

**Town of Eastover - Town Council Meeting
Monday, January 7, 2013, 7:00 p.m.
Eastover Community Center**

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

MINUTES OF MEETING – January 7, 2013

Mayor Charles G. McLaurin, Council Members Willie Geddie, Sara Piland, Cheryl Hudson, Donald Hudson, Lawrence Buffaloe and Benny Pearce were in attendance at the January 7, 2013, Eastover Town Council Meeting. A quorum was present. Also in attendance were Attorney John Jackson, Mr. Matt Rooney of the Cumberland County Planning & Inspections Department, Mr. Kim Nazarchyk Town Manager, and Ms. Jane Faircloth Town Clerk.

I. Call to Order:

Mayor Charles McLaurin called the January 7, 2013 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 Willie Geddie asked all in attendance to have a moment of silence, and then led in the Pledge of Allegiance.

III. Approval of Agenda:

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

IV. Public Comments:

There were no public comments.

V. Consent Agenda:

1. Consider approval of the December 4, 2012 Minutes.
2. Consider approval of the November 30, 2012 Financial Report.
3. Consider approval of 2012-2013 (FY 2013) Budget Adjustment.

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

VI. Discussion Agenda:

Agenda Item #1:

Briefing by Mr. David Maxwell CPA of the McFadyen & Sumner CPAs Firm.

Mr. David Maxwell CPA briefed the Council on the results of the Town of Eastover Audit for Fiscal Year 2012. He stated that the Town of Eastover is in excellent condition with no finding of deficiencies. He commended Mr. Nazarchyk and Ms. Faircloth for the excellent record keeping. Mr. Maxwell informed the Council that our Property Taxes average was 96.9% and is in par with the State of North Carolina. He stated that our Fund Balance is also in par with all other Town's our size with the State of North Carolina. He stated that our cash balance was flat for FY 2012; however this was due to the land purchase and police protection.

Mr. Maxwell informed the Council that our 2011-2012 (FY2012) Revenues by Source are as follows: Other 8%; Property Tax 39%; Sales Tax 38%; and Utility Franchise Tax, Telecommunications, Video Programming Sales Tax 15%. He stated that our departmental expenditures/expenses were as follows: Public Safety 25%; General Government 62%; Cultural & Recreational 12%; and Economic/Physical Development & Transportation 1%. Mr. Maxwell stated that the Town of Eastover had a good clean Audit for FY2012.

Council Member Sara Piland made a motion to approve the Town of Eastover's Audit for 2012 as presented by Mr. David Maxwell CPA of the McFadyen & Sumner CPAs Firm. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

Agenda Item #2:

PUBLIC HEARING – CASE NO. P12-72: REZONING OF .23 +/- ACRE FROM R6A RESIDENTIAL (CCO COMMERCIAL CORE OVERLAY)/CZ CONDITIONAL ZONING DISTRICT FOR GROUP QUARTERS OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 1716 EDWARDS STREET, SUBMITTED BY SEUNG K. AND HEE SOOK CHAI (OWNERS). (EASTOVER)

Mayor Charles McLaurin Opened the Public Hearing on Case No. P12-72.

Mr. Matt Rooney of the Cumberland County Planning & Inspections Department briefed the Council on Case No. P12-72. He stated that the property owner is requesting rezoning of .23+/- acre from R6A residential (CCO Commercial Core Overlay) to R6A Residential (CCO Commercial Core Overlay/CZ Conditional Zoning District for a Group quarters or to a more restrictive Zoning District. The property is located at 1716 Edwards Street, submitted by Seung K. and Hee Soo Chai (owners).

Mr. Rooney stated that the members present at the December 18, 2012 meeting voted unanimously not to adopt or approve the consistency and reasonableness statements for rezoning of .23 +/- Acre from R6A Residential (CCO Commercial Core Overlay) to R6A Residential) CCO Commercial Core Overlay/CZ Conditional Zoning District.

Mr. Rooney recommended to the Council that they follow the Cumberland County recommendation that the rezoning be denied.

Mayor McLaurin asked if anyone signed up to speak for or against the Case No. P12-72. The Clerk replied that they were no speakers signed up to speak for the Case, and six speakers signed up to speak against the Case. They are as follows:

Speakers For: None

Speakers Against:

- (1) Mrs. Marie Carroll, 2774 Gobbler Lane, Eastover, NC
- (2) Mr. Michael Mason, 2914 Gamewell Circle, Eastover, NC
- (3) Mr. Mario Gabriel 1502 Heatherly, Eastover, NC
- (4) Mrs. Juliee Minter, 3006 Royal, Eastover, NC
- (5) Mr. Lee McClure, Jr., 1506 Colonial Dr., Eastover, NC
- (6) Mr. Larry C. Johnson, 3060 Royal, Eastover, NC

Speaker #1: Mrs. Marie Carroll stated that there have been numerous problems with the Hope Home residents, including the garbage, old furniture and mess at the house behind the Hope Home, that is in their neighborhood where their children play. She stated that she is requesting the Council to disapprove this Case.

Speaker #2: Mr. Michael Mason of the "Eyes Over Eastover" Community Watch stated that there have been 85 calls for a Deputy Sheriff at this site since November 2011. The place is a fire hazard, and the residents are going all over the community asking for food, money, rides, raiding mail boxes and using motorized wheelchairs on the main highway. Mr. Mason stated that he is requesting the Council to disapprove the Case.

Speaker #3: Mr. Mario Gabriel stated that sewer is not available in the area where the property owners are trying to put a Group Home, and Hope Home is not properly managed. Mr. Gabriel stated that he lives in the Lexington subdivision and does not want a Group Home out here.

