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BOARD OF COMMISSIONERS MEETING AGENDA

Town of Swansboro

Monday, July 26, 2021

Board Members

John Davis, Mayor | Frank Tursi, Mayor Pro Tem | Pat Turner, Commissioner
Harry PJ Pugliese, Commissioner | Larry Philpott, Commissioner | Laurent Meilleur, Commissioner

I. Call to Order/Opening Prayer/Pledge

Mayor John Davis

II. Public Comment

Citizens have an opportunity to address the Board for no more than three minutes per speaker regarding items listed on the agenda.

There is a second opportunity at the end of the agenda for the public to address the Board on items not listed on the agenda.

III. Adoption of Agenda and Consent Items

Board of Commissioners

The Town Clerk respectfully submits to the Board, the Regular Agenda and the below consent items, which are considered to be of general agreement and little or no controversy. These items may be voted on as a single group without Board discussion "or" if so desired, the Board may request to remove any item(s) from the consent agenda and placed for consideration separately.

Consent Items:

a. Meeting Minutes

May 10, 2021 Regular Meeting

May 13, 2021 Special Meeting

May 24, 2021 Regular Meeting

June 14, 2021 Regular Meeting

June 14, 2021 Closed Session

{Note: All Closed Session minutes are sealed upon adoption unless otherwise stated within the motion or as required by state statutes.}

b. Tax Refunds

Tax Refunds

The Onslow County Tax Collector recommends a Vehicle Tax Refund totaling \$34.35.

Shin, Michelle Nara 34.35 Tag Surrender

IV. Appointments/Recognitions/Presentations

- a. Retirement Recognition - Fire Chief Mark Tessing
Introduction of new Fire Chief David Degnan

Chris Seaberg
Town Manager

V. Public Hearing

- a. Text Amendments - Food Trucks

Chris Seaberg
Town Manager

In late 2020, the Board held a number of meetings to include a public hearing on a text amendment request submitted by Elizabeth Shepard, owner of the Urban Street Eats food truck. Due to COVID19 and capacity limitations with meetings etc., the Board decided it would not consider controversial matters until it was able to return to complete in-person meetings. Having returned to in-person meetings in June 2021, the Board directed staff to place the Food Truck Text Amendments back on the agenda for consideration.

Action Needed: 1) Hold Public Hearing; and
2) Motion to approve, deny, or table Ordinance 2021-O7 amending the UDO and adopt a statement of consistency. Per NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan.

VI. Business Non-Consent

- a. Resolution Supporting State Funding for Sidewalk Project

Chris Seaberg
Town Manager

On July 14, 2021 Senator Michael Lazzara's Office sent an email indicated that he and Representative Phil Shepard both planned to send letters to the Office of the President Pro Tempore and the Office of the Speaker of the House, each asking for \$50,000 appropriations to cover the \$100,000 overage on the Sidewalk Projects. Such requests must be supported by the jurisdiction the funds are sought for. Resolution 2021-R9 has been drafted showing that support should the Board wish to adopt it.

Action Needed: Motion to adopt Resolution 2021-R9

b. Budget Ordinance Amendment #2022-1

Sonia Johnson
Finance Director

Budget Ordinance Amendment 2022-1 is prepared for multiple department re-appropriations from FY 20/21 and other amendments.

Action Needed: Motion to approve Budget Ordinance Amendment 2022-1

c. Monthly Financial Report - June 2021

Sonia Johnson
Finance Director

Action Needed: Receive Report

d. BOC Policy 17 - Agenda Development

Paula Webb
Asst. Manager/Clerk

A draft policy has been prepared with a purpose to set forth the procedures, criteria, and conditions under which the Board of Commissioners Meeting Agendas are created. A comprehensive agenda, which sets forth the items of business and the order in which they are to be considered, is vital to the order and efficient handling of any meeting.

Action Needed: Motion to approve BOC Policy 17 - Agenda Development

e. Future Agenda Items

Paula Webb
Asst. Manager/Clerk

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 guidance

VII. Items Moved from Consent

VIII. Public Comment

Citizens have an opportunity to address the Board for no more than five minutes regarding items not listed on the Agenda.

IX. Manager's Report/Comments

Manager's Brief

Departments Report

Chris Seaberg

Town Manager

X. Board Comments

Board of Commissioners

XI. Closed Session – None Scheduled

XII. Adjournment

Board of Commissioners

**Town of Swansboro
Board of Commissioners
May 10, 2021 Regular Meeting Minutes**

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner Pat Turner, Commissioner Harry PJ Pugliese, Commissioner Larry Philpott, and Commissioner Laurent Meilleur. It was noted that the Board had returned to remote meetings through the ZOOM platform as allowed by NCGS 166A-19. Governor Cooper had declared a state of emergency due to the COVID-19 Pandemic in March 2020 and it remained in effect.

