

Town of Swansboro
Board of Commissioners
July 24, 2023, Regular Meeting Minutes

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner Pat Turner, Commissioner Larry Philpott, Commissioner Jeffrey Conaway, and Commissioner PJ Pugliese.

Call to Order/Opening Prayer/Pledge

The meeting was called to order at 5:30 pm. Mayor Davis led the Pledge of Allegiance.

Public Comment

Kim Kingrey of 212 Elm Street shared that she liked the ducks and thought they were cute, but over the past years' things have shifted and there are too many. In addition to having to deal with dead ducks, they fly more than they used to. She felt that something should be done because they are getting on porches and vehicles and homeowners are having to deal with the other nuisance of their feces.

Adoption of Agenda and Consent Items

On a motion by Commissioner Philpott, seconded by Commissioner Turner, the agenda was approved unanimously.

Public Hearing

Text Amendment to 152.179 Table of Permitted/Special Uses

Projects/Planning Coordinator Brehmer reviewed that the Town received a request from Swansboro High School to allow the replacement of the existing band tower in the front yard of the High School. Since 2000, accessory structures have not been permitted in front yards. However, in 2020 Ordinance 2020-06 was passed to allow accessory structures in the front yard on lots two (2) acres or greater. The purpose of this amendment is to include Government/Educational (G/E) properties to be permitted as a use in that category.

The public hearing was opened at 5:36 pm then closed, no comments were offered.

On a motion by Commissioner Conaway, seconded by Commissioner Pugliese, Ordinance 2023-O9 and the Comprehensive Plan Consistency Statement was approved unanimously amending the Unified Development Ordinance to amend Section 152.179 to allow accessory structures in the front yard on lots two (2) acres or greater in the GE (Governmental/Educational Zoning) district.

Business Non-Consent

Duck Population Control Measures

Public Works Director Bates reviewed that he had been in contact with two organizations that could assist with population control measures. OWLS and Possumwood Acres.

Executive Director, Toni O'Neal with Possumwood Acres was in attendance to provide further information.

Ms. O'Neal shared that over the past several years her Muscovy duck intake has doubled each year from the Swansboro area. She shared that collection of eggs before they are sat upon by the ducks and having only 1 area for feeding, and education to residents are measures that can be taken to control the population. To address the overpopulation situation that existed she recommended having a rehoming/adoption campaign allowing interested parties to capture the ducks for relocations to their property. Mrs. O'Neal shared that in her opinion around 20 ducks was a sustainable population for our area.

In response to inquires from the board staff clarified the following details

- There were approximately 200-250 ducks downtown.
- The town ordinance is enforceable and included a fine of \$50.

After discussion, by consensus of the board, signs would be created to deter feeding, a centralized feed area would be explored, and Mrs. O'Neal would work with the Town Manager to help facilitate decreasing the duck population to around 20 ducks.

Text Amendment/Town Code Chapter 34: Fire Department

Fire Chief Randall shared that after carefully reviewing the ordinances relating to the organization of the Fire Department and fire prevention, most all ordinances were outdated on current methodologies, industry standards, approaches, or evolved operations. An amendment is recommended to realign, amend, and strengthen the adopted ordinances relating to the organization of the fire department.

On a motion by Commissioner Conaway seconded by Commissioner Philpott, Ordinance 2023-O10 amending Town Code Chapter 34: Fire Prevention was approved unanimously.

Town Code Amendment to Chapter 50: Refuse, Solid Waste and Recycle, § 50.26 Curbside pickup
Public Works Director Bates reviewed that at the board's request, staff drafted an amendment to the Town Code § 50.26 Curbside pickup, to apply a location designation for curbside collection area and restriction on the amount of time trash and recycle containers can be curbside for collection.

