

**Town of Eastover - Town Council Meeting  
Tuesday, December 1, 2009, 7:00 p.m.  
Eastover Community Center**

**Mayor Charles G. McLaurin, Presiding Council Members: Lawrence Buffaloe, Willie Geddie, Cheryl Hudson, Donald Hudson, Benny Pearce, and Sara Piland**

**MINUTES OF MEETING – December 1, 2009**

Mayor Charles G. McLaurin, Council Members Lawrence Buffaloe, Donald Hudson, Sara Piland, Willie Geddie, Cheryl Hudson, and Benny Pearce were in attendance at the December 1, 2009 Eastover Town Council Meeting. A quorum was present at the Town Council Meeting. Also in attendance was Mr. Matt Rooney from the Cumberland County Joint Planning & Inspections Department, Mr. Thomas Taylor, Interim Town Manager, and Ms. Jane Faircloth, Town Clerk. Mr. John Jackson, Town Attorney was absent from the meeting.

**I. Call to Order:**

Mayor Charles McLaurin called the December 1, 2009 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 Donald Hudson gave the invocation and led the attendees in The Pledge of Allegiance.

**III. OATH of Office.**

Mr. Lee Warren, Cumberland County Register of Deeds gave the Oath of Office to Mayor Charles G. McLaurin in accordance with North Carolina Constitution, Article VI, Section 7.

Mr. Lee Warren, Cumberland County Register of Deeds gave the Oath of Office to Council Members Benny Pearce, Lawrence Buffaloe and Donald Hudson simultaneously, in accordance with North Carolina Constitution, Article VI, Section 7.

Mr. Lee Warren stated that he was honored to be asked to swear in the Mayor and Council Members for the Town of Eastover. Mayor McLaurin thanked Mr. Warren for his time and service to the Town of Eastover.

**IV. Approval of Agenda:**

Council Member Benny Pearce made a motion that the Agenda be approved with amendments as stated hereto; move Item No. XI "Closed Session" to Item No. IX "Appointment of Town Manager" and it be in "Open Session"; and add tabled item to the Discussion Agenda Item no. 5. "Employee's Christmas Bonus". The motion was 2<sup>nd</sup> by Council Member Lawrence Buffaloe. The motion was carried unanimously.

## **V. Public Comments:**

There was one public announcement. Mr. Morgan Johnson, Chairman of the Eastover Sanitary District gave an update on the water projects. He stated that the ESD water projects went out for bid on November 28, 2009 and should be breaking ground March 10, 2010 and bid opening will begin in January 2010. He stated that the costs are approximately \$7 Million.

Mr. Johnson stated that the bridge (#B4492) on Dunn Road at the entrance of Rock Hill Road is going to be replaced by DOT, but he does not have a time line.

Mayor McLaurin recognized and welcomed two new members to the "Citizens Advisory Committee". They are Ms. Ruby Underwood and Mr. Henry Tew. Ms. Underwood and Mr. Tew each gave a brief summary of themselves to the Town Council.

## **V. Consent Agenda:**

1. Consider approval of the October 6 2009 Town Council Minutes.
2. Consider approval of the September 30, 2009 Financial Report.

Council Member Sara Piland made a motion to approve the Consent Agenda as stated. The motion was 2<sup>nd</sup> by Council Member Cheryl Hudson. The motion was carried unanimously.

## **VI. Discussion Agenda:**

### **Agenda Item #1:**

#### **Presentation by Mr. Jay Barr concerning a walking-trail at Eastover Ball Park.**

Mr. Jay Barr, Vice President of the Eastover Ballpark Association gave a briefing to the Town Council on the need and request from citizens for a "walking trail" at the ballpark. Mr. Barr gave a summary of what the walking trail would look like, and how it would be designed near the new soccer field and in between the two ball fields. Mr. Barr stated that the Eastover Ballpark Association does not have the funds to build the walking trail and is requesting assistance from the Town of Eastover to help with the funding. Mr. Barr stated that they hope to have the walking trail completed before "Heritage Day" if they can get the funds. The walking trail will be made of asphalt, 6 feet wide and will be for walking only, no vehicles. The Ballpark Association would be responsible for the upkeep of the walking trail, not the Recreation Department.