Call to Order/Opening Prayer

The meeting was called to order at 5:32 pm. Mayor Davis gave the invocation and acknowledged the Police Department for their outstanding performance during a recent traffic stop that became troublesome.

Public Comment

Rich Wells of 248 River Reach Drive and Seaside Arts Council President addressed the upcoming May 30th date for SwanFest Concert Series. He received information from the Governor's Office and Onslow County Public Health Department that guidelines from the NCHHS for spring related events and travel should be considered based on document 2394 to manage crowd control. That document stated that for street festivals, road races, and other non-seated events, limits groups to no more than outdoor mass gather limits and ensure sufficient social distancing. Additionally, it had been indicated that all limit restrictions were possibly going to be lifted by June 1st. He urged the Board to permit the SwanFest Concert Series to begin on May 30th.

Pat Provost of 202 Wild Oak Drive, Owner of Jersey Mikes, and acting President of the Swansboro Area Chamber of Commerce supported the SwanFest Concert Series to be allowed to begin on May 30th.

Nicole Samuels of 216 Knightheads Drive and owner of Squid Sicles spoke on behalf of her mobile ice cream truck and thanked the Board in advance for the consideration on her Certificate of Convenience. She shared that her family settled in the area and were excited to offer their mobile popsicle services to the area neighborhoods and the nostalgic traditions that many remember as children.

Adoption of Agenda

On a motion by Commissioner Philpott, seconded by Commissioner Turner, the Agenda, and Consent Items below was unanimously approved.

- Certificate of Convenience/Five Bucks Coffeeteria
- Certificate of Convenience/Squid Sicles
- Resolutions in Opposition of House Bill 401/Senate Bill 349 and House Bill 496

The Increase Housing Opportunities bill, House Bill 401, and Senate Bill 349, (if approved) would require local governments to allow all “Middle Housing” types: duplexes, triplexes, quadplexes, and townhomes, in areas zoned for residential use. Additionally, it would require local governments to allow the development of at least one accessory dwelling unit for each detached single-family dwelling in areas zoned for residential use, and prohibits the regulation of occupancy, parking, setbacks, and method of approval of such units.

The Property Owners' Rights/Tree Ordinances bill, House Bill 496, (if approved) would require all local governments to obtain special authorization from the General Assembly prior to enacting a tree protection ordinance and voids all existing ordinances protecting trees that were established without special authority.

Presentations

Strategic Operating Plan and Economic Development Committee Discussion (EDC)

JOED Executive Director Mark Sutherland gave a brief presentation on the Town's Strategic Operating Plan and reviewed the following Strategic Goals:

- I. Develop as a connected community in order to maximize local economic and social interaction.*
- II. Improve and protect the town's natural environment in order to attract new residents and maximize the town's economic development potential.*
- III. Foster and improve the town's sense of place in order to attract residents, visitors, and business investment.*
- IV. Actively recruit new businesses; support the expansion of existing businesses; and expand the physical accommodation of growth.*

Board members shared their concern that they should have provided input and direction on development of this committee, especially since the Town did not have an agency or department to handle the specifics outline under item IV above.

Mayor Pro Tem Tursi felt that an independent group could move at odds with the Town elected officials and could potentially be unproductive.

Roy Herrick, Chair of the EDC shared that the committee had begun with elected officials included, Mayor Davis and Commissioner Philpott but for various reasons both had not been involved recently. The committee's desire was to work with the Town.

Mr. Southerland shared that the EDC was tasked with developing a "white paper" that recommended Board actions for the creation of an economic development committee,

but that process was never finalized. The Board agreed that the “white paper” needed to be priority and finalized.

After discussion and on a motion by Commissioner Turner, seconded by Commissioner Pugliese, Commissioner Philpott was appointed to represent the Board of Commissioners on the Economic Development Committee. The vote was unanimous.

Public Hearing

Residential Cluster Development Regulations

The Public Hearing was held open at the April 26, 2021, Regular Meeting to allow for written public comments to be for up to 24 hours. Mayor Davis asked that those written comments (emails) be entered into the minutes as Attachment A.

Mayor Pro Tem Tursi suggested that the following revision be made to paragraph (D) 9 and if the Board accepted, then paragraph (E) would not be needed.

Areas designated by the federal government as 404 wetlands or by the state government as isolated wetlands shall not be used to meet the open-space requirements of the ordinance unless those wetlands are protected through deed restrictions or conservation easements that prohibit all filling, alterations, or development in the wetlands or by donating or selling the wetlands to the Town or to a legally incorporated non-profit group or wetlands bank that agrees not to fill, alter or develop them. State-designated coastal wetlands or the 30-foot buffer required by the Coastal Area Management Act cannot be used to meet the open-space requirements of the ordinance;

Attorney Parson agreed that deleting paragraph (E) would be acceptable if the edits were accepted to paragraph (D) 9.