Speaker #4: Ms. Juliee Minter, 3006 Royal Avenue, Eastover, NC stated that the safety of the children living in this area is her biggest concern. She stated that she is requesting denial of this Case.

Speaker #5: Mr. Larry C. Johnson, 3060 Royal Avenue, Eastover, NC stated that he had lived in this area for 20 years. He stated that he has seen naked men standing in view of children, trash thrown in the back of Hope Home in view of our homes, and he stated that he has known of pedophile's living in the Hope Home, and the community was not informed of those people in our community. He said Hope Home is not properly managed, so why would we think a Group Home behind it would be managed properly. Mr. Johnson stated he is requesting denial of this case.

Speaker #6: Mr. Lee McClure Jr., 1506 Colonial Drive, Eastover, NC did not speak.

Rebuttals: None.

Discussion by Council: The Council discussed Case No P12-12 and determined that this Case is not in harmony with our community. All Council Members were in agreement and agreed with the speakers against this Case. Mr. Nazarchyk stated that he and the Mayor had called the Manager of the Hope Home on several occasions and left messages for her to return the calls. He stated that calls were never returned; therefore he does not have a good feeling about the Hope Home. He also stated that he had contacted State officials asking exactly what kind of facility it is.

Mayor asked for a motion to Close the Public Hearing on Case No. P12-72.

Council Member Lawrence Buffaloe made a motion to Close the Public Hearing on Case No. P12-72. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to approve/disapprove Case No. P12-72.

Council Member Sara Piland made a motion to follow the Planning Board's recommendation and deny Case No. P12-72 for Rezoning to R6A Residential (Commercial Core Overlay/CZ Conditional Zoning District; incorporating and approving the staff's consistency and reasonableness statements as written in their recommendation. The motion was 2nd by Council Member Donald Hudson. The vote was unanimous for denial.

Agenda Item #3:

CASE NO. 13-001. CONSIDERATION OF THE JOHN & SUELLEN CARTER AND CURTIS & SARAH SMITH PROPERTY, REQUEST FOR A SUBDIVISION REVIEW, COUNTY SUBDIVISION ORDINANCE; ZONING: A1; TOTAL ACREAGE: 77.00 +/-; LOCATION: 2518 & 2548 TOM GEDDIE ROAD (SR 1721). (EASTOVER)

Mr. Matt Rooney briefed the Council on Case No. 13-001. He stated that the developer is requesting approval of a three lot subdivision. The proposed Lot 3 has an existing dwelling; Lot 1 and the remaining parent tract have no dwellings. The property has 2720.73' feet of road frontage along SR 1721 (Tom Geddie Road). The water will be provided by the Eastover Sanitary District and the septic system must be approved by the County Health Department. Mr. Rooney stated that no fire hydrant is required. Mr. Rooney stated that the Planning Board has conditionally approved and subject to the conditions listed on the conditions sheet

Council Member Lawrence Buffaloe made a motion to approve Case No. 13-001 subject to the conditions stated by the Cumberland County Planning Board. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

Agenda Item #4:

Discussion of Revisions to Eastover Town Center Site Plan.

Mr. Matt Rooney stated that the developer's zoning received approval from the Town Council in September 2012 which sidewalks and landscaping were not required to be installed. In October the Town implemented the new standards. The Zoning Ordinance for the Eastover Town Center

Site Plan was prior to the Core Overlay District Ordinance. Mr. Nazarchyk stated that he had spoken with the developer and the sidewalks and landscaping was not a deal breaker. Council Member Sara Piland stated that she wants consistency; therefore the sidewalks should be installed, as we have made others install sidewalks.

Council Member Sara Piland made a motion that the Site Plan for the Town Center be amended to be in compliance with the Eastover Core Overlay Commercial District. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

VII. RECEIVE MAYOR'S UPDATE.

Mayor McLaurin stated that he would like for a Historical Video made with Mr. Mac Williams telling the history to be put into the Town's archives. Council Member Donald Hudson made a motion for the Town Manager to get prices so this can be accomplished. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

Mayor McLaurin stated that if we do not have to pay 50% of our revenue from Sales Tax to Fayetteville, Cumberland County and other Towns we would have more funds for the Town. He stated that our agreement with Fayetteville and the Interlocal Agreement was that we would pay this 50% of our Sales Tax until June 30, 2013 (a five year period). Mayor McLaurin stated that we receive these Sales Tax Revenues funds quarterly and we are hoping we can keep more of these funds. He stated that he wants to build a Town Hall.

VIII. RECEIVE TOWN COUNCIL UPDATE.

Council Member Sara Piland stated that she is concerned about the "Hope Home". She stated that she is requesting that the Town Manager contact all agencies available (i.e. Social Services, State Agencies to help with the management and residents of Hope Home. Mr. Nazarchyk stated that he had contacted several State Agencies as to what kind of business this really is, such as a Nursing Home, a Group Home, etc. She also stated that she would like to get documentation from the neighbors as to things that go on around Hope Home. Mr. Nazarchyk stated that Mr. Mike Mason can provide residents with information via email "Eyes Over Eastover". Attorney John Jackson stated that the resident that saw a nude man outside the Hope Home could have called the Police and swears out a warrant against an individual for indecent exposure.

Council Member Willie Geddie stated that he appreciates all people in the community and wants everyone to work together.

IX. RECEIVE TOWN MANAGER'S UPDATE.

None.

X. CONSIDER A MOTION TO ADJOURN.

A motion to adjourn was made by Mayor Charles McLaurin at 8:07 p.m. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

Town of Eastover

Charles G. McLaurin, Mayor

Attest: _____, Town Clerk
Jane F. Faircloth