Mayor McLaurin stated that the Eastover Civic Association was considering contributing to the walking trail also. Council Member Sara Piland stated that on December 3, 2009 the Eastover Civic Club will take some action on this issue. Council Member Piland asked Mr. Barr when they would need the funds and how much. Mr. Barr stated that the Eastover Ballpark Association would be managing and handling these funds. Mr. Barr stated they will get three bids for the work and they have determined it will cost approximately \$27,000. Mr. Taylor, Interim Town Manager stated that the funds would not be released, or a portion thereof until the work is done.

The Town Council made the decision that the Town would grant conditional funds in the amount of \$20,000 to the Eastover Ballpark Association on the condition that 100% of these funds are to be used by the Association in constructing a walking trail at the Eastover Ballpark.

The Town of Eastover further conditions that the "walking trail" would be for use by the general public during the periods of time the trail is open for use.

The Town of Eastover requires that records will be provided to the Town of Eastover, as proof that all funds were expended for "public purpose" and all of the public/citizens of the Town of Eastover have/will be benefited.

Council Member Sara Piland made a motion that the Town of Eastover commit, not to exceed \$20,000 for the construction of a walking trail at the Eastover Ballpark, and that a proposal be presented to the Town from the Eastover Ballpark Association. The motion was 2<sup>nd</sup> by Council Member Donald Hudson. The motion was carried unanimously.

### **Agenda Item #2:**

**Site Plan Review – Case No. 09-118 Consideration of the Eastover Drug Store, C(P) Site Plan Review – County Zoning Ordinance: Zoning: (C(P); Acreage: 0/46 +/-; Location: At the Southwest Quadrant of US HWY 301 (Dunn Road) and SR 2996 (Church Street), South of SR 1728 (Middle Road) (Eastover).**

Mr. Matt Rooney from the Cumberland County Planning & Inspections Department briefed the Town Council on Case No. 09-118. Mr. Rooney stated that the developer is requesting approval of a site plan for a proposed drug store. He stated that the property has 129.80 feet of road frontage along US HWY 301 (Dunn Road) and 155.10 feet of road frontage along SR 1731 (Church Street). This development will have a cross parking, loading zoning and dumpster agreement with the adjacent property (medical office building) in order to meet the minimum design regulations for this site. Mr. Rooney stated that six parking spaces will be used from the adjacent property to satisfy this development's off-street parking and the dumpster location, but will not reduce the number of required parking spaces needed for medical office site. Mr. Rooney stated that this property will be served by the Eastover Sanitary District for the water and sewer needs. He stated that the closest fire hydrant is located about 810 feet from the property, which will require the developer to install a fire hydrant within 500 feet of this lot.

Mr. Rooney stated that a corrected conditions sheet is in your agenda book. The only changes made to the condition sheet are that the sidewalk on Church Street is no longer required. He stated that the original condition sheet required a sidewalk on Dunn Road and on Church Street. Mr. Rooney stated that signs would have to meet standards as currently stated for C(P). Mr. Rooney stated that the staff recommended approval of Case No. 09-118.

Mr. Chuck Furr, developer stated that the sign would be on the building and in keeping with the school building/medical facility. The new building will have dormers on it and would be first class.

Council Member Cheryl Hudson made a motion to approve Case No. 09-118 as stated on the corrected condition sheet. The motion was 2<sup>nd</sup> by Council Member Lawrence Buffaloe. The motion was carried unanimously.

**Agenda Item #3:**

**Presentation by Mr. Matt Rooney and Mr. Thomas Taylor concerning the development plan for commercial district.**

Mr. Matt Rooney from the Cumberland County Planning & Inspections Department gave a presentation concerning the proposed development plan for a commercial district. Mr. Rooney stated that they will be looking at six pieces of the zoning ordinances. He stated that landscaping would be another item. He stated that the Dunn Road area that is considered to be commercial has many types of zoning, as there is residential and commercial in this area. He stated that there are four zoning ordinances they are looking at, and they are Office Institutional District C(1); Planned Commercial District C(1); Planned Commercial District C(2); and Commercial District C(P). He said we are also looking at signs and use of zoning district. We discussed no new districts and to concentrate on what we have. Mr. Rooney stated C(2)P can have no bars or nightclubs. Mr Rooney stated the Council could create a new district that is not in the current ordinances. He stated that this needs more work put into it. He stated that we need to concentrate on the ordinances we have and or create a new ordinance. Mr. Rooney stated that a new zoning could be a "Central Business District" zoning.

