

Town of Swansboro
Board of Commissioners
August 28, 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

Citizens were offered an opportunity to address the Board regarding items listed on the agenda. No comments were given.

Adoption of Agenda and Consent Items

On a motion by Commissioner Turner, seconded by Commissioner Philpott, the agenda was amended to remove the agenda item “*Dockwalk Bulkhead/Mattocks Property*” and for further discussion on the item to occur in closed session. The amended agenda and the below consent items were approved unanimously.

- Resolution Accepting LASII ARPA Funding for Stormwater Master Plan
- Resolution Accepting Fiscal Year (FY)2022 Assistance to Firefighters Grant

Appointments/Recognitions/Presentations

Swan Reveal

Seaside Arts Council representatives, Rich & Maureen Well and Debra Pylypiw thanked the Town for supporting the Swans by the Sea Project. 1 of 2 swans purchased was revealed, which was beautifully hand painted by a local artist.

The public hearings scheduled for this meeting were moved to be handled after the below agenda item.

Business Non-Consent

Emergency Operations Center Option Selection

Town Manager Webb reviewed that the final draft feasibility study was presented to the Board of Commissioners on July 10, 2023. The study included four options that capture the space needs in differing ways. In all options the EOC will be designed as a highly secure and hardened facility capable of resisting Category 4 hurricane conditions. Of those (see attachment A), Option C was most preferred by Staff because it provided drive-thru bays and allows for the existing building to be re-purposed in the future for another

use. The estimated cost for Option C was \$9.3-12.6 million dollars. SCIF Funding obtained a total of \$6 million for this project. Staff was directed to gather additional funding opportunities/resources. Committee Chair/Commissioner Philpott gave a brief on those funding opportunities/resources under Board Comments on August 14, 2023, and further discussion was scheduled for August 28, 2023. In order for staff to proceed with grant applications etc., a firm decision on one of the options will be needed for the next step, which will be to create a design schematic.

In response to inquiries from the board the following details were clarified by staff:

- The town's healthy fund balance helps support being able to obtain financing.
- The chances of being selected for available grants would depend on the amount of applicants and are typically awarded 3 to 6 months after application deadlines close.
- With Option C there would be no disturbance in operations only a disturbance in parking.
- Area of the building used was only to give an idea, the final building design could be 2 stories.

On a motion by Commissioner Turner, seconded by Commissioner Conaway with unanimous approval, Option C was selected for Becker Morgan to proceed with design schematic.

The board requested that the site area be staked out in order to give a better idea of where the building would be located.

Public Hearing

Text Amendment to 152.016 Definitions of Basic Terms

Presenter: Rebecca Brehmer – Projects/Planning Coordinator

Projects/Planning Coordinator Brehmer reviewed that a text amendment to section 152.016 Definitions of Basic Terms was needed to add a definition of "Marina". The suggested definition was as follows:

"MARINA. A facility for the docking, mooring, berthing, or storage of marine vessels. Such uses may include a wide variety of accessory uses such as boat fuel sales, sales of boating supplies and equipment, boating related services, laundries, boat repair and rental, storage racks and dry storage of boats."

In response to inquiries from the board it was clarified that the Town's transient dock was not considered a Marina.

The public hearing was opened at 6:03 pm, then closed as there were no comments offered.

Board members felt that there were needed edits to the definition, and it was suggested using the term "shall" instead of "may". So the amendment was tabled to a future meeting for additional edits made to the definition.

Amendment to the CAMA Land Use Plan

Projects/Planning Coordinator Brehmer reviewed an amendment to the CAMA Land Use Plan was recommended regarding protecting environmentally sensitive and to clarify the recommendations from Appendix A. The goal of this amendment was to include not only all wetlands, but all environmentally sensitive areas in the CAMA Land Use Plan. These were the result of the recent Supreme Court Case 21-454 Sackett v. EPA, which limits the regulatory power of the EPA. This limited protection to wetlands is only connected to other water sources.

