

**Town of Eastover - Town Council Meeting
Tuesday, May 14, 2019 7:00 p.m.
Eastover Community Center**

**x☐ Mayor Charles G. McLaurin, Presiding;
Council Members: x☐ Cheryl C. Hudson, x☐ J. Lawrence Buffaloe,
x☐ M. Stan Crumpler, x☐ Bruce R. Sykes, x☐ Kimberly F. McPhail,
and x☐ Lee P. Hedgecoe**

MINUTES OF MEETING – May 14, 2019

Mayor Charles G. McLaurin, Council Members: Cheryl C. Hudson, J. Lawrence Buffaloe, Lee P. Hedgecoe, Bruce R. Sykes, Kimberly F. McPhail, and M. Stan Crumpler were in attendance at the May 14, 2019, Eastover Town Council Meeting. A quorum was present at the Town Council Meeting. Also in attendance were Attorney Tim Smith, Ms. Jaimie Walters, Cumberland County Planning and Inspections, Mr. Kim Nazarchyk, Town Manager, and Ms. Elizabeth Bass, Town Clerk.

I. Call to Order:

Mayor Charles McLaurin called the May 14, 2019 Eastover Town Council meeting to order at 7:00 p.m. and welcomed all in attendance.

II. Invocation/Pledge of Allegiance:

Town Manager Kim Nazarchyk gave the Invocation and led in the Pledge of Allegiance.

III. Approval of Agenda:

Mayor Charles 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 Bruce Sykes. The vote was unanimous for approval.

IV. Public Comments:

None.

V. Consent Agenda:

- 1. Consider approval of the Minutes for the April 9, 2019 Town Council Meeting.**
- 2. Consider approval of the Planning Session Meeting Minutes from April 16, 2019.**
- 3. Consider approval of the March, 2019 Financial Reports.**

Mayor McLaurin asked the Council if they had any questions concerning the Consent Agenda. There were none. Mayor McLaurin asked for a motion to approve/disapprove the Consent Agenda as stated.

Council Member Stan Crumpler made a motion to approve the Consent Agenda as stated. The motion was 2nd by Council Member Kim McPhail. The vote was unanimous for approval.

VI. Discussion Agenda:

Agenda Item #1:

Phyllis McLymore Cumberland County Public Health

Ms. McLymore stated that Cumberland County Public Health has identified several areas of interest to the residents of Cumberland County. Public Safety, Substance Abuse, Immunization, etc. are some examples of the areas of interest. She said that the communities and their Cumberland County Public Health Representative would be able to address these areas by having clinics, workshops, meetings, etc.

Ms. McLymore stated she would like to bring flyers and brochures to the Town Hall so residents can know when the tutorials will begin. She wants each Town to share information. Ms. McLymore would also like to be able to get and give feedback and updates.

After a brief discussion, Mayor McLaurin thanked Ms. McLymore for coming to the meeting and updating the Council. Mayor McLaurin stated he and the Council looked forward to working with her in the future.

Agenda Item #2:

Public Hearing Storm Water Ordinance

Mayor McLaurin opened the public hearing.

Mayor McLaurin asked if anyone signed up to speak. One person signed up to speak for the Storm Water Ordinance:

FOR

- **Mr. Michael McAllister-Municipal Engineering at 68 Shipwash Drive, Garner, N.C., 919-772-5393 signed to speak FOR the Ordinance.**

Mr. Kim Nazarchyk, Town Manager stated this Ordinance is the beginning step to gain control of the Storm Water issue in the Town of Eastover. He stated that this ordinance seeks to meet its general purpose through the following specific objectives and means:

1. Establishing decision-making processes for development that protects the integrity of watersheds and preserves the health of water resources;
2. Requiring that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable for the applicable design storm to reduce flooding by restricting or prohibiting uses that are dangerous to health, safety, and property due to stream bank erosion, increases in flood heights or velocities, nonpoint and point source pollution and increases in stream temperature, and to maintain the integrity of stream channels and aquatic habitats;
3. Establishing minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;
4. Establishing design and review criteria for the construction, function, and use of structural stormwater BMPs that may be used to meet the minimum post-development stormwater management standards;
5. Encouraging the use of better management and site design practices, such as the use of vegetated conveyances for stormwater and the preservation of green space, riparian buffers and other conservation areas to the maximum extent practicable;
6. Establishing provisions for the long-term responsibility for and maintenance of structural and nonstructural stormwater BMPs to ensure

that they continue to function as designed, are maintained appropriately, and pose no threat to public safety;