On motion by Mayor Pro Tem Tursi, seconded by Commissioner Meilleur, Ordinance 2021-01 was unanimously approved with the recommended revisions offered by Mayor Pro Tem Tursi above including the statement that the approval was consistent with the comprehensive plan.

Text Amendments - Chapter 160D Amendments

Chapter 160D of the North Carolina General Statutes consolidated current statutes for local development regulations (now in Chapter 160A) into a single, unified chapter, and placed these statutes into a more logical, coherent organization. It refined procedures, aligned terminology, and confirmed authority that was presumed under old statutes.

Chapter 160D became effective on June 19, 2020, however, local governments had until July 1, 2021, to update local ordinances and policies to comply. All city and county

zoning, subdivision, and other development regulations, including unified development ordinances, had to be updated by that date.

At their April 6, 2021, regular meeting, the Planning Board recommended approval of the proposed changes to the Town Code of Ordinances, Unified Development Ordinance, and Fee Schedule. The vote was 4 to 1.

Planner, Jennifer Ansell reviewed and highlighted the following items in the amendment.

- Hearing procedures notifying abutting property owners
- Removal of Wireless Telecommunication facilities in the B2HDO district
- Family Care Home notes to table of permitted/special uses
- Temporary Family health care structures added to the table of permitted/special uses
- Criteria added for Wireless Telecommunications facilities in permitted areas

The public hearing was opened at 6:52 pm. There were no comments at this time, the hearing would need to remain open for 24-hours and the vote would take place at the next meeting.

The Board as well as Attorney Parson commended Planner Ansell on the amendment, it was a major undertaking and a very large amendment.

Business Non-Consent

Purchase of Comprehensive Operating Software

The Budget Ordinance for FY 20/21 included \$60,000 for the purchase of new comprehensive software. Town staff reviewed the proposals; conducted an onsite demonstration at Emerald Isle and contacted the references that were provided by the software vendor. They recommended a hosted Incode 10 application offered by Tyler Technologies. Incode 10 was web-based and would include the core financial system including general ledger, purchasing; capital assets; project accounting; and cashiering. In addition, it would include the transparency module and a personnel management suite including an employee self-service portal and online timesheets.

The annual maintenance/support cost of the new comprehensive operating software was \$38,392 per year, beginning in year one with a one-time cost of \$60,800 for project management, implementation, onsite and remote training, and some Asyst data conversion.

It was estimated that there would be a 12-to-15-month transition before going live with the software and once fully utilized it was expected that Town staff would see significant efficiencies in streamlined processing and online self-services.

Finance Director Sonia Johnson shared that along with her department, the Permitting department was forced to complete their work in several different systems and specific functions related to necessary/needed processes did not function as they should which was extremely inefficient.

Finance Technician, Angela Stewart and Planner Jennifer Ansell shared the inefficiencies with the current software and its limitations. Both spend more time than they should accomplishing tasks and ensuring accuracy. The new system would streamline and integrate many functions.

In response to an inquiry from the Board, Planner Ansell shared that the current permitting system was used by several employees on a regular/daily basis but wasn't available in the field for her nor the Building Inspector, which was needed.

Commissioner Meilleur inquired what additional services/packages/upgrade would be available down the road that were not part of the current proposal and what price increases were expected in the future. Director Johnson gave details on the software modules and shared that there was a Parks & Rec interface available for a onetime fee of \$1,200, other than that she felt confident that there should not be a need for anything additional. The annual cost of \$38,392 was locked in for 4 years with a 5% increase thereafter.

Mayor Pro Tem Tursi inquired about the location where the data would reside. Director Johnson indicated that the program was on Tyler Technologies cloud which was always available. Manager Seaberg added that cloud-based services offered ransomware protections. In a hosted environment such as this, all the backup and security of the data was the software companies' responsibility, and they would be responsible to restore any lost data.

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Meilleur Manager Seaberg was authorized to execute the contract with Tyler Technologies by unanimous vote.

SwanFest Concert Series

Seaside Arts Council was requesting that the concert series be allowed to begin on May 30th. It was anticipated that the North Carolina Governor's office would be releasing or lessening many of the COVID restrictions on June 1st.

Rich Well shared that the original proposal was for 12 people/1,000 square feet based on the June 19th guidelines from the state. Additional research offered that street festivals and springtime events allowed groups of 200 with social distancing abilities. He believed dividing the downtown area into three zones would help with social distancing.

