

Town of Eastover - Town Council Meeting
Tuesday, March 10, 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 – March 10, 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 March 10, 2015, Eastover Town Council Meeting. A quorum was present. Also in attendance were Attorney Neil Yarborough, Mr. Robert Haigh Cumberland County Planning & Inspections Department, Mr. Kim Nazarchyk Town Manager, Ms. Jane Faircloth Town Clerk/Finance Officer, and Ms. Tessie Harmon Administrative Assistant. Absent from the meeting was Mr. Matt Rooney from the Cumberland County Planning & Inspections Department.

I. Call to Order:

Mayor Charles McLaurin called the March 10, 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 Sara Piland 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 Lawrence Buffaloe made a motion to approve the Agenda as stated. The motion was 2nd by Council Member Randy Lee. The vote was unanimous for approval.

IV. Public Comments:

None.

V. Consent Agenda:

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

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

VI. Discussion Agenda:

Agenda Item #1:

PUBLIC HEARING: CASE NO. P15-14:

P15-14. REZONING OF 3.44+/- ACRES FROM A1 AGRICULTURAL TO R30 RESIDENTIAL/CZ CONDITIONAL ZONING FOR A ZERO LOT LINE DEVELOPMENT OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED AT 2618, 2632, 2643 AND 2654 BEARD ROAD; SUBMITTED BY LARRY AND BARBARA FERRELL, RICHARD A. AND ELAINE H. MOUNTFORD ET AL (OWNERS) AND GEORGE LOTT, PLS. (EASTOVER 03/10/2015*)

Mayor McLaurin stated that I now **Open the Public Hearing** on Case No. P15-14.

Mr. Robert Haigh from the Cumberland County Planning & Inspections Department briefed the Council on Case No. P15-14. Mr. Haigh stated that the site information is as follows: Frontage & Location: 569.02'+/- on SR 1722 (Beard Road). Depth: 315.43'+/-. The jurisdiction is Eastover. Mr. Haigh stated that the initial zoning is A1. If approved the vacant commercial structure and use will become nonconforming. The surrounding land use is residential including manufactured dwellings. Mr. Haigh stated that there is hydric soil present, and has Eastover Sanitary District water/septic.

Mr. Haigh stated that the staff recommends the board further find that approval of this rezoning is reasonable and in the public interest because the district requested for the subject property meets or exceeds the location criteria of the adopted Land Use Policies Plan. If approved R30 will allow for lot sizes and uses that are consistent with the surrounding area; and public water is available to the subject properties. Mr. Haigh asked the Council if they had any questions concerning the case presented.

Mayor McLaurin asked for further discussion from Council, and there was none.

Mayor McLaurin asked for a motion to **Close** the Public Hearing.

Council Member Cheryl Hudson made a motion to **Close** the Public Hearing. The motion was 2nd by Council Member Randy Lee. The vote was unanimous for approval.

Mayor McLaurin asked for motions for approval or disapproval of Case No. P15-14 showing consistency and reasonableness.

Council Member Sara Piland made a motion to approve Case No. P15-14 for R30 Residential/CZ Conditional Zoning for a zero lot line development district based on the following: (1) R30 will allow for lot sizes and uses that are **consistent** with the surrounding area; and (2) Public water is available to the subject properties.

Council Member Cheryl Hudson 2nd the motion. The vote was unanimous for approval.

Council Member Sara Piland made a motion to the request for rezoning in Case No. P15-14 is consistent with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for “community growth area” at this location, as the proposed district would allow development at 2.2 units per acre and greater than one. Although the requested district is not entirely consistent with the Eastover Area Detailed Land Use Plan, which calls for “one acre residential lots” at this location, the request is **reasonable** because approval will ensure the pre-existing dwellings are conforming for density purposes.

Council Member Cheryl Hudson 2nd the motion. The vote was unanimous for approval.

Agenda Item #2:

CASE NO. 99-101: CONSIDERATION OF THE MICHAEL NORRIS- AUTO SALES; REQUEST FOR A C(P)(CCOD) SITE PLAN & GROUP DEVELOPMENT REVIEW, COUNTY ZONING AND SUBDIVISION ORDINANCES AND EASTOVER SUPPLEMENTAL AMENDMENTS; ZONING: C(P)(CCOD); TOTAL ACREAGE: 2.74 +/-; LOCATION: 3741 DUNN ROAD (US HWY 301). (EASTOVER).

