

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

September 13, 2010

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 James Christian
Alderman Richard Higgins
Alderwoman Debora Hudson
Alderwoman Fredricka Sutherland

Others Present:

Michael Uskiewicz, Town Manager	John Jackson, Town Attorney
Byron Blumenfeld, Water Resource Manager	Allen Coats, Finance Director
Paul Hoover, Public Utilities Director	Troy McDuffie, Police Chief
Tina West, HR Director	Rhonda Webb, Town Clerk

2. Invocation.

Mayor Pro Tem O'Garra gave the invocation.

3. Pledge of Allegiance.

Mayor Clark led the meeting in the pledge of allegiance.

4. Additions or Deletions to Agenda

Alderwoman Sutherland requested to add a closed session to the agenda pursuant to G.S. 143-318.11(a)(6).

Action: A motion to add a closed session to the agenda failed.

Motion by: Alderwoman Sutherland

Second by: Alderman Christian

Vote: 3-2 Yes

Alderman Christian

Alderwoman Sutherland

No

Mayor Pro Tem O'Garra

Alderman Higgins

Alderwoman Hudson

5. Approval of Agenda.

The Board approved the agenda.

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

Motion by: Mayor Pro Tem O'Garra

Second by: Alderman Higgins

Vote: Unanimous

A discussion about the proper way to voice a motion was held. Mr. Jackson stated that there is not a set rule and that the words "so be it" following the Mayor restating a motion would be generally acceptable so long as it is clear that the person is speaking in the affirmative. Additionally, when it comes to voting the affirmative or negative needs to be clearly voiced because not saying anything constitutes an affirmative vote. Mayor Clark stated that for clarity, from now on, Board members are requested to state the motion or say "I so move."

(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: Minutes of the August 23, 2010 Regular Meeting and August 30, 2010 Special Workshop Meeting.

Action: The Board approved a motion to approve the consent items which are the minutes of the August 23, 2010 Regular Board meeting and the minutes of the August 30, 2010 Special Workshop meeting.

Motion by: Alderman Higgins

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

7. Public Forum

Mr. Steve Sanborn, Sonic Drive-In, Spring Lake, requested permission to install a LED, EMC sign at the Spring Lake Sonic. Mayor Clark advised him to coordinate with the Manager.

8. Presentation

a. Spring Lake Police Vehicles, New Look Presentation.

Mr. Bill Smith from Bill Smith Ford introduced himself and wanted to assure the Board that they believe in service after the sale and to feel free to bring any concerns to his attention. He stated that the new police cars command attention and Bill Smith Ford is proud to be a part of the new police department. He presented the Police Department with a framed picture of the Spring Lake Police Department badge.

b. Spring Lake Transit Operational Update.

Mr. Hoover provided the Board with an update on the Spring Lake Transit System. He advised that ridership is up by nearly 20%. The total cost reduction to the Town to date is \$17,690. In response to Alderman Christian's question, he advised that the bus system will never pay for itself. Mayor Clark requested that Mr. Hoover keep in mind that we need a bus that runs around Spring Lake only and to look for grants.

Mr. Hoover requested direction from the Board on placement of the shelters and the selection of the shelter color and type. He suggested shelter locations at Ruth Street/N. Main Street, Lillington Highway/Samuel Drive, Big Lots Parking Lot and Ruth Street/Morehead Street. These locations are based on where riders get on and off the bus and these locations are where shelters were located before. These locations already have the concrete pads. He recommended purchasing four shelters.

The shelters are 7'6" x 5' poly hip roof with bench. They are vandal resistant. They are slightly smaller than what we had before. He also proposed the aluminum wood grain look in model #3-2 and a trash receptacle at each shelter for a total cost of \$4,830 for each shelter. He currently has sufficient funds in his budget to cover the costs to purchase four shelters.

Action: The Board approved the recommendation of Mr. Hoover as presented.

Motion by: Alderman Higgins

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

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

9. New Business

a. Ordinance Amendment, Minimum Housing Code, Chapter 152.