The curbside area recommended was in front of the property and at least 3 feet from other objects such as mailboxes, vehicles, and utilities poles. The timeframe recommended for placement curbside was no earlier than 6 pm the night before collection and removal no later than 6 am the day following collection. Allowing residents to place containers curbside the night before and remove the day following collection, provided an adequate timeframe for all persons to accommodate placing and removing their containers based

on their schedules and to account for possibly delays or issues. This timeframe for containers to be curbside would be for a total of 36 hours.

Due to the daylight changes during the winter months, the hour of 5 pm the night before was recommended, and agreed upon by the board.

On a motion by Commissioner Philpott, seconded by Commissioner Turner Ordinance 2023-O11 amending § 50.26 Curbside pick up to restrict the amount of time trash and recycle containers can be curbside for collection was approved unanimously with the hour change from 6 pm to 5 pm the night before collection.

Financial Report as of June 30, 2023

Mrs. Johnson reviewed details from the monthly financial report, attached herein with the PowerPoint presentation of the meeting.

Future Agenda Topics

Future agenda items were shared for visibility and comment. In addition, an opportunity was provided for the Board to introduce items of interest and subsequent direction for placement on future agendas. There were no other items added for future review.

Public Comment

Citizens were offered an opportunity to address the Board regarding items not listed on the agenda. No comments were given.

Board Comments

Commissioner Philpott shared that a letter had been sent to state representatives requesting additional funding for the EOC and that loans were still under research.

Closed Session

On a motion by Commissioner Turner, seconded by Commissioner Philpott the board entered closed session at 6:36 pm pursuant to NCGS 143-318.11 (a) (5) regarding property acquisition.

Pursuant to a motion duly made in and seconded in closed session the board returned to open session.

Adjournment

On a motion by Commissioner Turner, seconded by Commissioner Pugliese, the meeting adjourned at 7:28 pm.

Regular Meeting July 24, 2023



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1. Please turn cell phones to “off” or “vibrate”.

2. The Board offers the public three opportunities to speak during the meeting:

A comment period is offered at the beginning and end of the meeting. Please note that a separate opportunity is provided for those items requiring a public hearing.

Public Hearing(s) – There are 1 public hearings scheduled for this meeting.

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PUBLIC COMMENT

Citizen opportunity to address the Board for items listed on the agenda.

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AGENDA AND CONSENT ITEMS

Action Needed: Motion to Adopt the Agenda as prepared (or amended) and approval of the Consent Items

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PUBLIC HEARING

Text Amendment to 152.179 Table of Permitted/Special Uses

The Town received a request from Swansboro High School to allow the replacement of the existing band tower in the front yard of the High School. Since 2000, accessory structures have not been permitted in front yards. However, in 2020 Ordinance 2020-06 was passed to allow accessory structures in the front yard on lots two (2) acres or greater. The purpose of this amendment is to include Government/Educational (G/E) properties to be permitted as a use in this category.

Recommended Action: 1. Hold a Public Hearing 2. Motion to approve or deny Ordinance 2023-09 amending the Unified Development Ordinance to include Section 152.179 to allow accessory structures in the front yard on lots two (2) acres or greater in the Governmental/Educational Zoning District and the Comprehensive Plan Consistency Statement.

Presenters: Rebecca Brehmer – Project/Planning Coordinator

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NEW BUSINESS/NON-CONSENT

Duck Population Control Measures

At the board's request, staff researched possibilities for duck population control. Two local wildlife rehabilitation organizations will provide information on control methods.

Recommended Action: Receive information and provide direction to staff.

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NEW BUSINESS/NON-CONSENT

Text Amendment/Town Code Chapter 34: Fire Department

After carefully reviewing the ordinances relating to the organization of the Fire Department and fire prevention, most all ordinances were outdated on current methodologies, industry standards, approaches, or evolved operations. An amendment is recommended to realign, amend, and strengthen the adopted ordinances relating to the organization of the fire department.