In response to Commissioner Meilleur's inquiry on how crowd control would be handled, Mr. Wells assured that SAC would be diligent and address crowds that began getting too large with assistance from the Police Department. Manager Seaberg had spoken with Police Chief Jackson, who believed the proposal was enforceable but did not feel that road closures were necessary but if required could be managed.

Commissioner Philpott's asked how other municipalities were handling such events. Manager Seaberg stated that only Emerald Isle had responded, and their concert series would not begin until after June 1st.

Both Commissioners Turner and Pugliese indicated support to allow the concert series on May 30 believing it was a step toward some normalcy.

Mayor Pro Tem Tursi and Commissioner Meilleur shared safety concerns and believed the series should be delayed until after June 1 if the Governor lifted restrictions.

On a motion by Commissioner Pugliese, seconded by Commissioner Turner, approval for the SwanFest Summer Concert Series as proposed with three zones to begin on May 30th was granted if the COVID restrictions guidelines in place were followed. The motion passed 3:2.

Ayes: Turner, Pugliese, Philpott

Noes: Tursi, Meilleur

Future Agenda Items – A memo detailing proposed upcoming agenda items was reviewed and an opportunity for the Board to introduce any new items was given. Manager Seaberg added that a Budget Workshop was scheduled for May 13th.

Mayor Davis added that school sports recognitions were to be done when meetings returned to in-person in June.

Mayor Pro Tem Tursi urged that the Planning Board and Planner to continue to look at how open space and wetland could be preserved in other districts, especially the business district.

Public Comments

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

Adjournment

On a motion by Commissioner Turner, seconded by Commissioner Philpott, the meeting adjourned at 8:20pm.

Attachment A
pg 1 of 5

Paula Webb

From: Frank Tursi
Sent: Monday, May 10, 2021 4:39 PM
To: Jennifer Ansell
Cc: Christopher Seaberg; Paula Webb
Subject: RE: BOC meeting tonight - public hearing
Attachments: ordinance 2021-01.docx

I was in the process of writing the attached when you sent Jonathan's email. Though he missed the 24-hour comment period, I tend to agree with him.

I offer the attached revisions that I'll suggest tonight.

Please pass along to the board.

"See you" in a bit.

Frank

From: Jennifer Ansell <jansell@ci.swansboro.nc.us>
Sent: Monday, May 10, 2021 3:48 PM
To: Paula Webb <pwebb@ci.swansboro.nc.us>; boc@ci.swansboro.nc.us
Subject: FW: BOC meeting tonight - public hearing
Importance: High

Please see attached and below.

Thank you,

Jennifer H. Ansell, CFM, CZO
Planner
Town of Swansboro
601 W. Corbett Avenue
Swansboro, NC 28584
(910) 326-4428
(910) 326-3101 Fax

From: Jonathan McDaniel <JMcDaniel@parkerjacksonville.com>
Sent: Monday, May 10, 2021 3:43 PM
To: Jennifer Ansell <jansell@ci.swansboro.nc.us>
Cc: Christopher Seaberg <cseaberg@ci.swansboro.nc.us>; John Davis <jdavis@ci.swansboro.nc.us>
Subject: BOC meeting tonight - public hearing

Hi Jennifer,

1

I had a minute to consider the proposed amendment to the residential cluster section, and wanted to offer the attached opinion as part of the public comment section. Please let me know any questions and how I can help.

Thanks,

--

Jonathan L. McDaniel, PE
BELL AND PHILLIPS
Engineers*Surveyors*Planners
604E Cedar Point Boulevard
Cedar Point, NC 28584
(252) 393-6101
Firm License Number - F0108
www.BellandPhillips.com

pg 1a of 5

Suggested edits to the revisions of Ordinance 2021-01, Cluster Development Regulations

D-9: Areas designated by the federal government as 404 wetlands or by the state government as isolated wetlands shall not be used to meet the open-space requirements of the ordinance unless those wetlands are protected through deed restrictions or conservation easements that prohibit all filling, alterations, or development in the wetlands or by donating or selling the wetlands to the Town or to a legally incorporated non-profit group or wetlands bank that agrees not to fill, alter or develop them. State-designated coastal wetlands or the 30-foot buffer required by the Coastal Area Management Act cannot be used to meet the open-space requirements of the ordinance.

Explanation: As I noted in a previous email there is no legal definition for "401 wetlands." They don't exist in either state or federal law. 401 refers to a requirement in the US Clean Water Act that states must determine that any action allowed by a federal permit is consistent with state law or local land-use plans and won't harm water quality. In wetland permitting almost all 401 consistency determinations relate to federally designated 404 permits. "Coastal" and "isolated" wetlands are the two classes of wetlands protected by state laws.