Ms. Webb advised that the proposed change to the Minimum Housing Ordinance was the requested mandate from the Board of Aldermen that Minimum Housing Appeals Board members must be residents of Spring Lake.

Action: The Board approved a motion to adopt Ordinance (2010) 18.

Motion by: Alderman Higgins

Second by: Alderwoman Sutherland

Vote: Unanimous

(A copy of the agenda memo and Ordinance (2010) 18 is hereby incorporated by reference and made a part of these minutes – see attachment three.)

b. Appointments, Minimum Housing Appeals Board.

Mayor Clark told the Board that in all fairness to all 11 citizens who signed up, she would really like to nominate all 11 persons and then let the Board members vote on them. The person(s) with the highest vote will be appointed to the Appeals Board.

Action: The Board approved a motion to set aside Roberts Rules of Order for the purposes only of appointing members to the Appeals Board.

Motion by: Alderwoman Sutherland

Second by: Alderwoman Hudson

Vote: Unanimous

Action: The Board approved a motion to institute an affirmative vote rule for the purposes of voting in this appointment.

Motion by: Alderman Higgins

Second by: Alderman Christian

Vote: Unanimous

Mayor Clark opened the floor for nominations.

Action: The Board approved a motion to nominate all 11 persons who applied.

Motion by: Alderman Christian

The Mayor asked for any other nominations and none were submitted.

Mayor Clark called the roll and each Board member voted in the following manner.

Mayor Pro Tem O'Garra voted for:

- Garland Hostetter
- Shirlene Edwards
- Nathaniel Fitch
- Bernice Lucas
- Robert Lucas

Alderwoman Hudson voted for:

- Nathaniel Fitch
- Garland Hostetter
- Bernice Lucas
- Regina Xadu
- Chris Rey

Alderman Christian voted for:

- Shirlene Edwards
- Nathaniel Fitch
- Garland Hostetter
- Jimmy Jackson
- Bernice Lucas

Alderwoman Sutherland voted for:

- Larry Dobbins
- Garland Hostetter
- Christopher McLaughlin
- Chris Rey
- Robert Lucas

Alderman Higgins voted for:

- Shirlene Edwards
- Garland Hostetter
- Regina Xadu
- Robert Lucas
- Bernice Lucas

It was determined that the following people received a majority of the votes or more and were appointed to the Appeals Board as regular members:

- Shirlene Edwards
- Nathaniel Fitch

Garland Hostetter
Bernice Lucas
Robert Lucas

The Board then considered nominations for alternate members. It was determined that the remaining persons not nominated would be nominated for alternate members. Mayor Clark then asked if there were any additional nominations and none were submitted. Mayor Clark closed the nominations for alternates.

Alderwoman Hudson voted for:

Chris Rey
Regina Xadu

Alderman Christian voted for:

Christopher McLaughlin
Chris Rey

Alderwoman Sutherland voted for:

Chris Rey
Larry Dobbins

Alderman Higgins voted for:

Jimmy Jackson
Larry Dobbins

Mayor Pro Tem O'Garra voted for:

Chris Rey
Regina Xadu

Chris Rey was appointed by vote to the Appeals Board as an alternate member and a run off between Larry Dobbins and Regina Xadu took place.

Alderman Christian voted for:

Regina Xadu

Alderwoman Sutherland voted for:

Larry Dobbins

Alderman Higgins voted for:

Larry Dobbins

Mayor Pro Tem O'Garra voted for:

Larry Dobbins

Alderwoman Hudson voted for:

Regina Xadu

Larry Dobbins was appointed by vote to the Appeals Board as an alternate member.

c. Case 09-119, Consideration of the Candlewood Suites & IHOP Restaurant.

Mr. Scott presented the site plan and group development for the Candlewood Suites and IHOP Restaurant. He advised that the Cumberland County Planning and Inspections Department as well as the Town's review board recommend approval. Mr. Uskiewicz advised that this is a success story that we are very pleased with. He thanked Mr. Carl Manning for all that he has done to help Spring Lake.