The public hearing was opened at 6:10 pm, then closed as there were no comments offered.

In response to inquiries from the board related to the use of the term "plans" in the proposed statement of *"Going forward, the Town plans to amend the Unified Development Ordinance to enable clustering in office and business zoning districts, as well as residential district"*, Planner Correll shared that the term "plans" applied because there is not a legal standing to do business clusters and it is unknown if the town will have the authority. The board requested that the term "intends" be used instead of "plans".

On a motion by Commissioner Philpott seconded by Commissioner Conaway, Resolution 2023-R7 to amend the CAMA Land Use Plan Appendix A, was approved unanimously with the term change mentioned above.

Business Non-Consent

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 additional items added, however, Mayor Davis shared that cancellation of meetings should not be occurring and inquired why the

Planning Board meeting was recently canceled. Per Planner Correll, the Planning Board did not have any business for that meeting.

Public Comment

Rachel Henson of 437 Patriots Point Lane shared that she was interested in knowing how the town intends to make Corbett Avenue/Highway 24 and downtown more complaint for ADA with installation of sidewalks. She shared that the town's walkability score was a 3, and as a visually challenged individual she was unable to walk safely to a grocery store or even walk downtown due to obstacles. She offered to walk the town with staff to help identify needed changes.

Board Comments

Commissioner Conaway shared that the town was making many updates to sidewalks and to install in areas where there are not any. He feels that the downtown area should be addressed as soon as possible.

Mayor Davis shared that he had been made aware that someone on the staff had given a candidate a tour around town and shows projects, at which point that candidate took it upon themselves to speak to a contractor about work they were doing that they should not have been doing. Manager Webb shared that she was unaware of such a situation and to her knowledge staff had only shared a packet of information with all the candidates via email which shared details about political signs, and other items they needed to know about.

Closed Session

On a motion by Commissioner Turner, seconded by Commissioner Philpott, the board entered closed session at 6:27 pm pursuant to NCGS 143-318.11 (a) (3) to allow the Town Attorney to provide updates on legal matters under the attorney-client privilege and (5) to instruct the public body's staff on negotiating terms for property acquisition.

Pursuant to a motion duly made and seconded in closed session the board returned to open session. Mayor Davis shared that action was taken related to the Dockwalk Bulkhead/Mattocks Property to approve appropriated funds for repair of the bulkhead.









On a motion by Commissioner Turner, seconded by Commissioner Philpott, with unanimous approval, \$101,450 was appropriated to reconstruct the deteriorated bulkhead on the mattock Property and amend the project ordinance for the Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks.

Adjournment

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Turner the meeting adjourned at 7:36 pm.

