

**NAVASSA REGULAR COUNCIL MEETING**

January 15, 2009

7:30 P.M.

**MEMBERS PRESENT**

Eulis Willis, Mayor

Michael Ballard, Councilman

Milton Burns, Councilman

Jerry Merrick, Councilman

Craig Suggs, Councilman

**MEMBERS ABSENT**

Melvin Walker, Councilman

**STAFF PRESENT**

Charlena Alston, Town Clerk

Claudia Bray, Town Administrator

Al Beatty, Zoning Administrator

Alonza Davis, Public works

Allen Serkin, Planner

Jaymin Murphy, Officer

**CITIZENS & VISITORS PRESENT**

Barbara Thomas

Olivia Dowe

Bunn Bethel

Barbara Carter

Ms. Newkirk

Willa Bessant

Ella Beatty

Abdul R.

Willie L. Hall

Dorsey Jones

Clifton Ballard

Lena McNeil

Darlene Jones

Derrick Williams

Mildred Beatty

Nellie Andrews

N. Holiday

Ernest McIntrye

Ruby Brown

Barbara Watson

Edward McKinnon

Josie Lewis

Mr. & Mrs. Frank Willis

William White

Herbert Willis

Andre Andrews

Mayor Willis called the meeting to order.

**APPROVAL OF MINUTES**

**UPON MOTION BY COUNCILMAN SUGGS AND SECONDED BY COUNCILMAN BALLARD THE MINUTES WAS APPROVED AND ACCEPTED FROM JANUARY 14<sup>TH</sup> AND JANUARY 15<sup>TH</sup> . ALL VOTED IN FAVOR.**

**GOVERNANCE**

Mayor Willis updated the public on the following pending and in progress grants:

- The Davis Creek Park Grant

- The Phoenix Water Status
- The CDBG
- The Brownfield Assessment Grant

### **FOLLOWUP ACTIONS FROM MINUTES**

Mayor reported on the following projects:

- The community center project is awaiting response from Local Government.
- Councilman Ballard reported that a work order was given regarding the bulletin board for Phoenix area.
- Officer Murphy reported notification has been given to certain residents concerning addressing their homes for EMS purposes.
- The Council approved Conditional Use permits for Cape Fear Boat Works and Alfred Dixon group home on Wide Way Road.
- The UDO Ordinance will be discussed at Jan 31, 2009 Council retreat.

### **RESOLUTIONS AND ORDINANCES**

**COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN MERRICK TO ACCEPT AND ADOPT THE RESOLUTION SUPPORTING AIR FORCE ONE MUSEUM. ALL VOTED IN FAVOR. (R-2009-01 LOCATED IN THE RESOLUTION BOOK IS HEREBY INCORPORATED INTO THE MINUTES OF THIS MEETING.)**

**COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN SUGGS FOR DISCUSSION ABOUT AGREEMENT WITH RONALD SPARKS ENGINEERING FOR DAVIS CREEK PARK WORK TO BE HELD AT RETREAT. ALL VOTED IN FAVOR.**

### **PLANNING BOARD REPORT**

Al Beatty report the planning board had no quorum for the January meeting.

### **OLD BUSINESS**

Mayor informed the public that the Cedar Hill Road drainage project is not being done by the town therefore we are not responsible for any damages that occurred. However, Mayor and Councilman Ballard have made contact with DOT and County Commissioner regarding the many complaints received about the project and was informed that DOT would correct the problems.

**COUNCILMAN BURNS MADE A MOTION SECONDED BY COUNCILMAN BALLARD TO AWARD SHAILMAR CONSTRUCTION THE CONTRACT IN THE AMOUNT OF \$7450 FOR THE APRON FOR VICTORIA LANE. ALLVOTED IN FAVOR.**

Councilman Suggs had no update regarding the financial software. Mayor request a follow-up regarding when financial reports would be ready.

