

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

May 26, 2009

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 Ethel T. Clark presiding.

**Board Members Present:** Mayor Pro Tem James O'Garra  
Alderman Richard Higgins  
Alderwoman Nellie McCoy  
Alderwoman Fredricka Sutherland

Alderman Napoleon Hogans was absent.

**Others Present:**

Larry Faison, Town Manager	John Jackson, Town Attorney
Allen Coats, Finance Director	Pau Hoover, Director of Inspections
Daniel Gerald, W&WR Director	Gregg Jarvies, Interim Police Chief
Ken Metcalf, Recreation Director	Tom Spinks, Planning Director
Robert Thomas, Fire Department Captain	Rhonda Webb, Town Clerk

**2. Invocation.**

Alderman Higgins gave the invocation.

**3. Pledge of Allegiance.**

Mayor Clark 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 and Consent Items.**

The Board approved the agenda and approved the consent items: Minutes of the May 7, 2009 Special Board Meeting, May 11, 2009 Regular Board Meeting, May 18, 2009 Special Board Meeting and Appointments to the Board of Adjustment Committee.

**Action:** The Board approved the agenda and the consent items.

**Motion by:** Alderman Higgins

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

(A copy of the agenda and consent items is hereby incorporated by reference and made

a part of  
these minutes – see attachment one.)

**6. Public Forum**

No one spoke at the public forum.

**7. Public Hearing on Case #P09-24, Amendment Spring Lake Zoning Code Creating Flex Office Use and Amending M-1 District.**

Mayor Clark opened the Public Hearing. Mr. Spinks introduced Case #P09-24 code amendment to create flex office use and amend the M1 planning district to accommodate the Freedom Center required uses. Mr. Brooks, Cumberland County Planning Board stated that the Joint Planning Board recommends 100% approval to the Ordinance amendment to Chapter 156 Zoning Code.

No one spoke at the public hearing.

**Action:** Mayor Clark closed the public hearing on an approved motion to close.

**Motion by:** Mayor Pro Tem O'Garra

**Second by:** Alderwoman Sutherland

**Vote:** Unanimous

**8. New Business**

**a. Case #P09-24, Ordinance Amendment, Chapter 156, Zoning Code.**

Mr. Spinks stated that this amendment would modernize the Code in anticipation of growth and would allow for a variety of light industry and flex offices. Town staff and the Cumberland County Planning Department recommend approval.

**Action:** The Board approved a motion to adopt Ordinance (2009) 11 to amend the Ordinance.

**Motion by:** Alderwoman Sutherland

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

(A copy of the agenda memo, memo from the Cumberland County Joint Planning Board, proposed zoning code amendments and Ordinance (2009) 11 is hereby incorporated by reference and made a part of these minutes – see attachment three.)

**b. Ordinance Amendment, Chapter 51, Resale of Water.**

Mr. Gerald requested that the Board amend Chapter 51, Section 51001 to allow the Town to sell bulk water to another system.

Mayor Pro Tem O'Garra asked if we sell bulk water now and Mr. Gerald stated that we do sell water to a trailer park. The difference in what we want to do as opposed to what we do now is sell to another system and the trailer park is not a system.

Alderman Higgins clarified why we are doing this. He stated that we will receive compensation from bulk water sales. The Town will be providing water to a community

that sorely needs the water because of a failing water system. Compensation is based on progressive mark-up over the base rate paid by the Town per 1000 gallons.

Mr. Faison stated that we currently have a proposed contract to sell bulk water to the owner of Overhills subdivision water system and that will be coming to the Board in June. There is a related issue that we are exploring with Cumberland County Planning staff on and that is Overhills sewage needs. There are increasing numbers of failing septic tanks that are impacting the water system as well. There is a possibility that this will become a bigger relationship than just water but that will be down the road.

Mayor Pro Tem O'Garra requested that this issue be brought back before the Board after the June 8<sup>th</sup> meeting because he will not be at the June 8<sup>th</sup> meeting and would like to be present when this item is voted on.

**Action:** The Board approved a motion to amend Chapter 51, Section 51.001.

**Motion by:** Alderwoman Sutherland

**Second by:** Alderwoman McCoy

**Vote:** Unanimous

(A copy of the agenda memo, current Ordinance with changes noted and Ordinance (2009) 14 is hereby incorporated by reference and made a part of these minutes – see attachment four.)

**c. Budget Amendment.**

Mr. Coats presented Budget Amendment #12 to budget sponsorship money received for spring sports to the line item that funds where they were spent from to offset the supplies that they purchased for their programs.

**Action:** The Board approved a motion to approve the budget amendment in the amount of \$7,035.

**Motion by:** Alderman Higgins

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

(A copy of the agenda memo, memo from Recreation Department and budget amendment #12 is hereby incorporated by reference and made a part of these minutes – see attachment four.)

**9. Board and Staff Comments:**

**Alderwoman McCoy**

- Glad to be here and hope we will continue to have more people come out.

**Alderwoman Sutherland**

- Thanked everyone for coming out.
- Thanked the Appearance Commission for their work. Inquired about yard of the month and would like to see that being done again.

- Senior Center is near and dear to my heart and some classes may cut and I would like to make sure that the seniors have what they need. Would like the Board Members to take that into consideration.
- We have a new Interim Police Chief and we thank the new Chief for what he is doing and we look forward to getting the Police Department back on track. Appreciate that Chief is a people person.
- Would have liked to have been at the last Citizens on the Move meeting. I am always willing to be supportive of something positive. I will be in Hawaii and will not be able to attend the meeting.

**Alderman Hogans**

- Welcomed citizens here tonight and hope you show up more often.
- Good to see John Springer here tonight representing the Chamber.
- Glad to see Chief Jarvies.

**Mayor Pro Tem O'Garra**

- Welcomed the citizens and thanked everyone for coming out.
- Thanked the Town workers.
- The Optimist Club and the Kiwanis Club are considering assisting the Senior Center with some of the classes that they may be losing.

**Mayor Clark**

- Commended staff for putting together such a moving Memorial Day Ceremony.
- Offered Chief Jarvies an opportunity to speak. He stated that it has been a busy and productive first week. It has been a welcoming experience. You have a good core of Police Officers and it has been a trying time and there may be some trying times ahead. I met with all of the employees of the department last week and introduced my philosophy of policing. They are discouraged but they understand the limitations and are willing to stick around to help make the improvements that we need. Appreciates everyone's support.
- Announced another Citizens on the Move meeting for June 4, 2009 at 7:00 p.m.

**10. Adjournment.**

**Action:** There being no further business to come before the Board, the meeting was adjourned at 8:21 p.m.

**Motion:** Alderman Higgins

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

Rhonda D. Webb, CMC  
Town Clerk

**ATTEST:**

**Ethel T. Clark**  
**Mayor**