Site Plan Diagrams

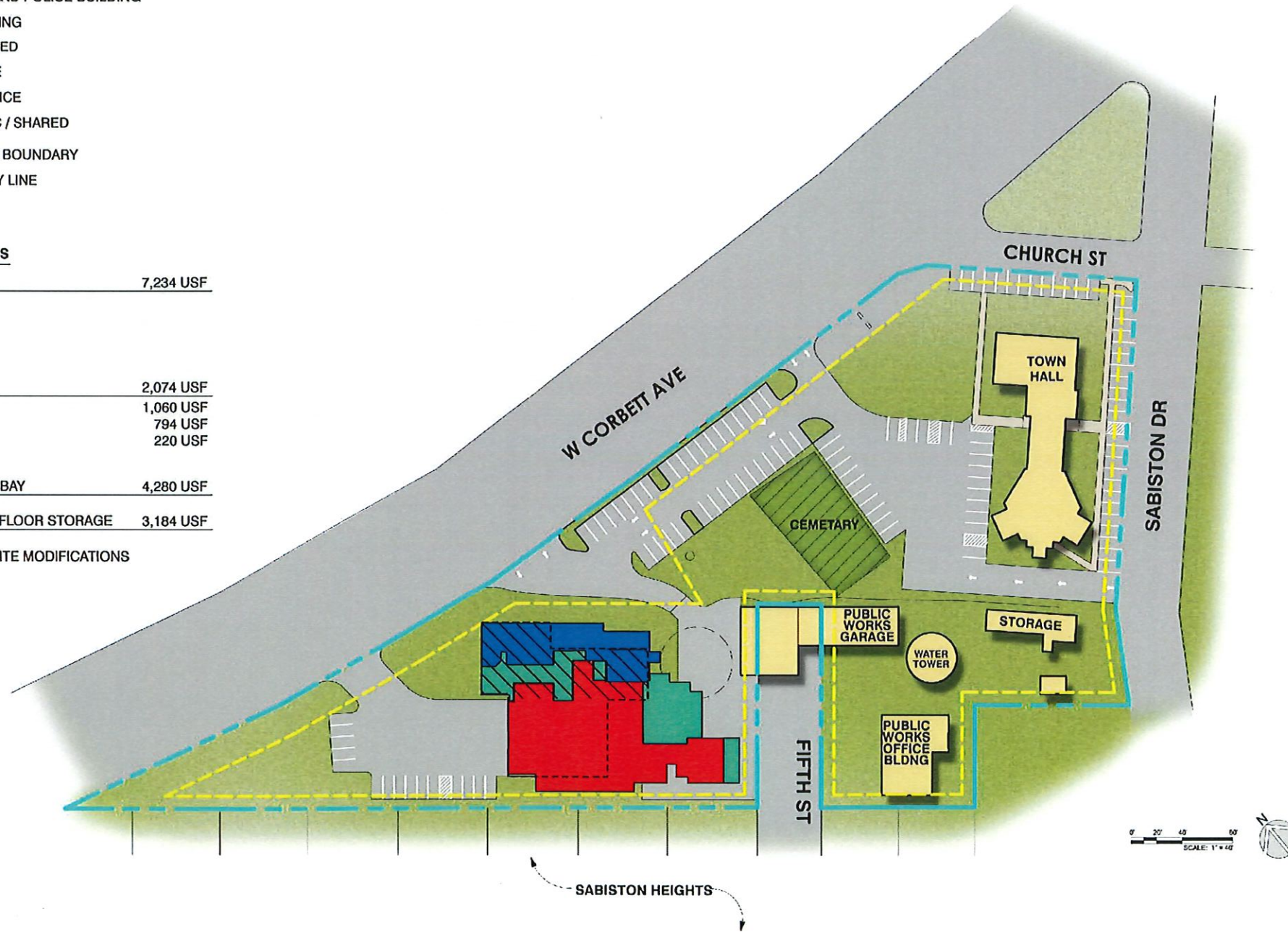
LEGEND

-  EXISTING FIRE AND POLICE BUILDING
-  EXISTING BUILDING
-  TO BE RENOVATED
-  PROPOSED FIRE
-  PROPOSED POLICE
-  PROPOSED EOC / SHARED
-  SET BACK BOUNDARY
-  PROPERTY LINE

SQUARE FOOTAGES









NEW A	7,234 USF
POL	
FIRI	
EOC	
RENOVATION	2,074 USF
POLICE	1,060 USF
FIRE	794 USF
EOC / SHARED	220 USF
EXISTING FIRE APP BAY	4,280 USF
EXISTING SECOND FLOOR STORAGE	3,184 USF

NOTE: REQUIRED SITE MODIFICATIONS
NOT SHOWN



OPTION A

LEGEND

-  EXISTING FIRE AND POLICE BUILDING (TO BE DEMOLISHED)
-  EXISTING BUILDING
-  TO BE RENOVATED
-  PROPOSED FIRE
-  PROPOSED POLICE
-  PROPOSED EOC / SHARED
-  SET BACK BOUNDARY
-  PROPERTY LINE

