m. July 5, 2014. This will allow time to set up prior to the event and clean up after the event. They need assistance from both the Police and Fire chiefs with logistics. They need Public Works to provide barricades and request to borrow the stage from the Spring Lake Recreation Department. They request some Police and Fire personnel and request that Cumberland County EMS unit be stationed near the festival instead of behind the Fire Station. Mr. Hunt also advised he is working with Power Swain, RLM, Duke Energy and others to sponsor the event.

Alderwoman Sutherland stated she believes it is a great event but has quite a few concerns. She stated she had talked with people who live on and near Main Street and business owners on Main street and they agree with her that Main Street is "not there yet" and feels we are "biting off more than we can

being made. She believes their desires should have been included in the decision making. She stated she would have liked to see letters sent out to all stakeholders to see how they felt about the 4th of July party. She again stated she thinks it's great and the 4th of July is a party but feels we must take into consideration the area they will be in at this particular time. There are residents who live around the area and she doesn't believe they know anything about it and feels the planners of this event did not take the noise factor into consideration when planning this and expressed concern about the time frame and stated 4th of July in Spring Lake is a high time for parties and different things happen. She stated she lives in Spring Lake and she knows a lot of people who live around Main Street and attend churches on Main Street and once the party or entertainment is gone, they still have to be here. She expressed concern about keeping Main Street blocked off that long and allowing alcohol to be available. She stated if you ride up and down Main Street you see people sitting out and having their party already. When you combine something that you are trying to do nice with what is already going on, she fears it will wind up being a "big party." She is opposed to using Town resources to support this and she would like to push this off for another year because it is just not the time for this event. She really wishes more businesses were involved. She doesn't think the 4th of July is the proper time to draw new businesses in and she believes it will just be a great time and a great party. She expressed concern about safety issues for those who are not attending the event but Police and Fire personnel are working the event and not the rest of the citizens. She stated she does think we will get there and has confidence that Main Street will grow but believes it is just not the time.

Mr. Hunt stated they did not send out mailers but had a Main Street property owner to go face to face and speak with each property owner on Main Street. He further asked her to take a document for the property owners to sign off on expressing their support for the festival to occur. Ms. Josie Miller was the person who was talking to the business owners and stated she has not spoken to everyone because she was waiting on a firm green light before she went to everyone because she did not want to speak out of turn. She stated the Pastor of the Church across the street from her business is coming tomorrow to sign the form. She stated the others she has talked with are really excited about this and want to see it happen. Alderwoman Sutherland stated she is sure they are excited and that it will be a great time and a great party but her main concern is safety. She expressed concern to have a party from 6 a.m. until 1 a.m. Mr. Hunt stated the event will not be going on for that entire time, that is the time he wanted to have the street closed off for set up and clean up. He proposes to break down after the fireworks. Alderwoman Sutherland stated the event closes and you leave. The Police Officers know what happens on Main Street and in the surrounding areas and we are left, when everybody has gotten drunk or whatever the case may be, to try to clean up this because the Town partnered in with the Chamber to do something nice and I understand it. But, we are just not there yet on Main Street. That is just me.

Alderman Christian stated the concerns are valid but they can be worked out. The festival is an attraction for the Town and is something people would like to have. The concerns can be addressed before the event. In his line of work he has seen how other municipalities handle festivals like this and it is manageable. Most of the festivals he sees are not a big drunk fest and all the issues are manageable.

Mr. Buzzard stated his remarks are not meant to discourage but to advise some of the concerns that can happen so that we can ensure we put the festival together right. In 2011 in the Town of Erwin, the Chamber of Commerce requested a Christmas Festival like they do every year and the Town approved it. During the festival, a small child was run over by a vehicle and died in its mother's arms and there is currently a law suit pending against the Town, the Chamber, EMS and 911. He stated he is representing some of the business owners and does not believe it is a great law suit or is well grounded in liability. He just wanted us to know so we could make sure we follow proper steps to ensure the Chamber has insurance that will cover itself and to make sure we follow any Town Ordinances. Make sure we follow

safety and lighting requirements to ensure safety. This is just for knowledge it is not meant to discourage or scare you, we have these potential issues with any event but when you do have a lot of people at night you can run into problems. Some of the issues with Erwin were lighting issues and that the Town did not provide adequate lighting. Make sure you triple check those issues.

Action: The Board approved a motion to approve the July 4th Downtown Festival.

Motion by: Mayor Pro Tem O'Garra

Second by: Alderwoman Lucas

Vote: 4-1	Yes	No
	Mayor Pro Tem O'Garra	Alderwoman Sutherland
	Alderman Christian	
	Alderman Higgins	
	Alderwoman Lucas	

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

10. Closing Comments

Mayor Pro Tem O'Garra

- Glad to see the young man with the bowtie on (Cameron Reed). We know one another from the park for many years now.
- Glad to have staff here tonight.

Alderwoman Lucas

- I want to echo Mr. O'Garra and thank the staff for your hard work. Thank you Mr. Metcalf for those thorough reports that you give to us.
- Congratulations young man, well deserved.