7. Establishing administrative procedures for the submission, review, approval, and disapproval of stormwater management plans, for the inspection of approved projects, and to assure appropriate long-term maintenance.
8. Controlling illicit discharges into the existing municipal separate stormwater system.
9. Control filling, grading, dredging, and other development that may increase erosion or flood damage.
10. Prevent or regulate the construction of flood barriers that will unnaturally divert floodwaters or which may increase flood hazards to other lands.

This ordinance is not retroactive and does not address canals. There will be no fees to residents at this time.

Mr. McAllister stated this ordinance is modeled after the state statute but it is not as cumbersome as the statute. He said that the drainage should not go into the canals but should go into retention ponds. Mr. McAllister also stated that the Town will not pay for the up keep on the retention ponds.

After some discussion, Mayor McLaurin asked if there were any other questions. There were none. Mayor McLaurin asked for a motion to close the public hearing. Council Member Cheryl Hudson made a motion to close the public hearing. Council Member Stan Crumpler 2nd the motion. The vote was unanimous for approval.

Council Member Kim McPhail made a motion to approve the Storm Water Ordinance. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

Agenda Item #3:

CASE NO. P19-18. REZONING OF 4.60+/- ACRES FROM A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE NORTH SIDE OF SR 1832 (MURPHY ROAD), EAST OF SR 1833 (SANDEROSA ROAD); SUBMITTED BY CAROL LESLIE HUDSON, JILLIAN LESLIE POPE & NEILL FRANKLIN LESLIE JR. ON BEHALF OF NEILL F. LESLIE HEIRS (OWNER) AND JOHN & LINDA SANDERSON (AGENT). (EASTOVER 05/14/2019*)

Mayor McLaurin opened the public hearing.

Ms. Jaimie Walters stated this was a case about rezoning 4.60+/- acres from A1 Agricultural to C(P) Planned Commercial or to a more restrictive zoning district, located on the North side of SR 1832 (Murphy Road), East of SR 1833 (Sanderosa Road): submitted by Carol Leslie Hudson, Jillian Leslie Pope & Neill Franklin Leslie Jr. on behalf of Neill F. Leslie heirs (Owner) and John and Linda Sanderson (Agent).

Ms. Walters said the Planning and Zoning staff and the Planning Board recommend approval. She said the area is mostly residential except for Sanco Construction and It's All About You, which are commercial businesses. There is no soil impact. Eastover Sanitary has water but not sewer at this location. Ms. Walters showed the Council the aerial maps, site plans, and pictures of the area.

Mayor McLaurin asked if anyone signed up to speak. One person signed up:

FOR

• Mr. John Sanderson, 1014 Blue Wren Drive

Mr. Sanderson stated that he wanted to move his business from its current location to this location. He stated he would be building a 3 bay area in order to do light maintenance to his trucks and equipment. Mr. Sanderson said they would replace light bulbs and do minor maintenance, but following all of OSHA's rules and regulations.

He said that he would have to plant a buffer between 10-20 feet across 4.6 acres to meet the noise requirements. He said that I95 causes more noise than his trucks will. Mr. Sanderson said there were no dust issues and his trucks were pre-tripped and gone off the property by 6:15am. He stated his guys did not play around and hit their horns. Mr. Sanderson said he has been in business for over 27 years and has a perfect Safety Record.

No one else signed up to speak, but Mayor McLaurin allowed two people to speak in opposition:

- Ms. Sabrina Ashmore, 3533 Murphy Road**
- Mr. Raymond Ashmore, 3533 Murphy Road**

Ms. Ashmore stated that she has a house about 200 yards from Sanco Construction. She said that traffic has increased partly because of the bridge being closed; she said Sanco Construction will cause more traffic triggering more accidents. She said speeding was a factor as well. Ms. Ashmore also stated that Sanco Construction was noisy and the truck drivers blew their horns at all hours.

Mr. Ashmore spoke about the noise level being higher and concerns over being environmentally safe with disposal of liquids from the truck repairs.