Action: The Board approved a motion to approve Case 09-119 as presented.

Motion by: Alderwoman Hudson

Second by: Alderwoman Sutherland

Vote: Unanimous

(A copy of the agenda memo, the Cumberland County Planning & Inspections Department memo, C(P) site plan and group development sketch, aerial photo and vicinity map is hereby incorporated by reference and made a part of these minutes – see attachment four.)

10. Board and Staff Comments:

Alderman Christian

- I want to thank everyone for coming out.
- I had a High School reunion this weekend that was successful. Some of the audience members' children were there.
- I was real happy to see the new police cars; I really like the new colors.
- I would like to thank Rhonda for all the work that she does and thank Ms. Sutherland for what she said.

Alderwoman Sutherland

- I asked for a closed session because this is not the proper procedure of how I normally conduct myself or conduct the business of the Town. First of all, the reason why I asked for a closed session, again I reiterate that this is not the proper procedure of how I normally conduct myself. I have spoken to the Town Manager several different times, first of all about the phones and asked him to keep someone up there for the phones and he told me that yes madam I will do that and I felt just like he was rushing me off the phone. I was asked to go to him first before I said anything on the Board so I did that. We are still having some situations. I am very disturbed, I have piles of emails and this is not all of them. A 87 year old lady came up and no one was here to assist her, it was stated in the email, and someone came that was applying for a job here, evidentially on an interview, to assist the 87 year old lady because she didn't know which direction to go to because no one was at the front desk. I thought it would be a simple task, I think Mayor Clark has asked, I don't know if any other Board members have asked, because I just feel like it should be a live body sitting there that can service our members and our citizens. I think a lot of our citizens here in this town and I think they should have the best customer service that we can provide, that's number one. Our dress code for the Town of Spring Lake. I don't think it is appropriate for some of our employees to dress the way they dress especially when you first come in this area because the first appearance goes a long way. I think that should be addressed, again I would like to discuss these in closed session but the vote failed. Also, I think the Town needs a fraternization policy. There is some situations that I feel that is not appropriate for the Town. I think that if you

are a leader or in a leadership then you conduct yourself accordingly. Again, I have emails, I don't know if any of the other Board Members are receiving emails, and my head is not in the sand, because again I have seen inappropriate behavior that I think if you are in leadership, it should not be, especially when you have been told. You are walking employees to their vehicles, also walking with the employees; I don't think that if you are in leadership you should do this with the employees. I have witnessed this myself, I won't call any names. Another one, if a Town Manager or anybody that's in a leadership position, we as a Board are a whole, we're a unit, we're a body. If one Board member is contacted then I feel like the whole Board needs to be contacted if there is a situation going on here at Town. Not one Board Member. But the Board Member to conduct himself to go on behalf of the Town to another town to cause a situation to make an embarrassment for the Town stating what is going on with the Board here in the Town of Spring Lake. Are they not understanding as a whole what is going on in their own municipality? I will leave that as it is. I would like to thank Rhonda Webb. Since I've been on this Board for six years she has always been a professional, she has always been efficient at what she does. Any emails that come out from the Town, it represents the Town, any misspelled words, it represents the Town, any grammar that comes out from this Town represents the Town. If any derogatory things that goes on with any Board Members on this Board, since we are a unit, we are a body, it represents the whole Board. Because what people are saying is that the whole Board has their head in the sand. And again, I do not like to be a part of anything that is derogatory and people are saying that I am condoning these things that are going on at the Town. This Town has always, I felt, been respectful. We try to make sure that our employees are taken care of and we try to make sure that our citizens are taken care of. I was elected to do what I am supposed to do, so I try, but I am only one person. But, I am getting kind of sick and tired, when you tell somebody, when you ask them will you please not do this so citizens can stop contacting me, stop calling me about something that is so petty that we as leaders should know not to do. Ethical is the name of the game. That is why we are here and I feel like, as a Board Member, that's what we should try to do, respect one another, respect our citizens and definitely respect our employees.