Council Member Sara Piland stated that property owners along the proposed business district must be involved. She stated that we need to have a session of homeowners in the downtown district. She said we could send letters to individuals in the central downtown district. Council Member Piland stated that perhaps after Christmas we could get the group together to discuss with the homeowners and get their response and opinion. Council Member Piland stated we would like the Commercial District to be C(2)P not CP, and we need the property owners to consider this. Mr. Rooney stated that he would put more work into this and see what is already out there in this area. Council Member Piland stated that we could send a formal letter to these property owners and meet in January 2010 to discuss. Council Member Buffaloe stated that he did not think the Council would be ready for a meeting with property owners in January. Mr. Rooney stated that he would give another status report to the Town Council in January

**Agenda Item #4:**

**Consider donation for Professorship in honor of Distinguished Professor David M. Lawrence, UNC School of Government.**

The Council Members discussed making a monetary donation and the final decision was that since none of the Town Council knew Professor Lawrence they would send a written thank you.

Council Member Lawrence Buffaloe made a motion to send a written thank you to the UNC School of Government to thank Professor David M. Lawrence for his years of service. The motion was 2<sup>nd</sup> by Council Member Benny Pearce. The motion was carried unanimously.

**Agenda Item #5:**

**Consider Christmas Bonus for Town employees.**

Council Member Cheryl Hudson made a motion to give the same amount to the Town Employees that was given last year and to include Mr. Daniel West, as he was not a town employee last year. Council Member Benny Pearce 2<sup>nd</sup> the motion. The motion was carried unanimously.

**VIII. Election of Mayor Pro-Tem.**

Council Member Lawrence Buffaloe made a motion to appoint Council Member Sara Piland as Mayor Pro-Tem. The Motion was 2<sup>nd</sup> by Council Member Willie Geddie. The motion was carried unanimously.

Mayor McLaurin asked Council Member Sara Piland if she accepted the appointment, and she replied yes.

**IX. Appointment of Town Manager.**

Mayor Charles McLaurin requested a motion to appoint the new Town Manager, Mr. Kim Nazarchyk. Council Member Sara Piland made a motion to appoint Mr. Nazarchyk as Eastover's Town Manager. The motion was 2<sup>nd</sup> by Council Member Cheryl Hudson. The motion was carried unanimously.

Mayor McLaurin asked Mr. Nazarchyk if he accepted the position, and Mr. Nazarchyk replied yes.

**X. Receive Mayors Update:**

Mayor McLaurin stated that Rhodes Pond Is going to be a recreation pond. He stated that it will have fishing, canoeing and picnic area for citizens to enjoy. Mr. Lee Warren stated that this will definitely be a plus for the area.

Mayor McLaurin informed the Town Council that on February 5, 2010, Eastover will host the Mayor's Collation Meeting. It will be held at the Eastover Community Center.

Mayor McLaurin informed the Town Council that Ethics Training will be held in March, 2010 in Cumberland County. He stated he will have further information at a later date.

Mayor McLaurin informed the Town Council and the "Citizens Advisory Committee" that he wants to have a Town flag. He stated he has some ideals, but wants input from the Town Council and the Citizens Advisory Committee.

Mayor informed everyone in attendance that a reception would follow the Town Council Meeting and asked everyone to stay and enjoy the refreshments.

**XI. Receive Council Members Updates:**

There were no updates by the Council Members.

**XII. Receive Town Managers Update:**

Mr. Taylor informed the Council that they had until 2011 to get their Ethics Training.

Mr. Taylor informed the Town Council that the training for "Essential of Government" will be held in Wilmington, NC, January 13-14, 2010. He stated that the Mayor, all Council Members and Mr. Nazarchyk are registered to attend and lodging arrangements are being finalized.

Mr. Taylor informed the Town Council that they must approve the Ordinance from the Department of Transportation, setting the speed limits or all roads will become 35 MPH. Mr. Taylor gave each Council Member a copy of the Ordinance for their review. He stated that it will be on the Agenda for January 5, 2010 for consideration of approval.

Mr. Taylor stated that the Architect Contract for the design of the new Town Hall building will be in your agenda books for the January 5, 2010 meeting, for agreement by the Town and the Architect.

**XIII. Consider a motion to adjourn.**

Council Member Benny Pearce made a motion to adjourn the meeting at 8:38 p.m. The motion was 2<sup>nd</sup> by Council Member Lawrence Buffaloe. The vote was unanimous.

**Town of Eastover**

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**Charles G. McLaurin, Mayor**

**Attest:** \_\_\_\_\_, **Town Clerk**  
**Jane F. Faircloth**