SQUARE FOOTAGES









NEW BUILDING	14,788 USF
POLICE	2,702 USF
FIRE	9,658 USF
EOC / SHARED	2,008 USF

NOTE: REQUIRED SITE MODIFICATIONS
NOT SHOWN



OPTION B

LEGEND

-  EXISTING FIRE AND POLICE BUILDING (TO BE DEMOLISHED)
-  EXISTING BUILDING
-  TO BE RENOVATED
-  PROPOSED FIRE
-  PROPOSED POLICE
-  PROPOSED EOC / SHARED
-  SET BACK BOUNDARY
-  PROPERTY LINE

SQUARE FOOTAGES













NEW BUILDING	14,788 USF
POLICE	2,702 USF
FIRE	9,658 USF
EOC / SHARED	2,008 USF

NOTE: REQUIRED SITE MODIFICATIONS
NOT SHOWN



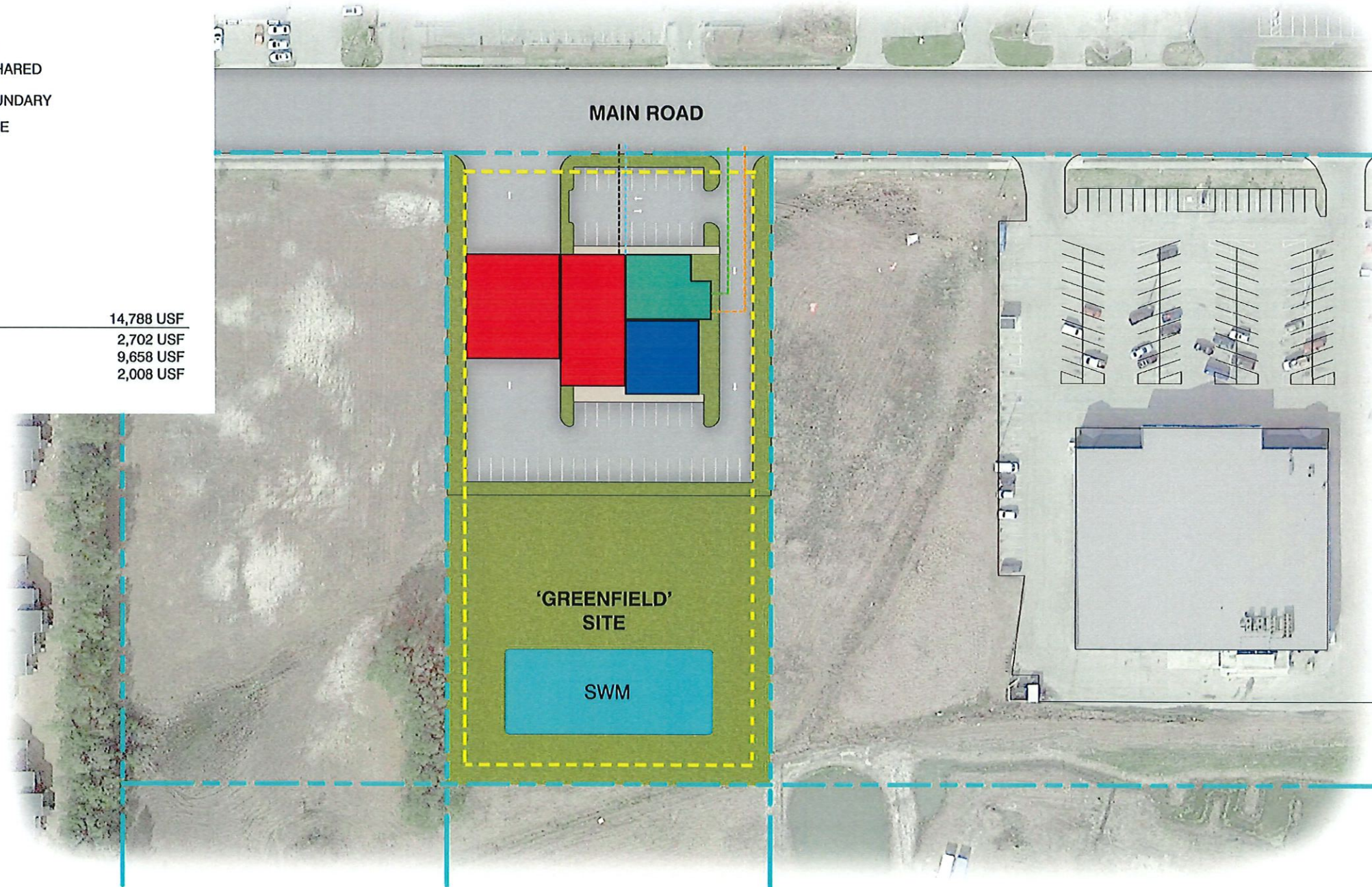
OPTION C

LEGEND

-  EXISTING FIRE AND POLICE BUILDING
-  EXISTING BUILDING
-  TO BE RENOVATED
-  PROPOSED FIRE
-  PROPOSED POLICE
-  PROPOSED EOC / SHARED
-  SET BACK BOUNDARY
-  PROPERTY LINE
-  SEWER LINE
-  WATER LINE
-  POWER LINE
-  DATA LINE

SQUARE FOOTAGES

NEW BUILDING	14,788 USF
POLICE	2,702 USF
FIRE	9,658 USF
EOC / SHARED	2,008 USF



OPTION D

Regular Meeting August 28, 2023



1

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 2 public hearings scheduled for this meeting.

2

PUBLIC COMMENT

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

3

AGENDA AND CONSENT ITEMS

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

4

Swan Reveal

Presenter: Rich and Maureen Wells

5

PUBLIC HEARING

Text Amendment to 152.016 Definitions of Basic Terms

A text amendment to section 152.016 Definitions of Basic Terms is needed to add a definition of “Marina”.

Recommended Action: 1. Hold a Public Hearing; 2. Motion to approve or deny Ordinance 2023-O12 amending the Unified Development Ordinance to update Section 152.016 to include the definition for “Marina”.

Presenters: Rebecca Brehmer – Projects/Planning Coordinator

6

PUBLIC HEARING

Amendment to the CAMA Land Use Plan

An amendment to the CAMA Land Use Plan is recommended regarding protecting environmentally sensitive and to clarify the recommendations from Appendix A.