My suggested revisions, I think, meet the Planning Board's intent of protecting wetlands in cluster developments while giving the landowners an incentive to do that – the open space bonus – and offering various options – easements, deed restriction, fee simple sales or donations. I don't we should worry too much about how wetlands are preserved, as long as they are.

Development in coastal wetlands and the 30-foot CAMA buffer are restricted by the state. Residential property owners can build very little in them. Because large-scale residential development is almost impossible in those area, developers shouldn't be allowed to count them as open space – they can't build in them anyway.

E: Strike entirely. Not needed with the suggested changes.

pg 3 of 5

Paula Webb

From: Jonathan McDaniel
<JMcDaniel@parkerjacksonville.com>
Sent: Monday, May 10, 2021 3:43 PM
To: Jennifer Ansell
Cc: Christopher Seaberg; John Davis
Subject: BOC meeting tonight - public hearing
Attachments: 20210510151634708.pdf

Hi Jennifer,

I had a minute to consider the proposed amendment to the residential cluster section, and wanted to offer the attached opinion as part of the public comment section. Please let me know any questions and how I can help.

Thanks,

--

Jonathan L. McDaniel, PE
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page 4 of 5

Paula Webb

From: John Freshwater <johnfh2o@gmail.com>
Sent: Tuesday, April 27, 2021 11:42 AM
To: Jennifer Ansell
Cc: Christopher Seaberg; Paula Webb; John Davis; Scott Chadwick; David Newsom
Subject: Re: Residential Cluster Dev Reg Revision

Hi Jennifer

Paula was copied on my previous email. I don't really know how to be more specific...will try: Cluster development can obviously protect environmentally sensitive areas. It should be encouraged vs. requiring the "taking" (regardless of legality) of land, especially waterfront - per the proposed UDO revision.

Paula - please share this and my prior email, as well as Dave Newsom's, with the Board.

Thank you!
John

On Tue, Apr 27, 2021 at 11:13 AM Jennifer Ansell <jansell@ci.swansboro.nc.us> wrote:

John,

The Residential Cluster agenda item was tabled last night in order to allow written comments to be submitted up to 24 hours after the public hearing pursuant to Session Law 2020-03/Senate Bill 704. If you have specific comments related to the text amendment, please submit those to Paula at pwebb@ci.swansboro.nc.us.

Thank you,

Jennifer H. Ansell, CFM, CZO

Planner

Town of Swansboro

601 W. Corbett Avenue

Swansboro, NC 28584

pg 5 of 5

Paula Webb

From: David Newsom <crystalcoasteng@bizec.rr.com>
Sent: Tuesday, April 27, 2021 11:10 AM
To: 'John Freshwater'; Christopher Seaberg; Paula Webb; Jennifer Ansell
Cc: John Davis; 'Scott Chadwick'
Subject: RE: Residential Cluster Dev Reg Revision

Here's a suggestion.....

Instead of trying to supercede Federal and State wetland protection programs (401, 404 and Coastal Wetland permitting).....why not first exercise Town's rights (responsibilities?) within those very programs?

Seems to me, this entire "control" of wetlands issue is an overreaction to two controversial projects in past years.....1) Walmart.....and 2) Bailey Center. In both cases, the developer applied for a permit to fill USACE protected wetland areas. As part of that permit review process, the Town was notified of those pending permits.....and allowed to comment on those permits. The Town chose NOT to issue any comments in either case, and as a result, the permits were subsequently issued to the Developer and those wetlands destroyed (filled). Had the Town commented, and expressed concern, those permits would likely have been denied by the USACE, especially if Town contended those "fills" not in compliance with the Local Land Use Plan. Now the Town contends the USACE and State do NOT do an adequate job projecting wetlands.....and wish to interject themselves into the "business" of wetland protection. If Town would simply exercise their rights under the current USACE and State permitting processes (i.e. Send in comments) I think the result would be the same (wetland projection) without local action and removal of those wetlands from the Tax Rolls.

Just my 2-1/2 cents worth.....

From: John Freshwater <johnfh2o@gmail.com>
Sent: Tuesday, April 27, 2021 10:58 AM
To: cseaberg@ci.swansboro.nc.us; Paula Webb <pwebb@ci.swansboro.nc.us>; jansell@ci.swansboro.nc.us
Cc: jdavis@ci.swansboro.nc.us; Scott Chadwick <mayorsea@gmail.com>; David Newsom <crystalcoasteng@bizec.rr.com>
Subject: Residential Cluster Dev Reg Revision

To whom it may concern:

I find it very sad when any government entity discourages environmentally beneficial development. It would make more sense to me were it incentivized.

