

NAVASSA REGULAR COUNCIL MEETING

September 17, 2009

7:30 P.M.

MEMBERS PRESENT

Eulis Willis, Mayor
Jerry Merrick, Councilman
Craig Suggs, Councilman

Melvin Walker, Councilman
Michael Ballard, Councilman
Milton Burns, Councilman

STAFF PRESENT

Claudia Bray, Town Administrator
Charlena Alston, Town Clerk

Al Beatty, Zoning Administrator
Travis Barnes, Planner

CITIZENS & VISITORS PRESENT

Bill White
Mildred Beatty
Frank Willis
Herbert Willis
Dorsey Jones, Jr
Barbara Thomas
Willa Bryant Bessant

Antonio Hooper
Ella Beatty
Doris Willis
Nehemiah Holliday
Darlene Jones
Clifton Ballard
Minnie Brown

Mayor Willis called the meeting to order.

APPROVAL OF MINUTES

UPON A MOTION BY COUNCILMAN BURNS AND SECONDED BY COUNCILMAN BALLARD THE MINUTES FROM THE PREVIOUS MEETING WAS ACCEPT AND ADOPTED WITH THE NECESSARY CORRECTIONS. ALL VOTED IN FAVOR.

FOLLOWUP ACTIONS

Mayor Willis briefed about the I-140 By-pass change. He informed the public that the citizens concerns were being expressed at the MPO meetings regarding the By-pass.

PUBLIC HEARING FOR REZONING

The Planner briefed about 124 N. Navassa Road property that's requesting rezoning 1.99 acres from R10 to RMF. Staff reports and maps concerning request was in council packets for review. Staff does recommend approval of project base on the fact that the draft Future Land Use Plan and the adopt 1999 Land Use Plan recommends we have more affordable houses in the area. Mr. Hooper has made it clear that he plans to have

some affordable houses with the multi-family development that he is doing. Water and Sewer is available to property.

Mayor closed the regular session and opens the public hearing.

COUNCILMAN WALKER MADE A MOTION SECONDED BY COUNCILMAN BALLARD TO COME OUT OF REGULAR SESSION AND GO INTO PUBLIC HEARING. ALL VOTED IN FAVOR.

Antonio Hooper spoke about his project being low income housing and the fact that he was trying to provide the community with affordable housing.

Ella Beatty asks for clarification on the amount of land and type of homes.

Antonio Hooper clarify that the property was 1.99 acres and 2 buildings containing 8 units will be built.

Comments:

Ella Beatty made the comment and asks the question that we just pass the zoning ordinance; if individuals want to rezone property will it be done on a case by case base.

Doris Willis asks what about the property owners in the area; have anyone taking inconsideration about the property value. Stated that she did not want to be between two houses complexes. Ask if the property would be gated or a housing project.

Antonio Hooper express that he did not want a project and spoke with police concerning patrolling the area.

Frank Willis made the comment that if council approves Mr. Hoopers request there will be 16 houses on the right and the owner of the property on the left could come and put in 30 homes. We are concern as homeowners where we live. We are not trying to block anything that Mr. Hooper is doing; we are concern about the value of our property.

Barbara Thomas asks if he was building 16 family units.

Antonio Hooper replied that the building will be similar to the apartment complex located in Leland near the car wash but only two stories.

Mayor closed the public hearing and open the regular session.

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN WALKER TO COME OUT OF PUBLIC HEARING AND GO INTO REGULAR SESSION. ALL VOTED IN FAVOR.

PLANNING BOARD REPORT

The Zoning Administrator gave the following report:

- At the September 9, Planning Board meeting the Board voted to recommend approval of some text amendments to the new Zoning Ordinance and Subdivision Ordinance. The Planning Board has been working on these amendments for some time and the majority of the text amendments are designed to correct typos within the ordinances, however the Planning Board is also working on adding language to the Zoning Ordinance that will allow the town to better address group homes and telecommunication towers. The Planning Board requests that the Town Council set a date for a public hearing to review these text amendments in order to make a final determination. This date can be at the October Town Council meeting or November's meeting, or pick any date that is at least 25 days away.
- The Planning Board would like to request that they be able to participate in any meetings regarding the proposed solar farm due to the fact that the town will have to draft new zoning language and development standards to be able to properly plan for the project.
- Planning board request that Council hire a good land use lawyer for the planning board as soon as possible to help with the propose projects on the table. Request someone who is familiar with the town's issues and needs.
- Planning board change regular monthly meeting from Nov 11th to Nov 10th due to Veterans Day.