### **NEW BUSINESS**

**COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BURNS TO ADVERTISE IMMEDIATELY FOR THE PLANNER POSITION. ALL VOTED IN FAVOR.**

Councilman Suggs suggest that the planning board chairman fill in with the assistance of Councilman Walker until position is filled. Chairman Beatty declines the offer. Mayor stated that Town Administrator would handle duties.

Mayor Willis will be the representative for the town regarding the sewer service agreement talks.

The town council retreat will be January 31<sup>st</sup> at 8:00 a.m.

### **COUNCIL MEMBER'S REPORTS**

Councilman Burns stated that better communication is needed in his district.

Councilman Merrick reported to Councilman Ballard that Mr. Toomer request ditch work due to a drainage problem. Councilman Ballard stated he would forward the request to Allen Pope because he lives on state maintain road. Merrick directed the Town Administrator to give an update about Police Department.

Town Administrator updated the public and board that the police department is fully staffed and patrolling the areas.

### **CITIZENS**

Mayor instructed the public that comments are limited to 2 minutes and request that Council response be held until all comments were given from the public.

Barbara Thomas expresses the following:

- She is displeased with the no loitering sign and the authorize personnel only sign that have been placed within the town hall building. Reminded council that this is a public building.
- She feels signs are directed towards certain people and ask if council checked with the Institute of Government before placing signs. She spoke with Councilman Suggs and was informed it was a board decision.
- Would like clarification from council regarding the reasoning for the signs.

William White had two concerns:

- His daughter who is a citizen was informed that she would not be able to do community service hours at town hall.
- Why they didn't have community service work for her to do here. Questioned who is in charge of the program.

Councilman Merrick responded that he is in charge of the program and they do have duties for community service workers. Also, stated he spoke directly with his daughter regarding the work detail and was awaiting for her to report regarding her hours.

Dorsey Jones made the following comments:

- Express that the board needs to hire a planner soon as possible because of the ongoing projects.
- Secondly, the communication method needs improvements strongly. Also, stated he expects the board to go above and beyond for him because they ask for his vote.

Ella Beatty stated:

- There is a lack of communication regarding who to contact about issues.
- Did not receive notification regarding the group home. Reminded the board that there is enough people that know each other personally that information could have been given without newspaper notification.
- Would like to know why their area is always in the middle of controversy.
- They appear to be the dumping ground and council must do the right thing. District one has a bike path and a nice subdivision. She notice that Mr. Toomer request was addressed were she has a large tree growing in her ditch and no one has addressed her issue regarding the tree.
- Her comment to the board is that her district pay taxes too and is citizens.

Mayor replied that by law the board did not have to do anything because it was not a rezoning issue just a conditional use. The board had request that newspaper notification be given, a sign placed on property and letters sent to the listed tax payer of adjacent property.

Willa Bessant spoke about:

- When she attended the public hearing.
- Her notification was sent to her brother in Wilmington not to her.
- She stated that she was happy about the group home until she did research and found out what type of people would be there. Not faulting him for wanting to do his business but hopes he would reconsider and bring the level down.
- Ask if council had the power to protect her.

Barbara Watson asks and commented the following:

- If a response was given regarding what Barbara Thomas addressed.
- Addressed the issue that whenever town functions are given regarding the youth she doesn't receive the board support by them attending the functions.

- She no longer sees the motto “people working for people” displayed anymore.
- Thanked Rev Davis, Charlena and Michelyn for help taking care of her dad whenever he gets out of the house a wondering.
- Concern about the signs in the town building regarding no loitering and authorize personnel only because it appears that the public is not welcome. Reminded board that her father cleaned the building for free when they were unable to get anyone else.

One citizen wanted to know why notification wasn't given to the citizens on Cedar Hill Road about the group home and will there be enough police protection.

Mayor stated again that the action taken was above what was required. This is a conditional use permit not a rezoning issue and the town went out of the way to notify the citizens.

