

**TOWN OF HOPE MILLS
BOARD OF COMMISSIONERS REGULAR MEETING MINUTES
MONDAY, MONDAY JULY 6, 2020 7:00 P.M.
BILL LUTHER BOARD MEETING ROOM**

Mayor Jackie Warner called the regular meeting of the Hope Mills Board of Commissioners to order on Monday, July 6, 2020 at 6:58 p.m.

GOVERNING BOARD MEMBERS PRESENT

Mayor Jackie Warner, Mayor Pro Tem Dr. Kenjuana McCray, Commissioners Jessie Bellflowers, Pat Edwards, Bryan Marley and Jerry Legge.

STAFF PRESENT

Town Manager Melissa Adams, Town Clerk Jane Starling, Deputy Public Works Director Bruce Clark and Planning & Economic Development Director Chancer McLaughlin. Also present was Attorney Katie Barber-Jones of Hartzog Law Group.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was Pastor Ellen McCubbin, Hope Mills United Methodist Church, followed by the Pledge of Allegiance led by Mayor Jackie Warner.

1. APPROVAL OF AGENDA – ADDITIONS OR DELETIONS.

Motion made by Commissioner Marley, seconded by Commissioner Edwards and carried unanimously, to approve the agenda as presented with the addition of New Business item e. Appointment of a Special Committee.

2. PRESENTATIONS.

- a. Presentation of Transportation Information by Dasmon Ellerbe, Sure Modes of Everyday Transportation, LLC.

Mr. Dasmon Ellerbe provided an overview of the affordable service options Sure Modes of Everyday Transportation would provide Town residents. The presentation is included in the agenda packet.

Commissioner Edwards inquired how the door-to-door ADA service would work for seniors. Mr. Ellerbe responded the passenger would call and arrange a pickup within the hourly route or a van would come and collect the passenger and drop them off to the nearest route they are requesting.

Mayor Pro Tem Dr. McCray inquired if a monthly rate would be an option. Mr. Ellerbe responded it is possible and he is open to the Board's input.

Commissioner Bellflowers requested Mr. Ellerbe look into including a route to Fayetteville Technical Community College.

Commissioner Marley inquired the cost of Sure Modes of Everyday Transportation and if this would require a contract. Mr. Ellerbe responded it would require a contract and he did not plan to include a breakdown of the costs until the Board provided direction of which routes they were interested in. Commissioner Marley responded in order for the Board to determine the feasibility of this, they would need to see the figures for each route and requested Mr. Ellerbe gather that information and meet with the Town Manager before bringing that information back before the Board.

Commissioner Legge inquired if drivers will be able to handle emergency situations with passengers. Mr. Ellerbe responded drivers will be CPR trained and provided with radio communication.

3. PUBLIC HEARINGS.

- a. Public Hearing for A2020-04, Annexation of Sweetwater Subdivision, Elk Road.

Mayor Warner opened the public hearing for Case A2020-04, Annexation of Sweetwater Subdivision.

Mayor Warner called for comments for or against the proposed annexation. There were none.

Motion made by Commissioner Marley, seconded by and carried unanimously, to close the public hearing for Annexation Case A2020-04.

Mayor Warner closed the public hearing at 7:48 p.m.

- b. **Case P20-12:** Revision and Amendment to the Hope Mills Sign Ordinance.

Planning & Economic Development Director Chancer McLaughlin commented the Board of Commissioners fully adopted the current version on April 15, 2019. Since the time of the adoption of the current ordinance staff encountered issues during the most recent election in November of 2019 tied to the enforcement of political campaign sign regulations. Staff has also been contacted from business owners expressing concerns over the removal of pole signs as a permitted use.

When the Board of Commissioners considered making changes to address these issues staff presented the first draft of amendments at the December 16, 2019 Board Meeting. Another work session was held on January 6, 2020 where the Board of Commissioners voted to direct staff to send the draft amendment to Cumberland County for consideration by the Joint Planning Board. The main issues this current amendment seeks to address are pole signs and political campaign signs.

Mayor Warner commented the County Planning Board appeared to be misled based on their comments that this newly proposed revision would be bringing the ordinance backwards. The current Board's concern is economic development with the expansion of 295 and allowing monument and pole signs.