Mayor McLaurin stated that Mr. Robert Haigh will brief the Council on Case No. 99-101.

Mr. Haigh stated that the developer is requesting approval of an addition of a motor vehicle sales lot & office within a portion of the existing flooring store building. He said this is a group development of a grocery store and retails sales within the existing structures. The site also includes several storage buildings. He stated that the property has 540.00'feet +/- of road frontage along SR 1728 (Middle Road) and 380.0' feet +/- of road frontage along US HWY 301 (Dunn Road). Water and sewer will be provided by the Eastover Sanitary District.

Mayor McLaurin asked for discussion among Council.

All Council Members were in agreement that the owners are in compliance (CP) in the Core Overlay District.

Mayor McLaurin stated since there is no further discussion by Council. Mayor McLaurin asked for a motion to approve or disapprove Case No. 99-101.

Council Member Cheryl Hudson made a motion to approve Case No. 99-101 with the conditions stated by the Planning Board. Council Member Randy Lee 2nd the motion. The vote was unanimous for approval.

Agenda Item #3:

PUBLIC HEARING: CONSIDERATION OF THE UNITED STATES DEPARTMENT OF AGRICULTURE (USDA) LOAN PROPOSAL. PRESENTATION BY MR. LARRY SAMPSON.

Mayor McLaurin **Opened** the Public Hearing on the USDA Loan Proposal.

Mr. Larry Sampson from USDA briefed the Council on the Loan Proposal for the new Eastover Town Hall. He stated that USDA has offered \$1,623,000 loan amount. The term will be 40 years (480) months at a percentage rate of 3.75%, and will be lower at approval or closing date. He stated that the loan commitment expires March 10, 2017. The monthly amortization for a 40 years period with required monthly or quarterly automatic draft. Mr. Sampson stated that the Town will be required to establish a reserve account with monthly deposit of 10% of monthly payment amount until a balance equal to one year's payment of principal and interest is achieved. Mr. Sampson also stated that the Town can make additional principal payments if you wish.

Mayor McLaurin asked if there were any discussion among Council. Council Member Sara Piland asked what the estimated cost will be. Mr. Sampson replied 2.2 Million to 3.0 Million.

Mayor McLaurin asked for a motion to **close the Public Hearing** on the USDA Loan Proposal.

Council Member Benny Pearce made a motion to close the Public Hearing. The motion was 2nd by Council Member Sara Piland. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to approve or disapprove the USDA Loan Proposal.

Council Member Sara Piland made a motion to **approve** the USDA Loan Proposal at \$1,623,000 for a 40 year term, at 3.75% interest rate. Council Member Cheryl Hudson 2nd the motion. The vote was unanimous for approval.

Agenda Item #4:

PUBLIC HEARING: CLOSURE OF PORTION OF WILLOWBRAE DRIVE IN THE LEXINGTON SUBDIVISION.

Mayor McLaurin **Opened** the Public Hearing on the closure of a portion of Willowbrae Drive in the Lexington Subdivision.

Mr. Kim Nazarchyk stated that the Homeowners Association of the Lexington Subdivision has made an Escrow payment to the Town of Eastover in the amount of \$1000 to cover the expenses such as advertisements, signs, attorney fee, etc. The property in question will be split between the two homeowners, therefore closing the end of Willowbrae Drive. The Town Attorney will prepare the legal work to separate the partial of street for the two individuals.

Mayor McLaurin asked if there were any discussion by Council.

Mayor McLaurin asked for a motion to **Close the Public Hearing** on the partial closure of Willowbrae Drive in the Lexington Subdivision.

Council Member Cheryl Hudson made a motion to **close** the Public Hearing. The motion was 2nd by Council Member Benny Pearce. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to **approve or disapprove** the partial closure of Willowbrae Drive in the Lexington Subdivision.

Council Member Lawrence Buffaloe made a motion to **approve** the partial closure of Willowbrae Drive in the Lexington Subdivision. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

VII. RECEIVE MAYOR'S UPDATE.

Mayor McLaurin stated that there will be a meeting on March 11, 2015 at 8:30 a.m. at the Eastover Town Hall with Mr. Michael Gibson, Mr. Kenny Fulcher, Mr. Henry Bowden, and Mr. Trei Williams concerning the Eastover Ball Park.

