

Town of Eastover - Town Council Meeting
Tuesday, October 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 – October 13, 2015

Mayor Charles G. McLaurin, Council Members Willie Geddie, Sara Piland, Cheryl Hudson, Benny Pearce, Randy Lee and Lawrence Buffaloe were in attendance at the October 13, 2015, Eastover Town Council Meeting. Also in attendance were Attorney Neil Yarborough, Mr. Matt Rooney & Ms. Jaimie Melton from Cumberland County Planning & Inspections Department, Mr. Kim Nazarchyk Town Manager, and Ms. Jane Faircloth Town Clerk/Finance Officer. A quorum was present.

I. Call to Order:

Mayor Charles McLaurin called the October 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 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 Sara Piland. 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 Randy Lee 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. P15-47

P15-47: REZONING OF 3.33 +/- ACRES FROM R6A RESIDENTIAL TO C1(P) PLANNED LOCAL BUSINESS/CZ CONDITIONAL ZONING FOR TRADE CONTRACTOR OFFICE AND MINI-WAREHOUSEING, LOCATED ON THE NORTHWEST SIDE OF US HWY 301 (DUNN ROAD), SOUTH OF SR 1722 (BEARD ROAD): SUBMITTED BY KINLAW V. JACOBS (OWNER). (EASTOVER 10/13/2015)

Mayor McLaurin stated that I now **Open the Public Hearing** on Case No. P15-47.

Mr. Matt Rooney from the Cumberland County Planning & Inspections Department gave a briefing to the Council on Case P15-47. Mr. Rooney stated that there is 3.33 +/- acres of land with a 182.77' +/- on US HWY 301 (Dunn Road), and 168.77'+/- on Albatross Road and 253.0' +/- on Hardy Lane. The owner wants to have the acreage rezoned from R6A Residential to C1(P) Planned Local Business/CZ Conditional Zoning for Trade Contractor office and Mini-Warehousing. Mr. Rooney stated that there are no soil limitations, and there are no road improvements/constructions specified for this area.

Mr. Rooney stated that the Planning & Inspections Staff recommends the Board approve Case No. P15-47 for the C1(P) Planned Local Business/CZ Conditional Zoning district for a trade contractor office and mini-warehousing based on its uses is reasonable as it will accommodate small scale, low-intensity services for the Town of Eastover, and it is reasonable and in the public interest. The Planning & Inspections Staff recommends the Board approve Case No. P15-47.

Mayor McLaurin asked if there were any speakers signed up to speak for or against this case. The Clerk replied that Mr. Kinlaw J. Jacobs, 3305 St. Hardy Lane, Eastover, NC signed up to speak. Mr. Jacobs stated that he has a location in Fayetteville and would like to expand to Eastover. He said that most of his work is on Fort Bragg, but would like to get back into residential home improvement. The self-storage facility should be ready by summer of next year.

Mayor McLaurin asked the Council if they had any questions or concerns. There were none.

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

A motion to **Close** the Public Hearing was made by Council Member Cheryl Hudson. Council Member Lawrence Buffaloe 2nd the motion. The vote was unanimous for approval.

Mayor McLaurin asked for motion to **approve or disapprove** Case No. P15-47 for **consistency** as so stated in the Cumberland County Planning Board's recommendation.

Council Member Sara Piland made a motion to **approve** Case No P15-47 for C1(P) rezoning as it is **consistent** with the adopted comprehensive plan designated as the 2030 Growth Vision Plan, which calls for "community growth area" at this location as approved as would provide mini-warehousing for local residents in close proximity to I-95. The request is not consistent with the Eastover Area Detailed Land Use Plan which calls for "medium density residential" at this location; however, the request is logical as the Eastover Plan Commercial Core Overlay District.

Council Member Lawrence Buffaloe 2nd the motion. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to **approve or disapprove** Case No. P15-47 for **reasonable** uses, as so stated by the Cumberland County Planning Board's recommendation.

Council Member Lawrence Buffaloe made a motion to **approve** Case No. P15-47 for **reasonable** uses for the C1(P) Planned Local Business/CZ Conditional Zoning district for a trade contractor office and mini-warehousing based on the following as the location and character of the requested district and uses is reasonable as it will accommodate small scale, low intensity services for the Town of Eastover.

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

Agenda Item #2:

PUBLIC HEARING: TO SEEK APPROVAL FROM THE LOCAL GOVERNMENT COMMISSION (LGC) REGARDING CONSTRUCTION LOAN FOR THE NEW TOWN HALL. See Exhibit F.

Mayor McLaurin **Opened the Public Hearing** regarding the Town's application to the Local Government Commission (LGC) for approval to obtain a \$1,600,000 construction loan from a commercial bank.

Mr. Nazarchyk gave a brief summary of the Town's approval by USDA for a long term loan of \$1,600,000 to finance the new town hall, but the USDA did not provide construction lending, so the Town would need to obtain this from a commercial bank, or sell bonds. LGC approval would be required for either since the amount was over \$500,000. He stated that the public hearing's purpose was to receive citizen comment/input regarding this request.

Mr. Nazarchyk then directed the Council to the Resolution in their packets, and he commented on the need for a new town hall building, and stated that a construction loan would be less costly than selling bonds. It would also be quicker, and meet the Town's time frame. The Town has shown excellent fiscal management of its funds, and all audits have received satisfactory ratings.