Mayor McLaurin asked for a motion to close the public hearing. Council Member Cheryl Hudson made a motion to close the public hearing. Council Member Lawrence Buffaloe 2nd the motion. The vote was unanimous for approval.

Council Member Bruce Sykes made a motion to approve Case No. P19-18 for reasonableness in the public interest because the district requested is in harmony with the adjacent existing land uses and surrounding zoning. Council Member Lawrence Buffaloe 2nd the motion. The vote was unanimous for approval.

Council Member Cheryl Hudson made a motion to approve the text amendment in Case No. P19-18 for consistency with the adopted plan as designated in the Eastover Land Use Plan. The motion was 2nd by Council Member Stan Crumpler. The vote was unanimous for approval.

Council Member Cheryl Hudson made a motion to approve Case No. P19-18. Council Member Stan Crumpler 2nd the motion. The vote was unanimous for approval.

Agenda Item #4:

CASE NO. 19-20. REZONING OF 1.25+/- ACRES FROM A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT; LOCATED ON THE SOUTH SIDE OF NC HWY 13 (GOLDSBORO ROAD), EAST OF SR 1863 (PEMBROKE LANE); SUBMITTED BY MAMTA PATEL ON BEHALF OF EARTH PETROLEUM V, INC. (OWNER) & DENVER MCCULLOUGH (AGENT). (EASTOVER 05/14/2019*)

Mayor Charles McLaurin opened the public hearing.

Mayor McLaurin asked if any one signed up to speak. The following signed up to speak.

FOR

- **Lori Epler-1333 Morganton Road**

AGAINST

- **Nisit Shah-4001 Pembroke Lane**
- **D. Brahmhatt-3965 Pembroke Lane**
- **P. Singh-4001 Pembroke Lane**
- **James Dail-4541 Goldsboro Road**

Ms. Jaimie Walters stated that this is a request to rezone 1.25+/- acres from A1 agricultural to C(P) Planned Commercial or to a more restrictive zoning district; located on the south side of NC Hwy 13 (Goldsboro Road), east of SR 1863 (Pembroke Lane); Submitted by Mamta Patel on behalf of Earth Petroleum V, Inc. (Owner) & Denver McCullough (Agent).

Ms. Walters said the Planning and Zoning staff and the Planning Board recommended approval. She showed the Council the aerial maps, site plans, and pictures of the area.

Ms. Epler stated all requirements have been met for this to be approved. Once the owners have decided what they want to place on the lot they will submit a site plan.

Those in opposition stated that they wanted to make sure that whatever was placed on the area was suitable and not unsightly. They have concerns about traffic and bottlenecks. They wanted to make sure all regulations concerning wet lands and ditches were being considered.

After a brief discussion, Mayor McLaurin asked for a vote to close the public hearing. Council Member Cheryl Hudson made the motion to close the public hearing. Council Member Lee Hedgecoe 2nd the motion. The vote was unanimous for approval.

Council Member Cheryl Hudson made a motion to approve Case no. P19-20 for reasonableness in the public interest because the district requested is in harmony with the existing land uses and surrounding zoning. The motion was 2nd by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

Council Member Lawrence Buffaloe made a motion to approve the text amendment in Case NO. P19-20 for consistency with the adopted plan as designated in the Eastover Land Use Plan. Council Member Cheryl Hudson 2nd the motion. The vote was unanimous for approval.

Council Member Lawrence Buffaloe made a motion to approve Case No. P19-20. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

Agenda Item #5:

CASE NO. 19-21. REZONING OF 45.41+/- ACRES FROM A1 AGRICULTURAL TO C(P) PLANNED COMMERCIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3974 PEMBROKE LANE; SUBMITTED BY MAMTA PATEL ON BEHALF OF EARTH PETROLEUM CORPORATION OF NORTH CAROLINA III, INC. (OWNER) & DENVER MCCULLOUGH (AGENT). (EASTOVER 05/14/2019*)

Ms. Jaimie Walters stated the owners would like to defer Case No. 19-21 until the Cumberland County Planning Board's September Meeting.

Council Member Lee Hedgecoe made a motion to defer Case No. 19-21 back to the Cumberland County Planning Board for the September Meeting. Council Member Bruce Sykes 2nd the motion. The vote was unanimous for approval.