Mayor McLaurin stated someone cut donuts with a vehicle on the property where the Eastover Town Hall will be built. This caused a lot of damage and also damaged some of the surrounding property as well.

VIII. RECEIVE TOWN COUNCIL UPDATE.

Council Member Sara Piland stated that she would like to see our Deputy at the Soccer Field and Walking Trail during certain hours, as it is isolated. She said several people had mentioned it to her.

Council Member Sara Piland stated that she wants to end being on the FAMPO Board and would like to recommend Council Member Cheryl Hudson to take her place on this Board.

Mayor McLaurin asked for a motion to approve or disapprove Council Member Hudson serving on the FAMPO Board.

Council Member Lawrence Buffaloe made a motion to approve the appointment of Council Member Cheryl Hudson to the FAMPO Board. The motion was 2nd by Benny Pearce. The vote was unanimous for approval.

Council Member Cheryl Hudson stated that the Town needs to provide a tent 20x30 for Historical artifacts for Heritage Day. The Town has paid a portion of this each year. The Town's cost will be \$219.35 for the tent. Mr. Willie Geddie and Mr. Andy Smith will man the Artifacts Tent on Heritage Day.

Council Member Hudson stated that we also we need three Deputies, portable toilets, and hand-washing stations for Heritage Day.

Council Member Sara Piland made a motion to authorize the Town Manager to pay these expenses for the Town's Heritage Day. Council Member Randy Lee 2nd the motion. The vote was unanimous for approval.

Council Member Cheryl Hudson asked if Solar Panels could be installed in the new Town Hall Building. She asked Mr. Nazarchyk if the Architect was too far along in planning for this to be added. Mr. Nazarchyk stated that it was not. Council Member Sara Piland stated that she wanted Architect Chris Frank to help us stay green.

Council Member Cheryl Hudson asked the Town Manager to talk with the representative from Sustainable Hills to determine if the Eastover Community Center Building would be an adequate location for their Produce Distribution Program.

IX. RECEIVE TOWN MANAGER'S UPDATE.

Mr. Nazarchyk stated that he had talked with two individuals that have owned concrete fences. He was told by both individuals that they may not last. Each individual recommended a vinyl fence, as theirs still looks good after 18 years. Council Member Piland said she still liked the wrought iron fence but would be happy with the vinyl fence.

Mr. Nazarchyk stated that on Thursday, March 12, 2015 at 3 p.m. on Planning and Budget meeting will be held at the Community Center.

Mr. Nazarchyk stated that 17 speakers signed up to speak at the Coastal Pipe Line Meeting held on Monday, March 9, 2015 at the Pine Forest Senior High School. He stated that several people are concerned about leakage from the pipe line that will affect our ground water.

Mr. Nazarchyk stated that there will be a meeting with the engineer from Raleigh concerning the Flea Hill Drainage.

Mr. Nazarchyk stated that the State Railroad Proposal's plan is to not come through Fayetteville. Council Member Sara Piland requested that the Town Manager prepare a letter or Resolution and have the State reconsider and have the State Rail System come through Fayetteville.

Council Member Sara Piland made a motion to have a letter or Resolution sent to the State for reconsideration. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

Mr. Harold M. Brady, NC Department of Environmental & Natural Resources (NCDENR), Raleigh, NC in late January 2015

Mr. Nazarchyk stated that a Resolution was sent to Mr. Harold M. Brady, NC Department of Environmental & Natural Resources (NCDENR), Raleigh, NC in late January 2015. The Resolution was in opposition of the transfer of water from the Cape Fear River into the Neuse River, instead of returning the water to the Cape Fear River.

X. CONSIDER A MOTION TO ADJOURN.

Mayor McLaurin asked for a motion to adjourn.

Council Member Cheryl Hudson made a motion to adjourn at 7:55 p.m. The motion was 2nd by Council Member Benny Pearce. The vote was unanimous for approval.

Town of Eastover

Charles G. McLaurin, Mayor

Attest: _____, Town Clerk
Jane F. Faircloth