Commissioner Bellflowers commented community appearance was the spirit of changing pole signs to grounds sign in the previous revisions.

Discussion ensued regarding the Town representative that was present when the County Planning Board heard this case and the lack of support for this case on the Town's behalf. Further discussion ensued regarding the cost and feasibility of the Town parting from the County Planning Board.

Motion made by Commissioner Marley to approve Case P20-12 text amendment to the Hope Mills Zoning Ordinance and find this text amendment consistent with the adopted 2030 Growth Vision Plan (2009) Policy Area 10 of the Community Appearance and Image recommendation of reviewing and updating sign regulations periodically to enhance community identity and create a high quality business image. The proposed amendment is also generally consistent with the Southwest Cumberland Land Use Plan (2014) goal of striving to enhance community appearance and reduce sign clutter along major thoroughfares. Approval of this text amendment is also reasonable and in the public interest because the change to the temporary signage brings the ordinance into compliance with the Reed v. Town of Gilbert court ruling and the amendment will enable the town to enforce sign regulations that are consistent with the image the town is seeking to project in their commercial areas and the motion carried 3-2, with Commissioner Bellflowers and Commissioner Legge voting against.

- c. **Case P20-14:** Initial zoning of 4.16+/- acres to C(P) Planned Commercial or to a more restrictive zoning district; located at the northern quadrant of the intersection of NC 162 (George Owen Road) & SR 1003 (Camden Road); submitted by South Woodland Properties LLC (owner). (Hope Mills).

Planning & Economic Development Director McLaughlin commented the Town received a voluntary annexation petition from Caliber Collision on January 16, 2020 tied to the development of a 14,675 square foot auto repair facility. The site is a 4.16-acre tract located at the northwestern intersection of George Owen Road and Camden Road. The Town of Hope Mills Board of Commissioners directed staff to proceed with the request for initial zoning at the February 2, 2020 meeting and officially approved annexation 2020-01 at the March 2, 2020 board meeting. Shortly after the approval of the annexation, Cumberland County Planning Board hearings were put on indefinite hold due to negative impacts of COVID-19 which also impacted the consideration of this request.

Motion made by Commissioner Bellflowers, seconded by Commissioner Marley and carried unanimously, to approve Case P20-14 initial zoning of C(P) Planned Commercial and find the request consistent with the Southwest Cumberland Land Use

Plan (2014) designation of “Heavy Commercial”. The C(P) district is also considered a “Heavy Commercial” district within the Land Use Policies Plan (2009). The Board further finds approval of the request is reasonable and in the public interest as the parcel is located at a heavily trafficked intersection, the parcel is served by public water and the parcel was already zoned C(P) within the County’s jurisdiction before it was annexed.

4. PUBLIC COMMENTS.

Town Clerk Jane Starling read a public comment submitted via email to the Clerk’s office from Ms. Sue Moody, 3647 Lake Forest Road, Hope Mills, NC. (Comment is summarized) Ms. Moody requested the Board approve the Sign Ordinance Amendment as it is in the best interest of the Town and the representative that was present at the County Planning Board meeting misled the Board.

Town Clerk Jane Starling read a public comment submitted via email to the Clerk’s office from Mr. Bryan Smith, 5747 Crenshaw Drive, Hope Mills, NC. (Comment is summarized) Mr. Smith commented on behalf of numerous residents of the Golf Acres and surrounding subdivisions as they are opposed to the opening Crampton Road for a new housing development. Over 200 people signed a petition against the expansion of Crampton Road due to increase in traffic, concern for speeding and safety of the children.

Mr. Michael Gillis, 3616 Crampton Road, Hope Mills, NC. Mr. Gillis resides in Golf Acres and spoke in opposition of the possible development of duplexes on the former golf course property as the area would require additional stop lights, speed bumps, safety signage and additional vehicle traffic delays it would cause. Additionally, Mr. Gillis stated concerns for property values decreasing, increases in crime and further exhaustion of our first responders.

Mr. Richard Luetgenau, 5758 Crenshaw Drive, Hope Mills, NC. Mr. Luetgenau spoke in opposition of opening Crampton Road as an entrance and exit for a multi-family housing development. Mr. Luetgenau commented he is not opposed to the new development but wishes for his neighborhood to remain peaceful and closed from the additional traffic as speeding is already a concern. Mr. Luetgenau commented he was the one who began the petition and submitted it to the Town.