Town Planner gave the following brief:

- This week staff met with the Town of Leland, the Cape Fear River Watch, and a graduate student from UNCW's Environmental Program to develop a feasibility study for a regional paddle trail system. Staff believes that this is a great opportunity for us to utilize the Town's natural resources and to take advantage of the free help from UNCW.

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN MERRICK TO HOLD A PUBLIC HEARING FOR TEXT ADMENDMENTS ON OCT 15TH DURING COUNCIL SCHEDULE MEETING. ALL VOTED IN FAVOR.

The board gave the administrator the directive to investigate and report back concerning a town lawyer that can handle town business and land use issues.

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BURNS TO MOVE THE PLANNING BOARD MEETING FROM NOVEMBER 11TH TO NOVEMBER 10TH AT 7:30 P.M. ALL VOTED IN FAVOR.

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN BURNS TO TABLE THE REZONING ACTION UNTIL NEXT COUNCIL MEETING. ALL VOTED IN FAVOR.

OLD BUSINESS

Administrator reported that the speed bumps have arrived and will be installed on Church Street.

The public auction is schedule for October 5th at 10:00 am. The items being auction are two automobiles, and one lot of land.

Storm Water Advisory Panel members are Gregory Westfield, Dorsey Jones, Jr, Ella Beatty, John Klein, Glen Dowe, and Eulis Willis.

COUNCILMAN WALKER MADE A MOTION SECONDED BY COUNCILMAN MERRICK TO ACCEPT AND ADOPT THE RESOLUTIONS AND BYLAWS FOR THE STORM WATER ADVISORY PANEL. ALL VOTED IN FAVOR.
(RESOLUTION R-2009-13 LOCATED IN THE RESOLUTION BOOK IS HEREBY INCORPORATED INTO THE MINUTES OF THIS MEETING.)

COUNCILMAN WALKER MADE A MOTION SECONDED BY COUNCILMAN BALLARD TO ACCEPT THE NAMES NOMIANATED FOR THE STORM WATER ADVISORY PANEL. ALL VOTED IN FAVOR.

Councilman Walker reported that the town is investigating purchasing a dump truck and an attachment used to cut the ditches on the ditch cutter. The truck is an 83 international dump truck located in Greensboro. The owner will bring the equipment to town and allow use and inspection of truck before purchasing. The cost of the truck is \$12,500. The owner also has an attachment for the ditch cutter the cost is \$800. If truck is purchase the ditch cutter will be free. Walker recommendation is that the town workers test drives the equipment before purchasing.

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN SUGGS FOR WALKER TO COMPLETE THE ASSIGNED TASK REGARDING THE TRUCK/TRACTOR. ALL VOTED IN FAVOR.

Councilman Merrick informed the public that the Police Department is in the process of purchasing a new police car in the amount is \$22,500 excluding the radio and radar.

Town Administrator updated the public about the management advisor; Elton Daniels, who will be working with the town for two years on economical development.

Councilman Burns ask that the council review the material that was enclosed in their packages regarding streets before any recommendations is given.

NEW BUSINESS

Mayor disturbed an email concerning the lease agreement for the Dupont 5 acre park that is located at Cedar Hill and Mt. Misery Road that the town will be leasing.

COUNCILMAN WALKER MADE A MOTION SECONDED BY COUNCILMAN SUGGS TO ALLOW THE MAYOR TO ENTER INTO A LEASE AGREEMENT CONCERNING THE DUPONT PARK. ALL VOTED IN FAVOR. **(THIS AGREEMENT LOCATED IN THE AGREEMENT BOOK IS HEREBY INCORPORATED INTO THE MINUTES OF THIS MEETING.)**

Mayor gave a brief concerning the pipe replacement for Church Street the total cost is \$5600. The town portion would be \$2500.

