

Town of Eastover - Town Council Meeting
Tuesday, May 12, 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, Randy P. Lee,
x Benny M. Pearce and Sara E. Piland

MINUTES OF MEETING – May 12, 2015

Mayor Charles G. McLaurin, Council Members Willie Geddie, Cheryl Hudson, Lawrence Buffaloe, and Benny Pearce were in attendance at the May 12, 2015, Eastover Town Council Meeting. A quorum was present. Also in attendance were Attorney Neil Yarborough, Mr. Kim Nazarchyk Town Manager, Mr. Matt Rooney from the Cumberland County Planning & Inspections Department, Ms. Jane Faircloth Town Clerk/Finance Officer, and Ms. Tessie Harmon Administrative Assistant. Absent from the meeting were Randy P. Lee and Sara E. Piland, however, they did submit a written waiver of notice prior to the meeting.

I. Call to Order:

Mayor Charles McLaurin called the May 12, 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 Lawrence Buffaloe 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 Cheryl Hudson made a motion to approve the Agenda as stated. The motion was 2nd by Council Member Willie Geddie. 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 Lawrence Buffaloe. The vote was unanimous for approval.

VI. Discussion Agenda:

Agenda Item #1:

PUBLIC HEARING: CASE NO. P15-24: REZONING OF 6.97+/- ACRES FROM C(P) PLANNED COMMERCIAL AND A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL/CZ CONDITIONAL ZONING FOR A HOTEL, RESTAURANT, CONVENIENCE RETAIL WITH GASOLINE SALES AND BILLBOARD OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTHWEST SIDE OF SR 1863 (PEMBROKE LANE), WEST OF SR 1828 (JAMES DAIL ROAD); SUBMITTED BY ANTHONY PEREZ ON BEHALF OF MID-STATE PETROLEUM, INC., NIRAV MODI AND MICHAEL W. COLLIER (OWNERS) AND P. SINGH SANDHU. (EASTOVER)

Mayor McLaurin stated that I now **Open** the Public Hearing.

Mayor McLaurin turned the Case No. P15-24 over to Mr. Matt Rooney for briefing.

Mr. Matt Rooney, from the Cumberland County Planning & Inspections Department briefed the Council with facts regarding Case No. P15-24. This property is located on SR 1863 (Pembroke Lane) on the I-295 Interchange. The site plan is for three (3) buildings, including a restaurant, hotel and convenience retail with gasoline sales. Current use is vacant woodlands initially zoned C(P) December 4, 2007. Surrounding land use is residential, including manufactured dwellings. Water/sewer availability by Eastover Sanitary District. Soil limitations include Hydric soils.

The Planning and Inspections Staff recommends the Board approve Case No. P15-24 for the C(P) Planned Commercial/CZ Conditional Zoning district based on the location and character of the requested district. The developer demonstrated that cautionary measures are to be implemented related to storm water concerns and wetland protection, and has been instrumental in the NC Department of Transportation's cleaning/clearing of the ditches so that the water will not back up and pond in this area.

In addition, the Planning and Inspections Staff recommends the board find that approval of the request for rezoning in Case No. P15-24 is consistent with the adopted comprehensive plan designated as the *2030 Growth Vision Plan*, which calls for "Community growth area" at this location as approval would provide lodging, food and fuel at a major exchange and in close

proximity to I-95. The request is consistent with the Eastover Area Detailed Land Use Plan which calls for “activity node” at this location.

The staff recommends the Council approve this rezoning request as it is reasonable and in the public interest because the district requested for the subject property meets the location criteria of the adopted Land Use Policies Plan.

Mayor McLaurin asked the Clerk if anyone signed up to speak for or against Case No. P15-24. The Clerk replied yes, we have two speakers for this case.

Speakers For: Mr. John Cantey, 310 Bullard Street, Lumberton, NC signed up to speak for Case No. P15-24. Mr. Cantey, a Council Member from the City of Lumberton, read a letter from the City Manager promoting Mr. Sandhu’s good reputation with them.

Mr. Singh Sandhu, 3005 W. 5th Street, Fayetteville, NC, presented before the Council to introduce himself, and his family. He briefly described what his intentions are in regards to this property.

Speakers Against: None.

Rebuttals: None.

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 Lawrence Buffaloe. The vote was unanimous for approval.

Mayor McLaurin asked for motions for approval or disapproval of Case No. P15-24 showing consistency and reasonableness.

Council Member Lawrence Buffaloe made a motion to approve Case No. P15-24 for rezoning, incorporating and approving the Planning Board’s consistency and reasonableness statements as written in their recommendation.

The motion was 2nd by Council Member Benny Pearce. The vote was unanimous for approval.

Agenda Item #2:

Presentation of Fiscal Year 2016 Budget (July 1, 2015 through June 30, 2016).

Mr. Kim Nazarchyk presented the Fiscal Year 2016 Budget to the Town Council. He states that the proposed budget is \$1,618,625 and that it is balanced as required by State Law.

This is approximately \$153,000 more than the previous year's budget. He state a total of \$85,000 is for the Capital Reserve account as required by ordinance as the Council passed.

He states that there is an expected increase in the Ad Valorem & Sales Tax collection. For that, there will be a 2% cost of living increase for Mr. Nail and Mr. West. Mrs. Harmon will receive a salary adjustment in August at the end of her 6-month period. The Council will discuss any consideration for the Town Manager and Town Clerk.

Professional Services funding for expected work for partial renovation of Community Building and engineer work on storm water. Funding for renovation anticipated to not exceed \$125,000. He states that 7% will be appropriated toward Reserves. Zoning, police and street funding will remain flat. Fire, Parks and Recreation will be funded by Ad Valorem taxes.

