

Town of Eastover - Town Council Meeting
Tuesday, January 13, 2015 7:00 p.m.
Eastover Community Center
x☐Mayor Charles G. McLaurin, Presiding
Council Members: x☐Lawrence J. Buffaloe, x☐Willie S. Geddie,
x☐Cheryl C. Hudson, x☐Randy P. Lee,
x☐Benny M. Pearce, and x☐Sara E. Piland

MINUTES OF MEETING – January 13, 2015

Mayor Charles G. McLaurin, Council Members Willie Geddie, Sara Piland, Cheryl Hudson, Randy Lee, Lawrence Buffaloe, and Benny Pearce were in attendance at the January 13, 2015, Eastover Town Council Meeting. A quorum was present. Also in attendance were Attorney Neil Yarborough, Mr. Kim Nazarchyk Town Manager, and Ms. Jane Faircloth Town Clerk/Finance Officer. Also in attendance, was Cumberland County Commissioner Glen Adams.

I. Call to Order:

Mayor Charles McLaurin called the January 13, 2015 meeting of the Eastover Town Council to Order at 7:00 p.m., and welcomed all in attendance.

II. Invocation / Pledge of Allegiance:

Council Member Benny Pearce gave the invocation and led in the Pledge of Allegiance.

III. Approval of Agenda:

Mayor McLaurin asked for a motion to approve/disapprove the Agenda as stated.

Council Member Randy Lee made a motion to approve the Agenda as stated. The motion was 2nd by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

IV. Public Comments:

No public speakers.

V. Consent Agenda:

Mayor McLaurin asked for a motion to approve/disapprove the Consent Agenda as stated.

Council Member Sara Piland made a motion to approve the Consent Agenda as so stated. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

VI. Discussion Agenda:

Agenda Item #1:

PUBLIC HEARING CASE P15-03. REVISION AND AMENDMENT TO THE COUNTY ORDINANCE, ARTICLE IV, ENTITLED PERMITTED, CONDITIONAL, AND SPECIAL USES BY AMENDING SECTION 403. USE MATRIX, FOOTNOTE NUMBER 6 AS ADOPTED BY THE TOWN OF EASTOVER AND APPLICABLE ONLY TO THOSE PROPERTIES WITHIN THE EASTOVER CORPORATE LIMITS, BY CLARIFYING THAT RESIDENTIAL DEVELOPMENTS LOCATED ON FIVE ACRES OR LESS WITH A MINIMUM OF TWO EXISTING DWELLINGS CAN BE SUBMITTED FOR CONDITIONAL ZONING APPROVAL AS A ZERO LOT LINE DEVELOPMENT WITHOUT COMPLYING WITH THE PROVISIONS OF ARTICLE VIII, DENSITY DEVELOPMENT-CONDITIONAL ZONING DISTRICT. (EASTOVER)

Mayor McLaurin stated I now **OPEN the Public Hearing** on Case P15-03.

Mayor McLaurin turned the presentation of the Case to Mr. Matt Rooney from the Cumberland County Planning and Inspections Department.

Mr. Rooney briefed the Council on Case P15-03. He stated that the Use Matrix, Footnote 6 as adopted by the Town of Eastover is applicable only to those properties within the Eastover corporate limits. He stated that this clarifies residential that residential developments located on five acres or less with a minimum of two existing dwellings can be submitted for Conditional Zoning as a zero lot line development without complying with provision of Article VIII, Density Development-Conditional Zoning District.

Mr. Rooney stated that developers must preserve open space and rural character. He said that the Cumberland County Joint Planning Board recommends approval of Case No. P15-03. Mr. Rooney also stated that the Planning Board finds that approval of the text amendment in Case No. P15-03 is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan.

Mayor McLaurin asked if there were any discussion or questions on the Case No P15-03 by the Council.

Mayor McLaurin asked for a vote to CLOSE the Public Hearing.

Council Member Sara Piland Made a motion to close the Public Hearing on Case No. P15-03. Council Member Cheryl Hudson 2nd the motion. The vote was unanimous for approval.

Mayor McLaurin asked for a vote to approve or disapprove Case No. P15-03

Council Member Sara Piland made a motion to follow the Planning Board's recommendation and approve Case No. P15-03, incorporating and approving the staff's consistency and reasonableness statements as written in their recommendation. Council Member Randy Lee 2nd the motion. The vote was unanimous for approval.

Agenda Item #2:

CASE NO. 15-001. CONSIDERATION OF THE FAIRVIEW ON ROCK HILL, REQUEST FOR A SUBDIVISION REVIEW, COUNTY SUBDIVISION ORDINANCE; ZONING: R40; TOTAL ACREAGE: 27.24 +/-; LOCATION: 2049 ROCK HILL ROAD (SR 1835). (EASTOVER)

Mayor McLaurin turned the briefing on Case No.15-001 to Mr. Matt Rooney.

Mr. Matt Rooney briefed the Council and stated that the developer is requesting approval of a 17 lot residential subdivision. The proposed lots will meet the minimum 40,000 square feet requirement for the R40 residential zoning district. The subject property has a total of 1,560.00' +/- of road frontage along both sides of SR 1835 (Rock Hill Road). He stated that water will be provided by the Eastover Sanitary District and sewer will be private septic system. The zoning for this property is R40 Residential and is to be called Fairview on Rock Hill. The owner of the property is Broadwell Land Company. Mr. Rooney stated that the property exceeds the minimum acreage, and the staff has approved with the attached conditions.