Recommended Action: Motion to approve Ordinance 2023-O10 amending Town Code Chapter 34: Fire Prevention

Presenter: Jacob Randall – Fire Chief

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NEW BUSINESS/NON-CONSENT

Town Code Amendment to Chapter 50: Refuse, Solid Waste and Recycle, § 50.26 Curbside pickup

At the board's request, staff has drafted an amendment to the Town Code § 50.26 Curbside pickup, to apply a location designation for curbside collection area and restriction on the amount of time trash and recycle containers can be curbside for collection.

Recommended Action: Motion to approve Ordinance 2023-O11 amending § 50.26 Curbside pick up to restrict the amount of time trash and recycle containers can be curbside for collection.

Presenter: Gerald Bates– Public Works Director

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NEW BUSINESS/NON-CONSENT

Financial Report

Presenter: Sonia Johnson – Finance Director

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TOWN OF SWANSBORO FINANCIAL REPORT (AS OF JUNE 30, 2023)

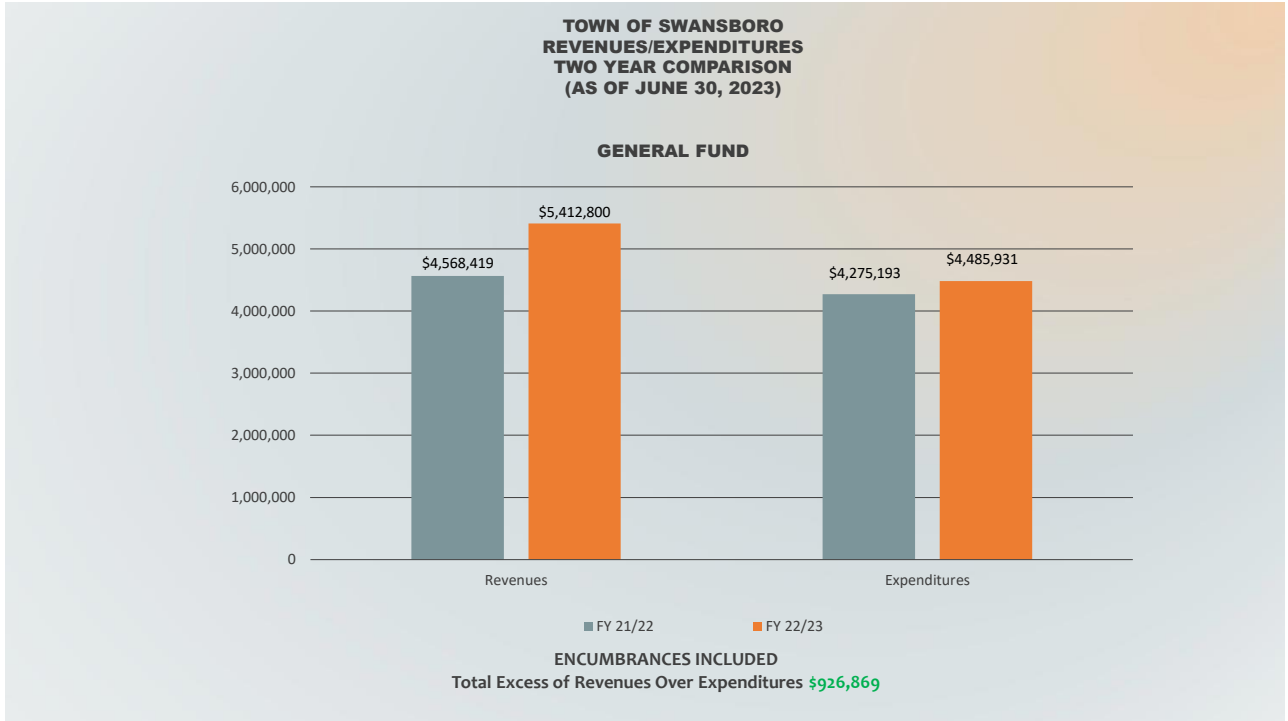
REVENUES

EXPENDITURES

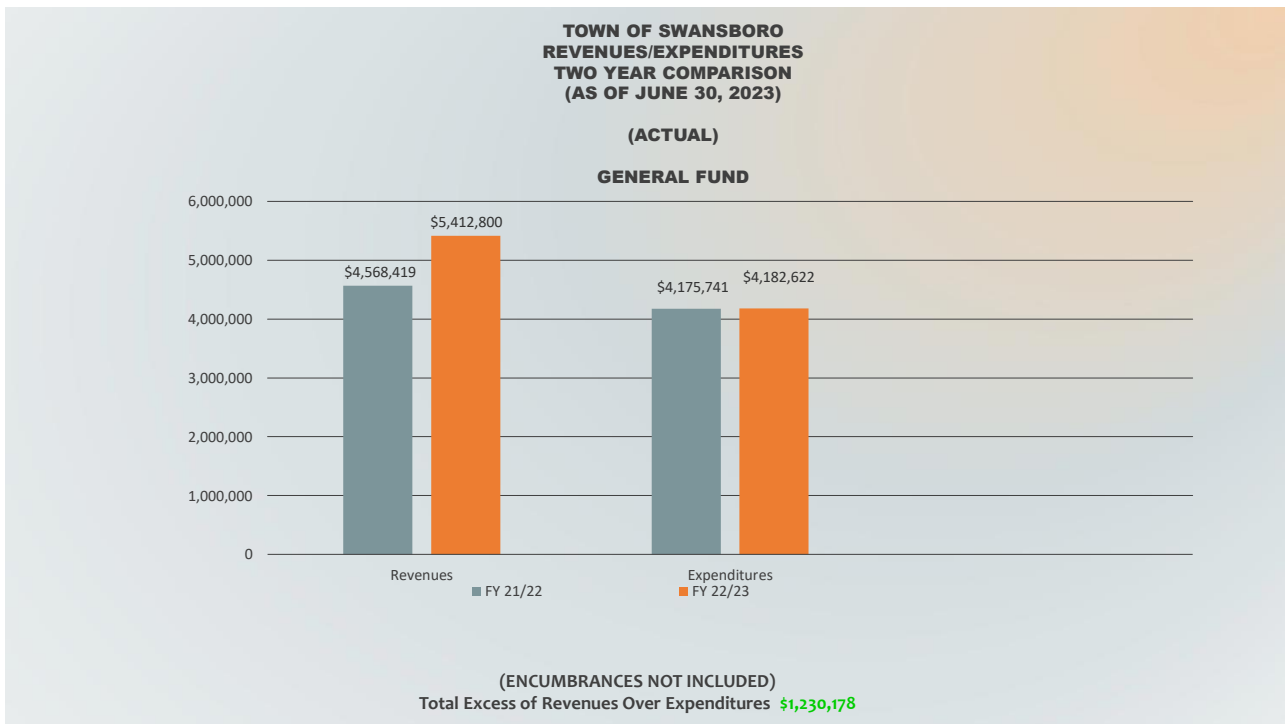
LOAN PAYMENTS

INVESTMENTS

10



11



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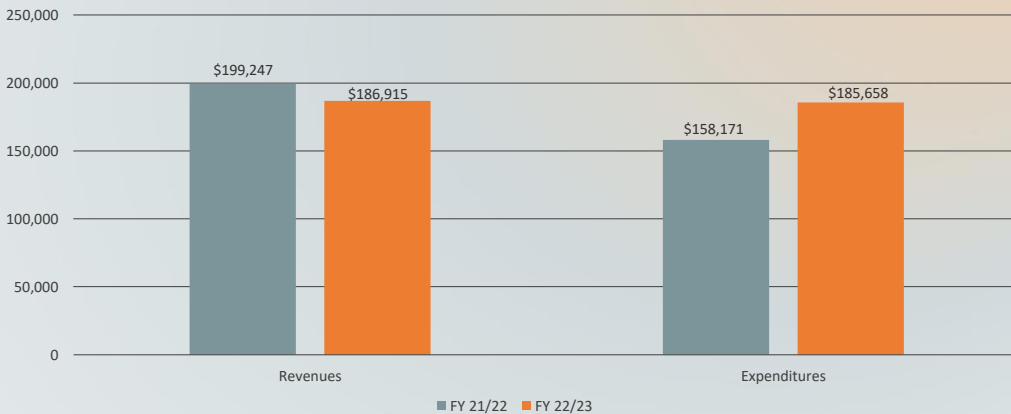
DEPT.	BUDGET	YTD ACTUAL	(PURCHASE ORDERS) ENCUMBERED BALANCE	SPENT % June 30, 2023
GOVERNING BODY	29,902	23,579	-	78.9%
ADMIN SERVICES	376,563	352,449	4,773	94.9%