- I appreciate everyone for coming out.
- I appreciate all these candidates that applied. I wish I could have voted on more.
- I thank you again for listening; I just want you to know how I feel. I would have liked to went into closed session so I could have went more into detail but I will leave it as that.
- Thank you again.
- I would just like to say that three of those items that I spoke on, I'm a witness myself of them so I know they are true.

Alderman Higgins

- First I want to thank the County Commissioners for, I think all five of them voted to give the money to the Town of Spring Lake so IHOP could come here and the motel.
- The Police cars look really good Chief; I think they will make a good impression in the Town. I don't know who selected that scheme but it's right nice.
- I did not move to go into executive session. I think the Board ought to make some kind of policy that if we are going to have an executive session that it be placed on the agenda prior to coming here and the purpose for going into executive session so we can do our homework. I too got the emails that you got. I got a whole packet of it. I opened it up today and there is a whole lot of stuff there. Some kind of silly and some has merit to it. I'm referenced in the email and when you're a public figure, as Harry Truman says, if you can't stand the heat – get out of the kitchen.

I'm here to do the job that I was elected to do but I'm going to do it in a straight forward, honest manner. I am going to weigh situations and I will do what I think is best for the Town. I do see some things that have got to change. I see the Board is getting ruptured and we can not operate for the next year and one-half with a ruptured Board. It has got to change. How that will happen, I guess we will know in the future, and I have talked to other Board members about this. I get calls. The inference in the emails is that a couple of us just sit back and watch everything go by and done care, are not concerned and don't have concerns but that is just not true. I have worked for this Town and in the Town for a lot of years and I do care about this Town. The pity to me is that there are so many good things going on, you can't go very far without seeing a lot of good construction, you see a lot of good things happening and I hope there will be better things happening. I hope we have some better things on Main Street I hope things get good but we are bogged down in minutia, we are bogged down everyday with stuff like this, and that is not what I got elected to do. I did not get elected to manage the Town. I was hired to manage the Town for 20+ years. Now I'm elected to select our Manager and to see that our Manager operates the Town and resources the Town as they should be and I intend to do that. It is unfortunate that we have to do this and out here, we want to go into executive session but it's on the blogs so what are you gonna hide. It is what it is and I for one am concerned and I would suspect that every Board member here is concerned. Some of us approach it a little different than others. We will see what happened.

- I am glad to see all of you here and I'm glad to hear from you, we are always glad to hear from you. Sometimes it's uncomfortable and it upsets you but that is what we get paid for – all those big bucks.
- I would like to have a meeting with people who are supposedly working on the purchase of the land in the Industrial Park. I had one person call me last week, wanting to meet with me, but I did not return his call because I don't represent the Town and I'm not gonna meet with him. I did talk with the Manager because I want to talk with this people to find out what they are doing, find out what their problems are so we know what we are going to do with that piece of property down there. It has been sitting there and they haven't made a move in several months. So whatever you heard there, that was the reason for the special meeting because I want to whole Board to get an opportunity to talk to them and find out what's going on at the industrial Park. Are they going to develop, what's their time table, because if you understand when we adopted our budget and we talked about our Recreation and Parks grant, the sale of that property is pertinent to a lot of things that we want to do. So I would like us to, as soon as possible, either have a workshop with them or an executive session. I will let John determine if we do that out in the open. Mr. Jackson stated that he will review any proposed agenda and make the appropriate determination.

Mayor Pro Tem O'Garra

- Good everyone showed up.
- I really thank the people who put the effort into this Board. I want to point out one person, Ms. Bernice Lucas, I went to ask her about this and when she produced this resume I had no idea the qualifications she has when it comes to this specific area. So, yes it did pay off to look within the Town for personnel.
- Paul, thanks a lot, seems like everything you talked about you got. I trust you but I'm gonna watch you (comment stated in jest.)
- Finance, thanks for the money.
- I have been doing this for about 9 years and I had no idea that my head was in the sand. I don't

understand, I have always figured that we have got a lot of this accomplished. I have seen us build the building across the street, I remember when we first brought the bus system to Town, there are a number of other things that we have accomplished and there is no reason for us to hold our heads down. We are going in the right direction.