I hope the attached page will provide a beginning point for anyone interested in learning more about cluster development.

Sincerely,

1

**Town of Swansboro
Board of Commissioners
May 13, 2021 Special Meeting**

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner Pat Turner, Commissioner Harry PJ Pugliese, Commissioner Larry Philpott, and Commissioner Laurent Meilleur (logged in at . It was noted that the Board had returned to remote meetings through the ZOOM platform as allowed by NCGS 166A-19. Governor Cooper had declared a state of emergency due to the COVID-19 Pandemic in March 2020 and it remained in effect.

Call to Order/Opening Prayer

The special meeting was called to order at 5:30 pm. The purpose was further to discuss the proposed Budget for FY 21/22. Mayor Davis gave the invocation.

Manager Seaberg shared FY 20/21 accomplishments and briefed the Board on potential American Rescue Plan funding. He then reviewed the details of the revised budget (power point slides to be attached to these minutes) and gave explanation on revenue increases, expenditures increases/decreases.

FY 20/21 Accomplishments

- COVID-19 Responses
- Multi-Year Debris Collection and Removal Contract
- Multi-Year Debris Monitoring Contract
- Wayfinding Sign Installation
- Ward Shore Repairs and Improvements
- Sidewalk Project
- Emmerton School Recovery Grant
- Additional Parking Lot Construction at Municipal Park
- Moore Street Dock Replacement (Hurricane Florence)
- Swansboro ADA Transition Plan
- Hurricane/Tropical Storm Isaias
- NC DCM Public Access Grant – Bicentennial Park Boardwalk Extension Project
- Section 319 NPS Pollution Control Grant Project – Walnut St. Outfall Retrofit Project (NC Coastal Federation)
- Southeastern NC Regional Hazard Mitigation Plan
- NC DCM Resilient Coastal Communities Program Grant
- Adoption of new 160D Regulations
- Adoption of Flood Maps and Regulations

American Rescue Plan Act of 2021(H.R. 1319) - Funding

- Cities/Town to receive more than \$1.3 billion in two separate distributions

- Two Groups
 - Group 1 – entitled cities under the CDBG program
 - Group 2 – all other non-entitled cities (Swansboro)
- First payment estimate - \$490,000 June 15, 2021
- Second payment estimate – 12 months later \$490,000
- Respond to the COVID-19 emergency and address its economic effects
- Provide premium pay to essential employees or grants to their employers
- Provide governmental services affected by revenue reduction resulting from COVID-19
- Make investments in water, sewer and broadband infrastructure
- Further, and more detailed, funding guidance is expected from the US Treasury Department

FY 21/22 Revised Budget Proposal

The proposed budget was further reduced by \$39, 173. Any further reduction would include:

Funded Personnel (new)

Admin Services - Planning Technician	\$59,803
Streets/Public Works - Maintenance Tech	\$51,799
Fire Department – Driver/Operator	\$51,236

Unfunded Requests included:

Church Street Dock - Dock Master	\$55,545
Police Vehicles	\$72,000
Fire Set Aside	\$130,500

Other increases/decreases:

- We received an updated Tax Base estimate from the Onslow County Tax Department increasing our anticipated revenues from Ad Valorem Taxes by \$19,404
- Administrative Services expenses increased \$12,775 for the web site update
- Governing Body expenses decreased \$16,182 per Board instructions keeping elected official compensation at the same rate as FY 2019-2020
- Administrative Services expenses decreased \$33,239 due to adjusting how the Planner and Proposed Planner Tech position is to be funded (paying 25% of the anticipated cost with permit fees revenues)
- Permitting expenses increased \$36,520 due to adjusting how the Planner and Proposed Planner Tech position is to be funded (paying 25% of the anticipated cost with permit fees revenues)
- Salaries and Benefits adjustments decreasing expenses \$2,496
- Park and Recreation Salaries and Benefits increased \$5,972

- Reduced Salary for Planning Tech (shifted to a Grade 15) \$3,761
- Adjustments to both Public Works – Streets and Powell Bill – Streets with a total reduction of \$591
- Fire Department expenses reduction (Department Head suggested) \$11,800
- Finance Department expenses reduction (Department Head suggested) \$5,400
- Governing Body expenses reduction (Department Head suggested) \$2,500
- Parks and Recreation expenses reduction (Department Head suggested) \$16,087
- Festivals and Events expenses increased (for Ads and Notices) \$3,000
- Festivals and Events expenses decreased (correcting retirement contribution error) \$3,423
- Festivals and Events expenses increased (Dues and Subscriptions) \$2,140
- Administrative Services expenses increased (PEV Electric Charge Station) \$1,500
- Debt Service Payment expenses increased \$47,000
- Public Buildings expenses decreased (Town Manager suggested) \$8,600
- Rec Program/Contract Fees Revenues increased \$10,000 (Town Manager Suggested) based on estimated received from Department Head
- Police Department expenses decreased (Town Manager Suggested) \$8,200
- Public Works – Streets expenses decreased (Town Manager Suggested) \$8,200
- Park and Recreation expenses decreased (Town Manager Suggested) \$5,000
- Adjusted expense (increased) for Salary Study Plan implementation \$6,803

The following information was a breakdown of the cost to implement the proposed pay plan.