Mr. Nazarchyk asked the Council to consider scheduling a Public Hearing at the June meeting so that the budget becomes an official presentation, and the public will have the opportunity to comment on it.

Mayor McLaurin asked for discussion among Council.

Mayor McLaurin stated since there is no further discussion by Council, I ask for a motion to approve scheduling a Public Hearing for next month's meeting, June 2015 for further discussion and approval of Fiscal Year 1 July-30 June 2016 Budget.

Council Member Cheryl Hudson made a motion to approve with the conditions stated by the Council. The motion was 2nd by Council Member Willie Geddie. The vote was unanimous for approval.

Agenda Item #3:

Discussion on Contract with the Cumberland County Sheriff's Office for the period July 1, 2015 through June 30, 2016 (FY2016).

Mr. Kim Nazarchyk briefed the Council about the upcoming Contract with the Cumberland County Sheriff's Office for the new fiscal year. This Contract is for the services of Deputy Dave Ables who is scheduled Monday-Friday from 8:00 a.m. until 5:00 p.m. This Contract included an increase of \$1,000 from the previous fiscal year. Mr. Nazarchyk asked the Council to approve the Contract with the Cumberland County Sheriff Office for fiscal year 2016.

Mayor McLaurin asked for discussion among Council.

Mayor McLaurin stated since there is no further discussion by Council, I now ask for a motion to approve or disapprove the Contract with the Cumberland County Sheriff's Office.

Council Member Cheryl Hudson made a motion to approve the Contract with the Cumberland County Sheriff's Office. Council Member Willie Geddie 2nd the motion. The vote was unanimous for approval.

Agenda Item #4:

Discussion of Warning System for Eastover Ball Park.

Mr. Kim Nazarchyk briefed the Council on a proposal for a Warning System for the Eastover Ball Park. This system was previously mentioned in an April work session. The siren can be activated locally by the Eastover Fire Department, or by the Cumberland County Emergency Management Service. Purchase of the siren and box for activation would cost approximately \$2,800 including installation. Mr. Fulcher would be installing the system at the Eastover Ball Park.

Lawrence Buffaloe asked if anyone else in Cumberland County uses this system.

Mr. Nazarchyk responded that he was unsure about Cumberland County, but the Fire Department had looked into this system and it meets all specifications. Mr. Nazarchyk called the manufacturer of the siren, and a salesperson told him that the siren is used at most recreational parks.

Mayor McLaurin asked what the range of the siren was. Mr. Danny Matthews from the Eastover Fire Department stated the range was approximately one mile, and Mr. Nazarchyk added 117 decibels per 10 feet.

Mr. Nazarchyk stated that the main concern at this point is how high to install the siren so that it doesn't harm anyone's hearing. Manufacturer recommends that siren be installed at least 20 feet up. Current plan is to have siren mounted on top of the current concession stand.

Lawrence Buffaloe asked if the Ball Park Committee is aware of the plans for the Warning System installation. Mr. Nazarchyk responded yes, they are aware.

Mayor McLaurin asked if no further discussion by Council, I now ask for a motion to approve or disapprove the installation of a Warning System at the Eastover Ball Park.

Council Member Lawrence Buffaloe made a motion to approve a Warning System as so stated. The motion was 2nd by Council Member Benny Pearce. The vote was unanimous for approval.

Agenda Item #5:

Discussion on the fence.

Kim Nazarchyk, Town Manager briefed the Council about a fence to go around the Community Center and Park. Mr. Nazarchyk and Mayor McLaurin went to Dunn, to look at two different types of fences. The first fence is vinyl and costs approximately \$4,500 for white; \$5,200 for tan; or \$9,000 for black, for 487 feet of fencing. The second fence is black aluminum and costs approximately \$12,285. Both are great choices as far as longevity, strength and maintenance.

Council Member Cheryl Hudson asked if the Civic Club will help with the cost of the installation of the fence.

Mr. Nazarchyk answered that he has not asked the Civic Club yet. He wants a more definite figure, prior to approaching them.

Mayor McLaurin and Council Member Cheryl Hudson both agree that the Town should consider a black fence in lieu of the white fence in regards to maintenance and appearance.

Council Member Benny Pearce stated that he has concerns with a vinyl fence holding up under ultra violet rays from the sun.

Council Member Lawrence Buffaloe states that he is pleased with an aluminum fence that he has had for five years.

Mayor McLaurin stated since there is no further discussion by Council, I ask for a motion to approve or disapprove a new black aluminum fence.

Council Member Benny Pearce made a motion to approve a new, black aluminum fence as so stated. The motion was 2nd by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

VII. RECEIVE MAYOR’S UPDATE.

Mayor McLaurin stated Heritage Day made an approximate \$8,000 profit.

Mayor McLaurin stated the Town has signed the legal documents for the Eastover Ball Park at Attorney Yarborough’s office.

Mayor McLaurin stated all land corners have been installed with concrete markers.

Mayor McLaurin stated that Council Member Randy Lee will be going to Chapel Hill on Thursday, May 28 for a lung biopsy.

VIII. RECEIVE TOWN COUNCIL UPDATE.

None.

IX. RECEIVE TOWN MANAGER’S UPDATE.

None.

X. CONSIDER A MOTION TO ADJOURN.

Mayor McLaurin asked for a motion to **adjourn**.

Council Member Cheryl Hudson made a motion to **adjourn** at 7:42 p.m. The motion was 2nd by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

Tessie Harmon, Admin Assistant

Town of Eastover

Charles G. McLaurin, Mayor

Attest: _____, **Town Clerk**
Jane F. Faircloth