

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

November 9, 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
Alderman Napoleon Hogans
Alderwoman Nellie McCoy
Alderwoman Fredricka Sutherland

Others Present:

Alderman Elect James Christian
Allen Coats, Interim Town Manager
Daniel Gerald, W&WR Director
Gregg Jarvies, Interim Police Chief
Tina West, Interim Finance Director

Alderwoman Elect Debora Hudson
John Jackson, Town Attorney
Paul Hoover, Director of Inspections
Tom Spinks, Planning Director
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. An amended agenda was placed before each Board Member before the meeting.

5. Approval of Agenda and Consent Items.

The Board approved an amended agenda and approved the consent items: Minutes of the October 12, 2009 and October 26, 2009 Regular Board Meetings.

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

Motion by: Alderman Hogans

Second by: Alderwoman Sutherland

Vote: Unanimous

(A copy of the agenda 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. Presentation

a. Police Officers Swearing In Ceremony.

Chief Jarvies advised that the officers of the Spring Lake Police Department have undergone more vetting and background investigations than other officers undergo in a lifetime. They have been cleared of any allegations and their training is up to date. They are ready to return to the street. The ceremony tonight is not a typical swearing in ceremony; it is a commitment to duty ceremony. This reflects their commitment to the community and their willingness to serve.

Chief Jarvies recognized the families of the officers. He thanked Sergeant Utleby for his hard work during this time. He has been a great second in command.

Mayor Clark administered the oath of commitment to duty to the officers collectively. Officer Johnson was not able to attend the meeting due to a death in his family.

Alderwoman McCoy thanked the officers for their patience and perseverance during this time.

Alderman Hogans stated that Spring Lake is proud of you officers.

Alderwoman Sutherland stated that she too is proud of them. She stated "you don't miss your water til your well runs dry". She stated that they are the finest and she looks forward to them begin on the street.

Alderman Higgins thanked them for their patience through all of this and he stated that he will do everything in his power as an Alderman to support them in all of their needs.

Mayor Pro Tem O'Garra stated that he stands in respect of the officers.

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

b. Police Department Update.

Chief Jarvies advised the Board that the transition plan that was adopted on July 13, 2009 has been completed. He has met his three goals of bringing stability to the department, review and enhance the qualifications of the remaining officers and get the

officers ready to go back on the street.

He stated that in his professional opinion the officers are ready to go back on the street.

He cautioned the Board about putting the officers back on the street without access to the court system. He and the officers never had any doubt that the Board supported the Police

Department. He stated that the officers need to be directed and accountable to one person and that should be the Chief of Police. He urged the Board to allow the new Chief to do his job.

He thanked Town officials and staff for all the help they have given him during his time at Spring Lake.

He stated that he spoke to the "Feds" who will allow us to use the \$40,000 approved for the Byrne Grant to purchase the VIPER radios instead of the needs assessment survey. Montgomery County currently has a contract grant open and we can piggy back on their contract and save money.

Mayor Clark stated that we appreciate your help. Alderwoman Sutherland stated that he has been an outstanding Interim Chief and has done an outstanding job with our officers.

(A copy of the final report is hereby incorporated by reference and made a part of these minutes – see attachment three.)

8. Public Hearing

a. P09-48 Rezoning 2.12 +/- Acres from R6 Residential to C(P) Planned Commercial or to a More Restrictive Zoning District, Located Between North Fifth and North Sixth Streets and on the South Side of Parker Street, Owned by Vivek Tandon.

Mayor Clark opened the public hearing. Mr. Spinks advised that the property is owned by Vivek Tandon and consists of 2.11 acres on the corner of North 5th and Parker Streets. The property is adjacent to Hollandale Church and the Taco Bell that is under construction. The commercial interest in this area is due to the projected roadway projects that call for the signalization and widening of North 4th street. The developers have requested rezoning of the property to C(P) Commercial District.

The Cumberland County Planning Board and Town staff recommends approval.

Mr. Lance King representing Vivek Tandon was present to answer any questions.

No one spoke for or against the rezoning.

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

Motion by: Mayor Pro Tem O'Garra

Second by: Alderman Hogans
Vote: Unanimous

9. New Business

a. Case P09-48 Rezoning.

Mr. Spinks requested that the Board approve the rezoning.

Action: The Board approved a motion to approve Case P09-48.

Motion by: Alderman Higgins
Second by: Alderwoman McCoy
Vote: Unanimous

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

b. Personnel Policy Amendment.

Ms. West stated that the Board adopted an On Call Policy on June 29, 2009. She requested that the policy be incorporated into the Personnel Policy so that like items are in one place.

Action: The Board approved a motion to approve Resolution (2009) 32.
Motion by: Alderman Hogans
Second by: Alderwoman Sutherland
Vote: Unanimous

(A copy of the agenda memo and Resolution (2009) 32 is hereby incorporated by reference and made a part of these minutes – see attachment five.)

c. Budget Amendment BOA2010.9, Public Transportation.

Ms. West stated that the Budget Amendment is for start up costs associated with contracting the public transportation system. This will allow Mr. Hoover to move forward with the project.

Action: The Board approved a motion to approve Budget Amendment 2010.9.
Motion by: Alderwoman Sutherland
Second by: Alderwoman McCoy
Vote: Unanimous

(A copy of the agenda memo and Budget Amendment 2010.9 is hereby incorporated by reference and made a part of these minutes – see attachment six.)

9. Board and Staff Comments :

Alderman Hogans

- Congratulated new members that will be joining the Board. I believe you will make

great additions to the Board and we will be supporting you.

Alderman Sutherland

- Thanked everyone for being here.
- Thanked everyone who voted for her and believed in her.
- Thanked everyone who ran and hope they will stay involved.

Alderman Higgins

- Thanked everyone who came out to support the Police Department and thanked Chief

Jarvis.

Mayor Pro Tem O'Garra

- Thanked everyone for coming out and voting.
- Thanked the Police Department.

Mr. Coats

- Tomorrow is our Veteran's Day Ceremony at 10:00 a.m. at the Veterans Park.

Mr. Jackson

- Thanked the Police for their dedication and perseverance.
- Thanked Chief Jarvis for the work he has done and the credibility he brought to us. It allowed us to move forward.

Alderman McCoy

- Thanked the residents for coming out and supporting us.
- Congratulations to the two new Board members. She wished them luck and hopes it will be a banner year.
- Appreciate being on the Board and appreciate the Board appointing her to help.

Mayor Clark

- Thanked everyone for coming out and supporting the Police Department.
- I look forward to working with Ms. Hudson and Mr. Christian.
- Urged everyone who ran for office to stay involved in the community because we need them.

10. Closed Session.

Action: The Board went into closed session pursuant to G.S. 143-318.11(a)(1) – privileged information, closed session minutes; G.S. 143-318.11(a)(3) – attorney-client privilege; G.S. 143-318.11(a)(6) – personnel at 7:29 p.m.

Motion: Alderman Sutherland

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

The Mayor called the meeting back into Open Session at 8:24 p.m.

Action: The Board approved a motion to hire Mr. Uskiewicz as the next Town Manager at an annual salary of \$83,000 and other benefits and authorize the Mayor to execute the contract upon finalization of terms.

Motion: Alderman Hogans

Second by: Alderwoman Sutherland

Vote: Unanimous

II. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned at 8:26 p.m.

Motion: Alderman Hogans

Second by: Alderman Higgins

Vote: Unanimous

Rhonda D. Webb, MMC
Town Clerk

ATTEST:

Ethel T. Clark
Mayor