Discussion ensued regarding holding a public hearing as numerous citizens are opposed to opening Crampton Road to a new housing development.

Planning & Economic Development Director McLaughlin commented only rezoning cases require public hearings by law. Subdivision applications do not require public hearings. Currently, the case has been filed with the Cumberland County Planning staff and they are sending out a request for comments from the regulatory agencies who have the approval authorization through their ordinances. A request for comments will come from Town staff in the Planning, Stormwater, Public Works, Police, Fire and Inspections

Departments, if applicable. Once received, the County utilizes the comments as draft conditions of approval.

Attorney Katie Barber-Jones commented that based on the current status of the zoning, the Board does not have the authority to vote on the actions the developer is going to take. The Board cannot act beyond the powers given to them under the law to restrict a developer from taking action they are entitled to, if not otherwise prohibited.

Ms. Julie Warfel, 3509 Crampton, Hope Mills, NC. Ms. Warfel spoke in opposition of the possible opening of Crampton Road for a new housing development near her neighborhood due to the possible safety concerns for children that walk and play in the neighborhood; the traffic congestion on Rockfish Road and overcrowding of schools.

5. CONSENT AGENDA:

- a. Consideration of Approval of Closed Session Meeting Minutes for March 2, 2020.
- b. Consideration of Approval of Special Meeting Minutes for May 31, 2020 Emergency Meeting.
- c. Consideration of Approval of Special Meeting Minutes for June 1, 2020 Budget Workshop.
- d. Consideration of Approval of Regular Meeting Minutes for June 15, 2020.
- e. Authorize Interlocal agreement accepting COVID-19 funds via Cumberland County.
- f. Consideration of Approval of Resolution R2020-16 Authorizing the disposition of surplus Police Vehicle #143, a 2011 Dodge Charger.

“END OF CONSENT AGENDA”

Motion made by Commissioners Edwards, seconded by Commissioner Marley and carried unanimously, to approve the consent agenda as read.

6. OLD BUSINESS: NONE.

7. NEW BUSINESS:

- a. Consideration and Possible Action on Adoption of Annexation Ordinance A2020-04 Sweetwater Subdivision.

Motion made by Commissioner Marley, seconded by Commissioner Edwards and carried unanimously, to approve Annexation A2020-04 Sweetwater Subdivision.

- b. **Case No. 20-075.** Consideration of the Hope Mills Tires; C1(P) Site Plan Review; Hope Mills Zoning Ordinance; Zoned: C1(P); Acreage: 0.34 ac. +/-; Located at 5617 Rockfish Road (SR 1112); submitted by Qahtan Alsaïdi (Developer). (Hope Mills).

Commissioner Legge inquired if auto body repair would take place at this location. Mr. McLaughlin responded they would only provide tire service.

Commissioner Marley inquired if the owner understands the sidewalk requirement. Mr. McLaughlin responded they are aware of the sidewalk requirement.

Motion made by Commissioner Marley, seconded by Commissioner Legge and carried unanimously, to approve Hope Mills Tires; C1(P) Site Plan Review; Hope Mills Zoning Ordinance; Zoned: C1(P); Acreage: 0.34 ac. +/-; Located at 5617 Rockfish Road (SR 1112); submitted by Qahtan Alsaïdi (Developer) (Hope Mills) to allow tire work only.

- c. Consideration and possible action on Outdoor Dining Policy.

Planning & Economic Development Director McLaughlin commented due to the COVID-19 pandemic and relaxed state of emergency requirements, staff has noticed an increase in restaurant owners desire for outdoor dining. The following regulations would only be applicable on a temporary basis with staff moving to adopt a full amendment to the Zoning Ordinance at a later date once the spread of the coronavirus has diminished. This approach would also allow staff to study how outdoor dining is received by patrons to give more insight on better ways to regulate the use once a time has come to adopt permanent legislation in our ordinance. The policy addresses setback requirements, social distancing, liquor licenses, seating capacity, a requirement for clear delineations of the outdoor dining boundaries, and utilizing parking spaces to provide dining space.

Commissioner Legge expressed his concern for patron's safety when seated so closely to major roadways.