- The Optimist Club and Kiwanis Club purchased devices for the kids at WT Brown to help them with their speech. I couldn't believe that something this simple would help them and we were moved. All I can say is we're moving on.
- Once again let me tell you, I love the support when I look out there and see all you people out there.
- We are also trying to get middle school uniforms. We don't need kids coming in there with \$125 tennis shoes on, we need them all to look the same so when the teacher gets up front that's the subject not the outfits.
- Thanks a lot, you all have a good night.

Michael Uskiewicz

- I will start by the fact that I am a little bit older today.
- Some of the things that are being discussed I have concerns about as well and would be more than happy to sit down with any Board member that would like to sit down and talk with me. My office is always open, I will meet you any place, any time you wish to sit down and discuss these. I have seen some of these emails and I have seen the falsehoods in them. I see the character assassinations that are a part of them and that is troubling. Because when you are trying to manage a municipality, there is always going to be that faction of people that don't like you, they want to create a dissention, they want to create an animosity or create issues that are non existent to perpetuate political gain or political activity. Whatever it is. I have done this for many, many years and this has been one of the most petty issues I have ever seen in my life, in my professional career. I'm deplored by some of the things that are being stated and it's one of those things that we have to deal with collectively as a group. Mr. Higgins hit the nail on the head, we are not going to be able to succeed if we continue to be fractioned off because there are such good things happening. I know my Manager's report get critiqued because I don't give a lot of information because there's a lot of information, there's several meeting I had today, people don't want their information out. There's activity, there's events, there's energy but they don't want their information out yet. It's my job to continue to work with them, to help them, to listen, to be able to recruit and retain, and then expand businesses. That's our charge, that's what we're all here to do. And again, I'm here to meet with anyone who wants to speak about these issues. I will be more than happy to and lay them to rest once and for all. I'm fed up with them too because I'm dealing with the Carl Manning's of the world, I'm dealing with the staff here and enjoying what's happening.
- I want to thank the 8 to 10 people who took me out to lunch today. I thank you very much, it was an enjoyable lunch and I appreciate that.
- We will address the issues that were presented and we will make the corrective steps. There have been some issues with the phone that I'm not happy with. I wish we could afford a new phone system. I wish we could afford to take care of some of these issues. But one of the things that people don't see and that needs to be publically stated, is when someone comes to that window and to that front area, everybody's helping. We didn't have anybody interviewing so there was no interviewee handling anybody around. There are people here, this team, this group of people out here, I see them taking care of people in the hallway all the time. So I find some of the information that is being perpetuated is again just a rouse to create animosity, to create conflict, to move us

beyond the cooperative effort that is necessary to continue to perpetuate this community because we are a wonderful community, a good community, a community that is on the move and I am going to continue to promote it to the best of my abilities.

John Jackson

- I just want to thank the Board for their flexibility on adopting the new rules so that you can deal with the committee thing in an affirmative way. That's a good idea and a great way to have a flexible tool like that and I appreciate the Board looking for those types of ideas to present a different view from just voting up or voting down.
- I am just happy to be here.

Mayor Clark

- I want to say that we've got a lot of positive things going on in the Town. I too have received all these emails and stuff but I'm not gonna let it deter me. There's too much good work going on and too much to do to be deterred by negative comments and stuff. I am like Richard, if you got the job, you have to take what comes with it.

II. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned at 8:12 p.m.

Motion: Mayor Pro Tem O'Garra

Second by: Alderman Christian

Vote: Unanimous



Rhonda D. Webb

Rhonda D. Webb, MMC
Town Clerk

ATTEST:

Ethel T. Clark

Ethel T. Clark
Mayor