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN SUGGS TO GO FORTH WITH THE PIPE REPLACEMENT FOR CHURCH STREET. ALL VOTED IN FAVOR.

Mayor gave a brief about a request to use the Town Hall Conference Room for HIV/AIDS Prevention classes to be given by Suzette Curry.

COUNCILMAN MERRICK MADE A MOTION SECONDED BY BALLARD TO ALLOW THE HIV/AIDS CLASS TO BE HELD 1 DAY A WEEK FOR 1 HOUR. ALL VOTED IN FAVOR.

The solar farms presentation is schedule for September 28th at 5:00 p.m.

COUNCIL MEMBER'S REPORTS

Councilman Ballard reported that he and Allen Pope the DOT Representative check on the marking on Mt. Misery/Cedar Hill Road. He reported the marking was fine and more lighting is needed. Ballard spoke with Councilman Burns regarding additional lighting.

Councilman Merrick asks if the planner could contact the owner of the Palette Company about moving the palettes away from the roads.

Mayor briefs the public about the K-9 program for the Police Department.

COUNCILMAN SUGGS MADE A MOTION SECONDED BY COUNCILMAN WALKER TO ACCEPT THE (K-9) POLICE DOG. ALL VOTED IN FAVOR.

CITIZENS

Mildred Beatty made a request that council use a microphone because the citizens in the could not hear.

Bill White had the following questions and concerns:

- Why Phoenix area couldn't be called North Navassa or South Navassa to make it more a community.
- Request feedback about the hiring of a Police Chief.

- Request feedback on the trip that council took to Holden Beach concerning their community center.

□ He express that a police chief is needed before spending money on police cars. Mayor stated awaiting details of the drawings from Holden Beach.

Councilman Merrick response was that a police chief job is administrative therefore, the public would not see the chief as much and the town has an interlocal agreement for 20 hours that has been kept up. The police car is necessary because it is part of the job equipment.

Frank Willis asks for update about the community building.

Ella Beatty informed the board that she saw the mosquito truck spraying in here area a was appreciative and ask if the folks in the Phoenix area would be involved in the development of the park for that area?

Barbara Thomas asks if there anything in the budget for more police officers.

Doris Willis expresses concern about the fire rate. She wanted to know what could be done to get the rate lower and what can we do to help the situation or is there anything in the budget to help.

Councilman Burns replied that participation is needed in order to meet certain criteria to have a paid fire department. And Councilman Walker stated he would like to see the town investigate how much it will cost to have paid fire fighters.

Dorsey Jones announced he is hosting a meet and greet session regarding is run for Mayor and ask was there any follow-up on the issue concerning the Mayor's right to vote. Also, he begins to give a brief about information he research on the website concerning the different forms of government. Mayor informed Mr. Dorsey he could not announce his campaign meet and greet in town meeting. And the Town Clerk informed Dorsey Jones that any information that he would like for council to have must be given to her in advance and she would distribute to council. She clarify that was the proper procedure regarding any information.

Clifton Ballard asks was there a listing of the items for the public auction. Mayor directed him to the administrator for any information needed.

EXECUTIVE SESSION

COUNCILMAN SUGGS MADE A MOTION SECONDED BY COUNCILMAN BALLARD TO GO INTO EXECUTIVE SESSION. ALL VOTED IN FAVOR.

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN MERRICK TO COME OUT OF EXECUTIVE SESSION. ALL VOTED IN FAVOR.

No action taken in executive session.

UPCOMING EVENTS

Utility Board meeting will be held on September 23 with Right Angle Engineering attending meeting regarding the cost of providing sewer to Cedar Hill Section.

Brownfield Grant Closeout will be September 30th.

ADJOURN

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN SUGGS TO RECESS THE MEETING UNTIL SEPTEMBER 18TH AT 4:00 P.M. ALL VOTED IN FAVOR.

Approval Date: October 15, 2009