Commissioner Marley inquired if this policy will permit the sale of liquor. Planning & Economic Development Director McLaughlin responded liquor will be allowed in the outdoor dining areas as clear delineations of the boundaries will be required by fencing or other materials so patrons cannot simply walk into the parking lot with an alcoholic beverage; it will be contained.

Discussion ensued regarding the Diner by Chef Glenn,

Motion made by Commissioner Bellflowers, seconded by Mayor Pro Tem Dr. McCray and carried unanimously, to approve the Outdoor Dining Policy.

d. Discussion and possible action on the formation of a Hope Mills Millennial Advisory Commission or Committee. Requested by Mayor Pro Tem Dr. McCray. Mayor Pro Tem Dr. McCray commented she met with the Mayor Pro Tem for the City of Fayetteville in regard to the cities Millennial Advisory Commission. Mayor Pro Tem would like the Town to form a possible Millennial Commission as a Cultural Arts committee as well. Mayor Pro Tem Dr. McCray would like the committee to include individuals aged 19-39.

Discussion ensued regarding the inclusion of the Town's guidelines in the formation of the proposed committee as this would be required to go through the Town Attorney to be drafted by ordinance as a standing committee.

The consensus of the Board was for the Town Manager to work with the Town Attorney to draft the guidelines for the formation of the Millennial Advisory/Cultural Arts Committee and bring the draft back before the Board.

e. Appointment of a Special Committee.

Mayor Warner commented she requested this item be added as she is a firm believer in partnerships and would like to form a committee to pursue a joint, shared cost driveway located off of Golfview Road. The Committee would consist of the Mayor or a representative from the Board, the Town Manager, Town Planner, a representative from DOT, the developer that would build the multi-family residential units off of Crampton Road, and the adjacent 30-acre property owner.

Motion made by Commissioner Marley, seconded by Commissioner Edwards and carried unanimously, to approve the formation of a Golfview Driveway Study Committee.

8. REPORTS AND INFORMATION ITEMS:

a. Manager's Report.

Rockfish Road Sidewalk Project: Nothing new to report.

Johnson Street Sidewalk Project: 90% drawings have been reviewed by NCDOT. Our engineer is evaluating the comments and working on making the appropriate changes. Due to the furloughs and the situation with funding at NCDOT, we have been instructed to stay in a holding pattern until further instruction from DOT. Nothing new to report.

The Fountain Lane property: Surveyor is working on scheduling a date to complete setting the corners. This project is in the new 2020-2021 FY Budget. Public Works would like to begin the construction of the parking lot during the off season for the Lake Park.

Former Episcopal Parish House vacant lot: The Notice to Proceed (NTP) has been given to the contractor to seed the Former Episcopal Parish House vacant lot, next to the

Episcopal Chapel and the area around the dam; the work should proceed within the next few weeks.

Trade Street Museum: The Historic Preservation Committee is scheduled to hold a work session at the Trade Street building on Wednesday, July 8th so that they may be able to provide any additional feedback prior to the project being put out for bid for ADA compliance of the museum.

Eel ladder: Public Works has received the new pump. Installation is pending. Nothing new to report.

Pumphouse repairs in Heritage Park: Public Works staff is in the process of obtaining quotes for a mason to do the repairs to the masonry. Nothing new to report.

Public Works has received the draft Final ADA Transition Plan and is in the process of working with Stewart, Inc. to review and edit, in order to finalize the plan.

Public Safety Building: Update to the John W. Hodges Public Safety Building: USDA Underwriting – after review of the Financial Feasibility Report, they have completed underwriting and submitted for State review. Once approved, our project will be submitted to the National Office for final concurrence. After this step, USDA will present a Letter of Conditions at the next scheduled Board of Commissioners meeting. Once approved, we can authorize the project to bid and schedule meeting with LGC. Architect – Plans, specifications and front-end documents have been reviewed and approved by the USDA State Architect with no comments or concerns, per his review. Once funds are secured, we will authorize the project to bid.

The driveway and parking lot at Golfview Greenway is near completion. The contractor will finalize and closeout the driveway permit with NCDOT once they have completed the striping and signage for the ADA Parking spaces.