- The proposal increases the total expense for full time staff in the amount of \$46,956.84
- Added expenses as a result of that proposed increase (i.e. FICA and retirement contributions including 401K) \$10,597.05
- Total expense \$57,553.89
- Please note that part-time expenses are not included in that equation listed above due to the fact that the Town budgets a set amount for the departments that use part-time labor. Once that limit is set by the budget, the Department Head manages that expense as part of that department's operating budget. The proposed limits are listed below for consideration:
 - Fire Department \$135,000
 - Parks and Recreation Department \$46,160

Manager Seaberg offered further reductions that would reduce the reliance on Fund Balance to \$227,967:

- Eliminating all new personnel \$162,531

- Eliminate updating the Town website \$12,595
- Eliminate the additional percent to the 401K contribution match (total proposed was 3% - staff participating currently were offered up to 2% match) \$12,140

The Enterprise Fund was increased to reflect a proposed rate increase of:

Current	Proposed New Rate
Residential \$20.24	Residential \$21.29
Commercial \$33.79	Commercial \$35.54

Mayor Davis indicated support to take care of current employees by funding the 401K additional percent but inquired whether the proposed fulltime positions could be part-time. Manager Seaberg noted that the Planner Tech was discussed and deferred last year. The need was even more apparent now with Planner Ansell going out on maternity leave in July. He did not feel hiring a consultant who would not be knowledgeable of the Town Ordinances would be beneficial, nor would the Town be successful in hiring this type of position as part-time. Manager Seaberg did believe the firefighter position could be part-time initially. However, the Town was trying to move the department to fulltime status. Volunteers were almost non-existent and not reliable. The Maintenance Tech position also needed to be fulltime. Mayor Pro Tem Tursi asked, if approved as revised, how much would be left in the undesignated fund balance. Finance Director Johnson indicated that the last budget meeting provided \$1.7 Million. Projections would be done again in May, and she believed only \$260,000 of the \$370,000 reliance for FY 20/21 would be used, leaving \$2.1 million. The proposed reliance of \$415,000 (as proposed) for FY 21/22 would then be taken from that total. The eight percent state requirement balance totaled \$1.3 million currently. As a comparison, Hurricane Florence cost the Town \$1 million up front. Mayor Pro Tem Tursi could not support a budget that equaled to a 5-cent tax increase. While he understood the personnel needs, he would find it hard to support them at a \$162,531 transfer from Fund Balance. Commissioner Turner agreed noting that the Pay Plan funding should be re-considered. Commissioner Pugliese was concerned with the reliance on Fund Balance each year. Commissioner Philpott agreed, but noted that not funding the Firefighter could have a negative impact on the Town's ISO rating. Public Works needed additional staff to continue providing the same service and maintain the current facilities. The Planning Department Program of Work certainly indicated the need for an additional person. Mayor Davis offered that the staff should shoot for a zero reliance on Fund Balance; consider making a part-time position fulltime in Fire, eliminate the other new positions and the Pay Plan, which would bring the reliance down further. Mayor Pro Tem Tursi supported the fulltime Firefighter at \$54,690 and

still believed the planning could be contracted out while the Planner was on maternity leave. Commissioner Philpott concurred sharing that the Board had to look at sustainability and re-occurring costs long term. Mayor Pro Tem Tursi offered that the Town contributions might also need to be cut in half if possible.

Adjournment

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Philpott, the meeting adjourned at 6:19pm.

**Town of Swansboro
Board of Commissioners
May 24, 2021 Regular Meeting**

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner Pat Turner, Commissioner Harry PJ Pugliese, Commissioner Larry Philpott, and Commissioner Laurent Meilleur. It was noted that the Board had returned to remote meetings through the ZOOM platform as allowed by NCGS 166A-19. Governor Cooper had declared a state of emergency due to the COVID-19 Pandemic in March 2020 and it remained in effect.

Call to Order/Opening Prayer

The meeting was called to order at 5:30 pm. Mayor Davis gave the invocation.

Public Comment

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

Adoption of Agenda

On a motion by Commissioner Philpott, seconded by Mayor Pro Tem Tursi, the Agenda, and Consent Item below were unanimously approved.