FINANCE	265,670	253,807	8,633	98.8%
LEGAL	43,000	38,257	-	89.0%
PUBLIC BUILDINGS	389,207	322,929	17,467	87.5%
FIRE	1,097,803	907,848	60,562	88.2%
PERMITTING	362,328	290,210	5,442	81.6%
POLICE	1,143,718	887,504	53,316	82.3%
PUBLIC WORKS-STREETS	375,286	260,640	22,766	75.5%
POWELL BILL-STREETS	135,830	10,465	78,874	65.8%
PARKS & RECREATION	376,204	322,037	19,021	90.7%
CHURCH STREET DOCK	9,454	7,061	810	83.2%
EMERGENCY MANAGEMENT	2,700	2,700	-	100.0%
FESTIVALS & EVENTS	124,449	85,481	4,525	72.3%
NON DEPARTMENTAL	524,972	416,608	27,121	84.5%
TOTAL	5,257,085	4,181,575	303,309	85.31%

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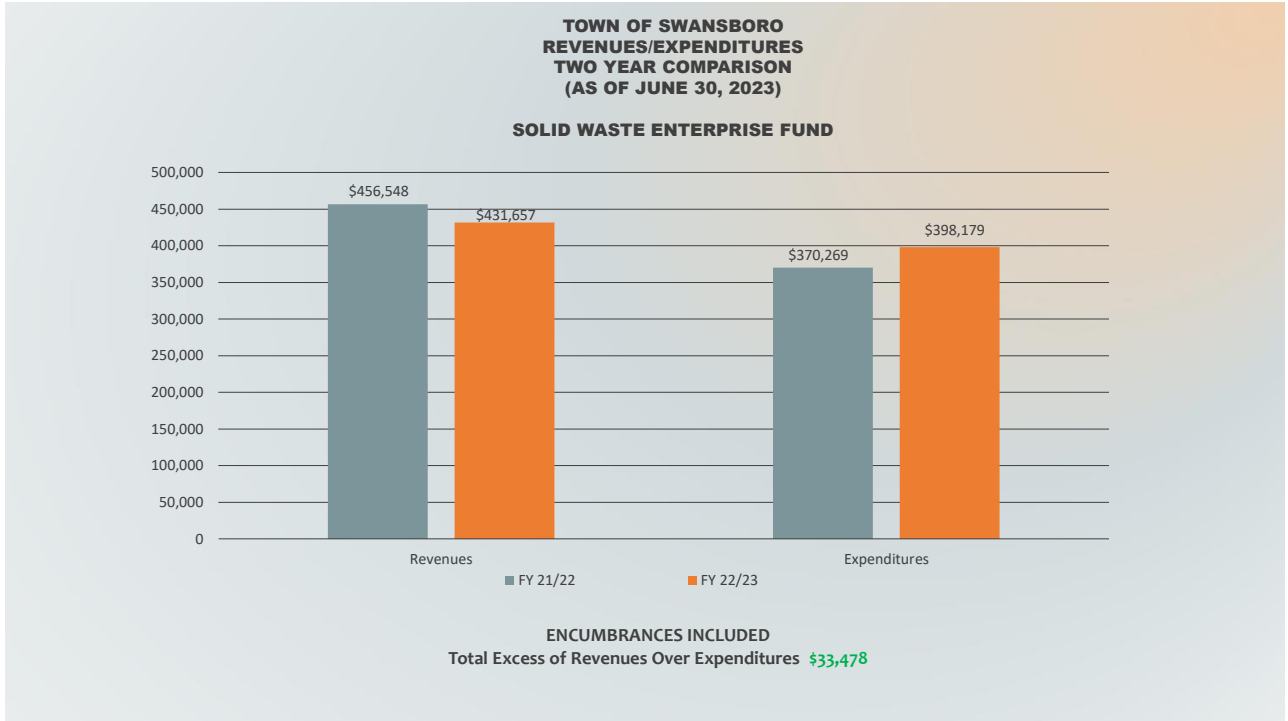
**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF JUNE 30, 2023)**