Commissioner Bellflowers inquired about an erosion concern on the pathway at Golfview Greenway. After discussing with Public Works Director Don Sisko, he has informed me that Public Works can fix the area and put down the asphalt. It is something that we will have to watch, as the problem will continue because that area is in a low spot (until the area is developed and a storm water feature is put in place). He will get with the Parks & Recreation maintenance staff to make sure that once repaired, they will keep an eye on it so that it won't get to that condition again. On Monday, June 29th, Public Works completed the repair to the walking path.

On Thursday, June 25th Finance Director Drew Holland represented Commissioner Legge in the virtual RLUAC Special Meeting; the purpose of the meeting was to vote on their proposed 2020-2021 FY Budget. Their next meeting is scheduled for August 25th.

Public Works has blocked off a section of Wallace/Golfview due to a PWC sewer sink hole. It had been repaired once, but the sink hole has reappeared. PWC has been notified.

I had received a few complaints regarding the sink hole on Main St. (Hwy 59) in front of the lake. Public Works contacted NCDOT again, and they did come and fill it in with asphalt; but the issue is complicated by the fact that there is a natural spring right there where the sink hole keeps appearing.

We have contacted NCDOT regarding re-ditching along the front of the C. Wayne Collier Elementary School. They have responded that they would appreciate our patience in the matter as they have limited staffing due to COVID-19 and their funding issues; but will put in the work order.

The contractor painting the PWC water tank has completed the job.

Public Works is in the process of engaging the contractor for the repairs to the Veterans Memorial Monument. The quote is for \$13,600.00.

I have received complaints regarding walkers not picking up after their dogs. Most of the complaints are coming from residents using the Golfview Greenway. Parks & Recreation staff have posted on their Facebook page, a reminder to citizens to please be courteous and pick up after your dog(s). We have shared the post on the Administration page. In addition, the Parks & Recreation staff will be cleaning the walking trail at Golfview more frequently and two additional pet waste stations will be added, one near the new parking lot and an additional one along the walking path. Staff also intends to place a bin full of pet waste dispensers that attach to the dog's leash for residents to take one, should they not have one with them for their walk.

Parks & Recreation staff ordered ropes and buoys to be installed around the swimming area at the Hope Mills Lake. I am happy to report the rope boundary for the swim area was completed on July 1, 2020 and it looks wonderful.

Commissioner Legge has had an inquiry into the procedure to install speed humps on Town owned streets. I am attaching a copy of the Policy along with my Manager's Report.

PLANNING AND ZONING:

- Smithfield's: Staff has been contacted by the owner of the Smithfield's Restaurant who is gearing up for a complete demolition and rebuild of the store on the same site.
- N. Main Street Development: Staff has been contacted by a real estate agency interested in the development of the 2 vacant parcels just north of Kidz Care Pediatric Clinic located at 3436 N. Main Street. The proposed project is for a small retail shopping center consisting of 3 units.
- South View High School has notified staff that they have some trees that they need to cut in the rear of the High School in an area where a softball field is located. They wish to

cut about 22 trees and they are complying with the Town's Tree Preservation Ordinance. A final inspection of the area will be conducted by staff next week.

- Planning & Economic Development Director Chancer McLaughlin has sent a Zoning Violation letter to The Diner By Chef Glen & Company, located at 5554 Camden Road, outlining the zoning violation of the seating area in the front of the restaurant.

ECONOMIC DEVELOPMENT: Staff is currently researching and exploring the feasibility of attracting a full-service drive-in movie theatre to the Town of Hope Mills.

CODE ENFORCEMENT:

- Beginning July 1, 2020 staff will officially move forward with a new "quadrant" approach to Code Enforcement. Staff is also exploring the option of digitizing Code Enforcement with hand held devices that will facilitate more thorough and efficient reporting.

- Following a telephone hearing which was held on June 10th, the property owner of the house that burned on Fountain Lane has been notified in writing that he has to clear the property of any damaged vehicles, debris and unsafe structures. He is required to obtain a demolition permit.

HR has created a policy regarding face coverings and masks in compliance with the Governor's Order requiring they be worn. I have attached a copy to my Manager's Report. In addition, we will require the public to wear a mask to enter Town buildings. Although the Police Department does continue to catch four-wheelers riding along the streets, it is a slow process because there are so many of them. The Chief and I have been discussing additional measures that we may be able to take to mitigate some of the four-wheeler traffic.

b. Reminders – Meetings are subject to change based on conditions present immediately to their date.