Agenda Item #6:

Presentation of 2020 Budget

Mr. Nazarchyk, Town Manager, stated that the General Fund is balanced at \$1,630,850.00 which is a \$122,000 increase or an 8% increase from last year due to projected sales tax increase. Expenses remain flat. Group Health insurance is up 11.3%. Retirement is up 15.5% (from 7.75% to 8.95% and will increase again next year). The proposed budget adds 8% to reserves, which equates to 1 month expenses. Parks and Rec. received a 26% increase due to the expected improvements and expansions on the Eastover Ballpark.

Mr. Nazarchyk said the Capital Reserve Account is balanced at \$2,200 and only includes interest income.

Mr. Nazarchyk asked the Council to schedule a Public Hearing for the FY 2020 Budget at the June 11, 2019 Town Council Meeting.

Council Member Lee Hedgecoe made a motion to approve a Public Hearing to be held on June 11, 2019 for the FY 2020 Budget. Council Member Stan Crumpler 2nd the motion. The vote was unanimous for approval.

Agenda Item #7:

School Street Repair.

Mr. Nazarchyk stated he has received 3 bids to do the School Street repair work. He stated the lowest was Highland Paving at \$17,900.00. Mr. Nazarchyk stated that Highland Paving would be able to start the project the first week in June.

Council Member Bruce Sykes made motion to approve Highland Paving for the School Street Repair work. Council Member Lawrence Buffaloe 2nd the motion. The vote was unanimous for approval.

Agenda Item #8:

Concrete Repair at Community Center.

Mr. Nazarchyk stated he requested 5 bids from different concrete companies to do the concrete work at the community building. He said he received only 1 bid from Sellers & Sons Concrete. He said they would replace all concrete and add 2 handicap parking spaces for \$11,250.00. Seller and Sons are highly reputable and are insured.

Council Member Lawrence Buffaloe made a motion to approve Seller & Sons to do the concrete repair work at the Community Building. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

Agenda Item #9:

Foster & Foster Agreement.

Mr. Nazarchyk stated that because of Federal Governmental Accounting Standards, specifically GASB-75, an audit must be done to make sure we have the proper amount of money set aside for employee retirement benefits. Even though the Town of Eastover does not have a retirement plan for their employees, GASB-75 still requires an audit. Foster & Foster will do a full review for \$4,000.00 with a 2 year contract, charging only \$1,000.00 for the next year.

Council Member Lee Hedgecoe made a motion to approve Foster & Foster Agreement. Council Member Stan Crumpler 2nd the motion. The vote was unanimous for approval.

Agenda Item #10:

Request to close portion of Old Raleigh Road.

Mr. Nazarchyk said that this was originally done in June of 2015. He stated that Attorney Chuck Brittain recently informed him that the survey done on this property was erroneous. Town Attorney Tim Smith states that the whole procedure must be re-done. Mr. Nazarchyk is requesting the Council to schedule a public hearing on the Raleigh Road closure at the June 11, 2019 Town Council Meeting.

Council Member Lee Hedgecoe made a motion to approve the public hearing to close a portion of Old Raleigh Road. Council Member Bruce Sykes 2nd the motion. The vote was unanimous for approval.

VII. Receive Mayor's Update:

- Mayor McLaurin stated that the Ribbon Cutting Ceremony for the Eastover Splash Pad would be May 22, 2019 at 9:00a.m., the Town of Godwin will have their Ribbon Cutting Ceremony at 10:30a.m., and the Town of Wade will be at 12:00p.m.

VIII. Receive Town Council Update:

- None.

IX. Receive Town Managers Update:

- Mr. Nazarchyk asked the Council to approve the Clean Air Resolution No. 2019-01. This is the same resolution that is signed every year.

Council Member Cheryl Hudson made a motion to approve the 2019-01 Ozone Resolution. The motion was 2nd by Council Member Bruce Sykes. The vote was unanimous for approval.

X . Consider a Motion to Adjourn:

Mayor McLaurin asked for a motion to adjourn.

A motion to adjourn was made by Council Member Lee Hedgecoe at 8:21 p.m. The motion was 2nd by Council Member Bruce Sykes. The vote was unanimous for approval.

Town of Eastover

Charles G. McLaurin, Mayor

Attest: _____, **Town Clerk**
Elizabeth S. Bass