STORMWATER ENTERPRISE FUND



ENCUMBRANCES INCLUDED
Total Excess of Revenues Over Expenditures **\$1,257**

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**TOWN OF SWANSBORO
LOAN REPORT
(AS OF JUNE 30, 2023)**

Item	Principal Balance	Interest Rate	End Date	Annual Debt Service
Town Hall/Tanker	\$391,469	2.69	03/21/2028	\$84,724
Public Safety Facility	\$80,000	2.58	12/22/2024	\$42,064
Fire Truck	\$179,671	2.08	11/01/2026	\$47,512
Sleeping Quarters	\$100,000	2.43	12/14/2026	\$28,038
Grapple Truck/Town Hall Generator	\$93,416	1.72	6/25/2025	\$47,917
Vehicles(Police & Fire Department) & Software	\$67,627	1.84	7/15/2026	\$23,377
Total Debt	\$912,183			\$273,632

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**TOWN OF SWANSBORO
CASH & INVESTMENTS REPORT
(AS OF JUNE 30, 2023)**

CASH & INVESTMENTS

BANK	BALANCE	INTEREST RATE
First Citizens Bank	6,646,653	.10%
NC CMT-General	\$5,544,748	5.0%

OSBM Funds included in First Citizens Bank balance- \$6,100,000

- Emergency Operations Center-\$6,000,000
- Sidewalks-\$100,000

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GRANT UPDATE

	Budget	YTD Expenditures	Encumbrances	Unencumbered
American Rescue Plan Act Fund	\$1,065,725	\$769,616	\$51,707	\$244,402
Swansboro Bicentennial Park Boardwalk Extension	\$176,350	\$28,878	\$0	\$147,472
Emergency Operation Center	\$6,005,995	\$18,280	\$0	\$5,987,715
Emmertton School Repairs	\$424,000	\$4,180	\$0	\$419,820
Total Outstanding Grants	\$7,672,070	\$820,954	\$51,707	\$6,799,409

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Any Questions

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NEW BUSINESS/NON-CONSENT

Future Agenda Topics

Future agenda items are shared for visibility and comment. In addition, an opportunity is provided for the Board to introduce items of interest and subsequent direction for placement on future agendas.

Action Needed: Discuss and provide any guidance.

Presenter: Alissa Fender – Town Clerk

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PUBLIC COMMENT

Citizen opportunity to address the Board.

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MANAGER'S COMMENTS

Paula Webb, Town Manager

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BOARD COMMENTS

Mayor John Davis
Mayor Pro Tem Frank Tursi
Commissioner Pat Turner
Commissioner Harry “PJ” Pugliese
Commissioner Larry Philpott
Commissioner Jeffrey Conaway

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CLOSED SESSION

Recommended Action: Motion to enter Closed Session Pursuant to NCGS 143-318.11 (a) (5) to instruct the public body's staff on negotiating terms for property acquisition.

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ADJOURN