- Wednesday, July 8, 2020 @ 5:00 p.m. - Historic Preservation Committee meeting, in Parks & Recreation Building.
- Monday, July 20, 2020 @ 7:00 p.m. - Board of Commissioners regular meeting, in Town Hall Bill Luther Meeting Room.
- Thursday, July 23, 2020 @ 6:00 p.m. - Veterans Affairs Committee meeting, in Parks & Recreation Building.
- Monday, July 27, 2020 @ 6:30 p.m. – Parks & Recreation Advisory Committee meeting, in Parks & Recreation Building.
- Tuesday, July 28, 2020 @ 6:30 p.m. - Appearance Commission meeting, in Parks & Recreation Building.

c. Committee Liaisons update on Committee Activities.

- Commissioner Pat Edwards- Appearance Committee, Mid-Carolina Council of Government

Commissioner Edwards commented the Appearance Committee welcomed two new members and discussed plans for the gazebo and lake electrical panel.

- Commissioner Jerry Legge - Historic Preservation Committee, RLUAC (Regional Land Use Advisory Commission)

Commissioner Legge commented Finance Director Holland attended the recent RLUAC meeting electronically in his place and approved their fiscal year budget.

- Commissioner Bryan Marley-Veterans Affairs

Commissioner Marley commented the Veterans Affairs Committee had a number of questions that he submitted to Town Manager Adams and she promptly addressed them. The Committee has also been working to beautify the Veterans Memorial.

Town Manager Adams provided an update regarding the repairs to the Veterans Monument and website accessibility, most were addressed in the email response to Commissioner Marley or in her attached Manager's report.

- Mayor Pro Tem Dr. McCray- Parks & Recreation Advisory Commission, Cumberland County Air Quality Stakeholders Committee

Mayor Pro Tem Dr. McCray commented the Parks & Recreation Advisory Commission elected officers, voted on a fee schedule for the weight room of \$15 per month for ages 18-54; \$10 per month for ages 55 + and \$20 per month for non-residents. The Commission discussed online registration numbers for summer and fall sports and Heritage Park PARTF Grant submission.

- Mayor Jackie Warner- Mayor's Youth Leadership Committee, FAMPO TPB (Transportation Policy Board), FCEDC Municipal Advisory Meeting Liaison

Mayor Warner requested the Clerk's office begin preparing a letter to recruit members for the Mayor's Youth Leadership Committee once school starts back up.

Mayor Warner commented 22 youth members of Venturing Crew 32 participated in a clean-up day at Hope Mills Lake Park in which they collected 1700 pieces of trash.

Town Manager Adams commented the Town could prepare certificates to recognize Venturing Crew 32.

9. STAFF COMMENTS.

Town Manager Adams commented she wished to state for the record that she was against charging seniors for use of the Parks & Recreation facility and did not approve those requests in previous years. Further, the Parks & Recreation Advisory Commission did not

have the authority to amend the fee schedule as that is at the discretion of the Board and tied to the Town's Budget Ordinance.

Town Manager Adams will attend the next Parks & Recreation Advisory Committee meeting on July 27, 2020 alongside Parks & Recreation Director Lamarco Morrison to discuss the Committee's proposed weight room fee schedule changes before bringing recommendations before the Board.

10. OFFICIAL COMMENTS.

Commissioner Bellflowers thanked everyone for attending and all of the speaker's public comments.

Mayor Pro Tem Dr. McCray thanked the Veterans Affairs Committee members for their work in beautifying the Veterans Monument.

Commissioner Marley thanked the speakers who attended to voice their concerns about the proposed duplex housing development and though the Town's hands are tied, he is glad a committee will be formed to attempt to aid in the situation, if possible.

Commissioner Legge thanked everyone who spoke as well as Town staff and the Police Department.

Mayor Warner thanked the Board for their discussion points this evening, and Town staff for their hard work.

11. ADJOURNMENT.

Motion made by Commissioner Legge, seconded by Commissioner Marley and carried unanimously, to adjourn the meeting.

Mayor Warner adjourned the meeting at 10:06 p.m.

Jackie Warner, Mayor

ATTEST:

Jane G. Starling CMC, NCCMC

Town Clerk