Herbert Willis spoke on behalf of relative who owns adjacent property but lives out of state and was unable to attend the public hearing or town meeting to express the fact that he is against the incoming group home.

Willa Bessant compliment Charlena on her previous CTY announcement and request that issues like this be announced. Express concern that she has not spoken with her district Representative Councilman Ballard since election time.

Another citizen stated that a level 4 group home is not a good thing and council wouldn't want this in their neighborhood. Mayor replied that he do have a vote and the level 4 group home will not have anyone over 17 years old.

Mr. Segura comments were as follow:

- Thanked the council for serving the community and stated he knows what it is to serve because he is in the military.
- Stated he chose that area because he feels safe leaving his family while on tour duty. But since this project was approved he doesn't feel safe leaving his family behind.
- Ask if anyone thought about the children in the area and stated that council should have gone door to door to inform them of the group home.

A potential store owner request council input regarding a project before proceeding to open a convenient store on the south side of Cedar Hill Road. Mayor directed his project to the planning board and informed him that is the proper channel. The adjacent landowner request that any public hearing regarding this project that she be notified.

Abdul Ali spoke about his pass experience with a level 4 group home and told council that this group home would hurt any development in the area. Reminded council that they are community servers and should have compassion for the people and to the extra mile. Stated we need community unity.

Another citizen made the comment that they worked hard for their homes and the houses along Cedar Hill Road have many widows and it's unfair to put that danger near them.

One citizen question what contribution is this group home going to make to the community and how many people is this going to employ.

Ernest McIntyre asked what about the people who are adjacent to the property that did not receive notification regarding the group home.

Mayor stated again by law they did not have to send the letters it was a request by council and planning board that we notify the people of what was going on.

The citizens asked council would they want this by their homes. Mayor responded no and stated he do not have a vote. The decision was made by council.

Councilman Suggs answered the question no he would not want this next door to him knowing what he now knows. Suggs also apologized for how they felt regarding the group home and he understood how they felt. He explains that there are procedures and the board followed those procedures and approved the group home based on the information that was present. He let the public know that he felt bad because of their comments and he was glad to see them voicing their opinions an encourage them to attend more meeting to voice their input.

Willa Bessant asks if the Mayor could talk to the developer to see if he would reconsider and drop it to a level 1 or 2. She realized that it's not his job but would like for him to go the extra mile.

Willie Hall reminded the board that he is an elderly man and council should have let the people know what was going on.

The citizens wanted to know if there was any way that council could talk with the developer and see if he would bring the level down were it would be less harmful to the people in the neighborhood. Mayor answered I can't give you an answer but I see what can be done.

Derrick Williams ask who he could contact or what could he do.

Lena McNeil told the Mayor and Council that they are familiar with the area and when projects are brought before them to please consider the people in the neighborhood and how it will affect them.

A request was made from a citizen to utilize the CTY system that the town has in order to be proactive and inform the entire district. She question them as her representative what could be done to inform her as to what is going on.

Mayor reminded the public that there are 2 representatives from that district on the planning board.

The question was asked if the decision that council made written in stone. Mayor stated this particular decision is.

Councilman Suggs addressed the citizens that had concerns about the group home stating that they made an unjust decision and realize that there is a communication gap and will try to do better.

Ella Beatty told council that their intent was not to come and dump on them. Just to let them know that the communication is not there and request that council get all the information about a project before making a decision.

Councilman Suggs addressed the citizens who had concerns about the no loitering sign and authorize personnel only signs in town hall and questioned what is wrong with the signs. His reason for this action is that this place of business and should be operating as such and based on his observation the public has too much access to the two front offices. All business should be handled at the reception window which will allow the staff to be more efficient in their duties.

Ernest Bryant made the comment that he knows that council have a hard job based on his pass experience as a councilman and states that he feels they are doing a good job.

### **ADJOURN**

**COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN BURNS TO ADJOURN THE MEETING. ALL VOTED IN FAVOR.**

**Approval Date: February 19, 2009**