Mayor McLaurin asked if there are any discussions concerning the Case presented, if not he ask for a motion to approve or disapprove Case No.15-001.

Council Member Lawrence Buffaloe made a motion to approve Case No.15-001 with the conditions stated in the Memorandum from Cumberland County. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

Agenda Item #3:

Update by Mr. Danny Matthews from the Eastover Fire Department.

Mr. Danny Matthews from the Eastover Fire Department gave the Council and update on the new fire rating and other items of interest. He stated that everything in Town is rated a five; anything outside a 5 mile radius is rated 9E. Mr. Matthews stated that they were 2 points from having a 4 rating due to needed training, and the need for 57 more fire hydrants. Hydrants need to be every 1000 feet level.

Agenda Item #4:

Discussion on the fence repair, or replacement at the Eastover Community Center.

Mr. Nazarchyk briefed the Council on Concrete Fences. He stated that the concrete fence is guaranteed for life with no repairs. The cost of the concrete fence is \$12.00 per foot installed and would have a total cost of approximately \$5,000. He stated that the fence is made in the City of Dunn, and he had driven to Dunn to see the fence. The fence comes in different colors. He stated that the posts weigh about 150 pounds, and the rails weigh 125 pounds.

Council Member Randy Lee requested that Mr. Nazarchyk get information on the tensile strength of the concrete. Mr. Nazarchyk stated he would do so.

Council Members Sara Piland and Cheryl Hudson stated they liked the wrought Iron fence.

Mayor McLaurin asked how much funds was left in the Talley Woodland Park Account. Mr. Nazarchyk stated approximately \$500.00.

The Council all agreed that the concrete fence was the better fence to be placed at the Community Building and Talley Woodland Park.

Mayor McLaurin asked for a motion to approve or disapprove the concrete fence.

Council Member Lawrence Buffaloe made a motion for the Town Manager to get more information and for the Town Manager to proceed. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

Agenda Item #5:

Consideration of options for street address for the New Town Hall.

Option #1: 3130 Church Street

Option #2: 2161 Middle Road

Option #3: 4037 School Street

Mayor McLaurin asked the Council to discuss which address would be appropriate for the New Town Hall. Most of the Council members wanted the (Option #2) Middle Road Address, as they stated everyone knows where Middle Road is located. Council Member Willie Geddie stated that he wanted (Option #3) School Street address, as it is consistent with the Community Center address. He stated the Community Center is owned by the Town and is across the street (School Street) from the New Town Hall.

Mayor McLaurin asked for a motion to approve or disapprove the (Option #2) 2161 Middle Road address or the 4037 School Street address.

Council Member Randy Lee made a motion to approve (Option #2) 2161 Middle Road as the address for the New Town Hall. The motion was 2nd by Council Member Lawrence Buffaloe. The vote for the (Option #2) Middle Road address was 6 ayes and 1 nay. Council Members Hudson, Lee, Buffaloe, Pearce, Piland, and Mayor McLaurin voted aye, and Council Member Geddie voted nay. The motion was approved by a majority of votes 6 to 1, to have the New Town Hall address be (Option #2) 2161 Middle Road.

Agenda Item #6:

Consideration of street closure.

Mr. Nazarchyk stated that the Lexington subdivision wants the Town to close a portion of Willowbrae Drive, just past Dunbrook Court next to the canal. Mr. Nazarchyk stated that he does not think this action should be at a cost to the Town.

Town Attorney Mr. Neil Yarborough stated that there may be some soft cost to the Town; however he feels the Lexington Homeowners Association should pay the cost, especially the two individuals that will gain property from this action.

Mr. Yarborough stated that a utility easement may be needed. He stated that the Town must advertise in the Fayetteville Observer four times, and certification to the property owners, sent by certified mail. He said a Public Hearing must be published in

the Fayetteville Observer. If this passes the Public Hearing the property automatically secedes to the property owners involved. It would be split down the middle of the road with each land owner getting an equal portion, with the exception of the area near the creek. That portion would become the property of the Home Owners Association.

Mayor McLaurin asked for a motion to approve /disapprove closing a portion of the street on Willowbrae Drive in the Lexington Subdivision.

Council Member Benny Pearce made a motion for the Town Manager to identify cost, have the Attorney develop the Resolution, and to establish a Public Hearing on this matter. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

VII. RECEIVE MAYOR'S UPDATE.

Mayor McLaurin stated that the Community Watch met last evening. He stated that they are trying to set up a program He said we have 90 days to have the transition completed. The Community Watch meets again on February 9, 2015, and March 9, 2015.

Mayor McLaurin stated that we need a meeting with Chris Frank, Architect for an update on the New Town Hall.

Mayor McLaurin stated that the Mid-Carolina Council of Governments 2015 Annual Meeting will be held January 29, 2015 at the Botanical Garden in Fayetteville, NC. There will be a dinner served, Special Awards presented and drawings for two North Carolina Prints. He stated that he hopes everyone comes to the meeting.

Mayor McLaurin stated that Heritage Day is getting near and hopes the Eastover Civic Club will get their committees together soon.

VIII. RECEIVE TOWN COUNCIL UPDATE.

Council Member Sara Piland stated that the Atlantic Coast Pipeline is coming through Eastover. She stated that Council Members Cheryl Hudson and Randy Lee have seen the route map. She stated that it is going right by Don Price and Grant Singleton's house, and they did not know about it, nor received a letter. She stated that it would be 60 foot wide and you could not put a structure over it, however you can farm over the pipeline. Attorney Yarborough stated that property owners affected, should receive a letter in the mail.