Mr. Nazarchyk then asked the Council to approve **Resolution 2015-08 "Resolution Authorizing the Filing of an Application for approval of a Financing Agreement Authorized by North Carolina General Statute 160A-20"**. Mr. Nazarchyk further stated that the application package to the LGC would require a check for the \$1,250 fee

Mayor McLaurin then asked the Town Clerk if anyone had signed up to speak, and the Clerk responded there were none.

McLaurin asked if there were any questions or concerns about the LGC or the Construction Loan to USDA. There was no discussion by Council.

Mayor McLaurin asked for a Motion to **Close the Public Hearing** on the Construction Loan from USDA.

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

Mayor McLaurin asked for a **Motion to approve or disapprove** Resolution No. 2015-08, and give authority to the Town Manager to proceed with obtaining approval from the Local Government Commission (LGC) for a Construction Loan to USDA for the New Town Hall.

Council Member Sara Piland made a motion to approve Resolution 2015-08 and seek approval from the LGC for the Construction Loan from USDA for the New Town Hall. Council Member Cheryl Hudson 2nd the motion. The vote was unanimous for approval.

Agenda Item #3:

CASE NO. 92-262.

CONSIDERATION OF THE “OFF THE RACK’S BOUTIQUE”; REQUEST FOR ATTACHED SIGN DESIGN APPROVAL WITHIN THE COMMERCIAL CORE OVERLAY DISTRICT, COUNTY ZONING ORDINANCE AND EASTOVER SUPPLEMENTAL AMENDMENTS; ZONING: C(P); TOTAL ACREAGE: 0.63 +/-; LOCATION: 3856-B DUNN ROAD (US HWY 301). (EASTOVER) See Exhibit G.

Council Member Cheryl Hudson asked the Council to recuse her from this case, as she is the owner of the property. Mayor McLaurin asked the Council for a motion to recuse Council Member Hudson. Council Member Sara Piland made a motion to recuse Council Member Hudson from this case. Council Member Benny Pearce 2nd the motion. The vote was 6 in favor and none against.

Mr. Matt Rooney briefed the Council on Case No. 92-262. He stated that the developer is requesting approval of the proposed sign design for the “Off The Racks Boutique” business to be located within existing shopping center. He stated that this development was originally approved in the County on July 07, 1992. Under the Commercial Core Outlay District design standards, all proposed signs must be approved by the Town Council. He said there will be no external changes to the existing structure other than the placement of the proposed sign. Mr. Rooney stated that the only applicable condition would be for the developer to obtain permits prior to commencement of the business and prior to installation of the sign. He stated that this will be a 12 sq. ft. sign attached to the front of the building.

Mayor McLaurin asked if there were any questions or discussion on Case No. 92-262. There was none.

Mayor McLaurin asked for a motion to approve or disapprove Case No. 92-262.

Council Member Randy Lee made a motion to approve Case No. 92-262 as designed. Council Member Lawrence Buffaloe 2nd the motion. The vote was unanimous for approval.

Agenda Item #4:

Discussion on the Town Hall Design.

Mr. Nazarchyk gave a brief summary of the Architect Chris Frank's meeting with the Council on Tuesday, October 6, 2015, in which the final design of the proposed Town Hall was presented. Mr. Nazarchyk asked that the Council formally approve the design so that Mr. Frank could submit to the USDA for review and approval.

Mayor McLaurin asked for a motion to approve or disapprove the final design for the New Town Hall.

Council Member Cheryl Hudson made a motion to approve the final Town Hall design. Council Member Randy Lee 2nd the motion. The vote was unanimous for approval.

VII. RECEIVE MAYOR'S UPDATE.

Mayor McLaurin asked for everyone to keep Mr. Howard Piland, Sr. and Council Member Randy Lee in their prayers.

Mayor McLaurin stated that Council Member Willie Geddie will be honored as 2015 Distinguished Citizen Award given by the Cumberland County Boy Scouts of America (Oconeechee Council). The dinner will be held Friday, October 30th, 2015, 7:00 p.m. at Salem United Methodist Church. Several people have tickets for sale, and one is Mrs. Shirley McLaurin. The tickets are Couples - \$50, - Individuals \$30 and - Special Table of 8 \$500. The RSVP deadline is October 19th 2015. Mayor McLaurin stated that this honor is most deserving for Mr. Willie Geddie.

Mayor McLaurin commended Mr. Matt Knight, Alcohol Law Enforcement Officer (ALE) who gave a briefing on Alcohol enforcement at the Eastover Community Watch meeting.

Mayor McLaurin stated that the Dig-A-Bit Garden Club is having a trash pick-up. He stated that he and his wife have been picking up trash on Baywood Road.

Mayor McLaurin asked everyone to vote on November 3, 2015.

Mayor McLaurin asked the Council to discuss removing the two trees on Church Street. He stated that the trees are diseased and need to come down before the Town

Hall construction starts. Mayor McLaurin asked for a motion to remove the two trees on Church Street.

Council Member Cheryl Hudson made a motion to remove the two trees on Church Street. The motion was 2nd by Council Member Randy Lee. The vote was unanimous for approval.

VIII. RECEIVE TOWN COUNCIL UPDATE.

Council Member Cheryl Hudson welcomed Ms. Angela Smith owner of the new "Off The Rack Boutique" to Eastover.

IX. RECEIVE TOWN MANAGER'S UPDATE.

Mr. Nazarchyk stated that there will be a social at the Eastover Community Building, 4008 School Street on election night November 3, 2015 at 7:00 p.m. Everyone will be able to hear the election returns as they come in.

X. CONSIDER A MOTION TO ADJOURN.

Mayor McLaurin asked for a motion to adjourn.

Council Member Lawrence Buffaloe made a motion to adjourn at 7:30 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