Recommended Action: 1. Hold a public hearing; 2. Motion to approve or deny Resolution 2023-R7 to amend the CAMA Land Use Plan Appendix A.

Presenters: Andrea Correll – Planner

7

BUSINESS/NON-CONSENT

Emergency Operations Center Option Selection

The final draft feasibility study was presented to the Board of Commissioners on July 10th, 2023. The study included four options that capture the space needs in differing ways. In all options the EOC will be designed as a highly secure and hardened facility capable of resisting Category 4 hurricane conditions. Of those, Option C was most preferred by Staff because it provided drive-thru bays and allows for the existing building to be re-purposed in the future for another use. The estimated cost for Option C - \$9.3-12.6 million dollars. SCIF Funding obtained total \$6 million for this project. Staff was directed to gather additional funding opportunities/resources.

Recommended Action: Select an Option for Becker Morgan to proceed with design schematic.

Presenters: Paula Webb – Town Manager & Sonia Johnson Finance Director

8

BUSINESS/NON-CONSENT

Dockwalk Bulkhead/Mattocks Property

Discussion is needed regarding the recent deterioration of the bulkhead and property at the shoreline along the Mattocks Property where the Bicentennial Park Boardwalk Extension with Public Day Docks are to be constructed.

Recommended Action: : Discuss, provide guidance, and action to allocate funding for repairs and replacement of the bulkhead.

Presenter: Paula Webb – Town Manager

9

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

10

PUBLIC COMMENT

Citizen opportunity to address the Board.

11

MANAGER'S COMMENTS

Paula Webb, Town Manager

12

BOARD COMMENTS

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

13

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.

14

ADJOURN