Alderman Christian

- Cameron Reed, Pine Forest, you gotta love 'em.
- I would like to thank the Town staff for showing up at the community watch meetings the past few months. I want to thank the Police Department for handling a break in that occurred while we were at a community watch meeting. The Police Department did a really great job in responding to it. I want to thank the staff for the great job they did at the Spring Fling.
- I wish everyone a Happy Easter. It is not just about bunnies, eggs and chocolate candy. It has a real meaning behind it and is personal to me so I say Happy Easter to everyone. I will be eating some baked ham even though my doctor says I shouldn't (stated in jest.)

Alderwoman Sutherland

- Mr. Cameron, keep doing what you are doing. There is some history behind that track. There is a young lady named Crystal back in the '80s who was the fastest thing here in Spring Lake and that is Mayor Rey's sister. She attended school with my daughter and she holds a record here and I have a lot of respect. With you coming up now, I'm sure you will do the same and you can encourage other children. Your mom has been involved for many years down at the park.
- Mr. Buzzard I am so glad you stepped up because last night I was speaking with some business owners and residents and they were asking where the Town attorney is on this festival issue. None of the key words and things were said and I'm glad you put that out there. I hope it goes great. They told me they would not be attending and I hope nothing happens but when you are talking about drinking and dark, we do know where we are, we are not going to fool ourselves, who lives here in

drinking and dark, we do know where we are, we are not going to fool ourselves, who lives here in Spring Lake. So, I'm glad you spoke up so the other Board members know what they approved that we could be liable. I appreciate the information you put out there as well.

- I'm glad to see the Boys & Girls Club growing. For many years we did not have a Boys & Girls Club here and I talked with Mr. Don Williams several different times to talk about getting the Boys & Girls Club here. I brought it to the Board and they approved it so it was my mission to make sure that I continue to try to push that forward. It is growing and I hope you all continue to do the best you can do over there with the children.
- We have had workshops and I have talked with Mr. Metcalf about the economic development and plan to improve Spring Lake. It's been almost 10 years that I have served on the Board and I don't want to continue to have to come each year at budget time, we say that we want to do this and make a change, and I say that with Main Street, yes we have one business that has done things but the Beatitudes did some work and Michael Mackey fixed that corner. I'm talking about trailblazers and people spoke to me last night about Michael Mackey. He did a lot of work over there and had people coming in and out and livened Main Street up. So, I would like for us to continue to go forward but I don't want us to continue talking about things and not do them and come back at budget time and are at the same spot when we talk about revitalizing Main Street or the Fire Department or whatever. We need to make a move and if we can do one big thing and continue to move then we are making progress but if we continue to come back with the same things we are not moving. With the economic development I would like to see new businesses and I want to see Main Street grow. I came here when I was 18 years old and I've seen a lot of things change on Main Street and I know it is possible. But safety is always first and I do live in Spring Lake and I love Spring Lake and I'm not blind by what goes on here in Spring Lake so I want to make sure that all is well. I take this seriously from my heart. It may be a joke to some people but it is not a joke to me.

Alderman Higgins

- I do want to make a comment about the Spring Fling and particularly our Town employees. They all had a smile on their face and were very helpful and they looked like they enjoyed being there.
- Young man, you have a great future ahead of you. Keep up the good work. You have good parents and that is what it takes. That is where it all starts, at home.

Mr. Metcalf

- Thank you. I ditto what everyone else has said, I have known Cameron for a long time.
- Mr. Ashford, there is not a finer man on the planet. You are such a blessing to Spring Lake and when I grow up I want to be just like you.
- I commend Gail Elder-White, employees, volunteers, Mayor and Board Members for an outstanding Spring Fling. Gail you did an outstanding job. I thank you all.

Mr. Buzzard

- Congratulations Mr. Reed. That's a great accomplishment and you should be proud of yourself. I look forward to hearing more great things about you in the future.

Mayor Rey

- Thank you all for your continued work and service. Gail, bravo! So many people reached out to me to express how much fun they had at the Spring Fling. It continues to show our growth as a community.
- I heard a lot of good information today about the improvement of our wastewater treatment plant that we have to focus on. As we continue to bear down into our budgets we have to realize what our priorities are as a community.

those concerns will be met and we will continue to move forward and address what we have to get done.

- Cameron, your praises have been heard today. I'm sure this will not be the last time. Cameron's mother and I grew up together and I am ecstatic for her and I know it makes her proud that he is a reflection of what else is in Spring Lake and I have no doubt that we will continue to move forward.
- If you haven't had an opportunity to read to a child, I encourage everyone to please take time to do so. I did at the Spring Fling this weekend and it was great. This is the one thing that will change our community.
- Spring Clean Up is scheduled for April 26, 2014 beginning at 9 a.m.

11. 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 O'Garra

Second by: Alderwoman Lucas

Vote: Unanimous



Rhonda D. Webb
Rhonda D. Webb, MMC
Town Clerk

ATTEST:


Chris V. Rey
Mayor