Tax Refunds – Refunds totaling \$105.13.

Vehicle Tax

Hughes, Nolan Kyle \$69.41 Military

Peters, Delores Jean \$35.72 Tag Surrender

Business Non-Consent

160D Amendments – Chapter 160D of the North Carolina General Statutes consolidated current statutes for local development regulations (now in Chapter 160A) into a single, unified chapter, and placed these statutes into a more logical, coherent organization. It refined procedures, aligned terminology, and confirmed authority that was presumed under old statutes.

Chapter 160D became effective June 19, 2020, however local governments had until July 1, 2021 to update local ordinances and policies to comply. All city and county zoning, subdivision, and other development regulations, including unified development ordinances, needed to be updated by that date.

The Town held a Public Hearing at its May 10, 2021 regular meeting and in accordance with regulations in place for remote meetings, the Public Hearing was then held open to

allow for written public comments for up to 24 hours. No further comments had been submitted. The public hearing was closed.

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Turner, Ordinance 2021-O3 was adopted with the following statement of consistency; that the zoning amendments were consistent with the adopted comprehensive plan, recommended by Planning Board, and would meet current NC General Statutes. The vote was unanimous.

Red Fish Tournament Series Rental Fee Reduction Request – Michael Mattice had submitted an event application for the Redfish Madness Tournament Series to be held on June 12, July 10, and August 14, 2021 in downtown Swansboro at the Pugliese Pavilion from 9am-6pm each day. This was to be the second year for the tournament series and last year the event brought 45 2-man teams per event to the area. In addition to the tournament, they would offer kids activities, entertainers, and at the August 14 event, they would host the local CCA Kids Tournament. Organizers expected the series to bring approximately 200 people downtown each day. The Redfish Madness Tournament paid back 100% of all entry fees to the anglers and raised money at each event for local charities.

Mr. Mattice requested the rental fees be waived for the three events or to pay a reduced flat fee for each event. The Fee Schedule provided a rental fee of \$75/hour resulting in a rental fee of \$675/day. On May 19, 2021, the Parks Board recommended a reduced flat fee of \$250/day, that organizers provide a port a john, and to remove the trash each day.

Mayor Davis inquired whether Director Stanley recommended changing the rate or adding a ½ day rate to the Fee Schedule. Director Stanley indicated that additional research would be needed before a recommendation made. Commissioner Philpott asked if there were similar events to this one – he was concerned that a waiver or reduced fee would open the door for other requests of the same. Director Stanley shared that this event was formerly the Hook and Bones Tournament. The Town had partnered with organizers of Hook and Bones, but they did not feel they made enough through the partnership. Current organizers have re-structured the event a bit differently. Mayor Pro Tem Tursi inquired how the flat rate was determined and did it cover the cost to the Town. The Town was not actually involved or partnered with current organizers, so there was no cost to the Town. Commissioner Meilleur had the same concerns as Commissioner Philpott. There was discussion on reducing the fee to \$350/day, which was closer to half the original fee.

On a motion by Commissioner Philpott, seconded by Commissioner Meilleur, staff was authorized to reduce the rental fees to \$350 flat rate/event, require a port a john, and trash removal each day by unanimous vote. Staff would research and make recommendation on half day rental fees for the future.

Parks and Recreation Comprehensive Master Plan Update/ Budget Ordinance Amendment #2021-8 – The current Parks and Recreation Comprehensive Master Plan was adopted in 2008. A comprehensive plan should be updated every 10 years to be more attractive for the Parks and Recreation Trust Fund (PARTF) and other federal/state grants. Plans older than 10 years did not receive points for grants opportunities. A comprehensive master plan provided an outline of an illustrative and usable plan to guide the Town of Swansboro Parks and Recreation's Department actions over the next ten years regarding the development of its park facilities, programs, land acquisition needs, and supported the overall mission of the Parks and Recreation Department.

Last year, the Parks and Recreation Department requested \$50,000 to complete an update to the 2008 plan. Due to the pandemic all projects were suspended and were to be reevaluated mid-year. At the beginning of the year, the Board of Commissioners expressed that they would like to see a reduction in the cost to complete an updated plan and requested the department submit a Request for Proposals (RFP). The department submitted an RFP to eight consulting firms and posted on the North Carolina Park and Recreation Association list serve. Five RFPs were submitted to the Parks and Recreation Department. The cost of an updated comprehensive plan ranged from \$28,500 to \$76,000.

As a reminder, \$11,000 was originally allocated for the update to the 2008 Comprehensive Master Plan and then returned by Dr. Hernstein who was unable to complete the work. That \$11,000 would need to be re-allocated and an additional \$19,000 was requested to fund the 2008 Comprehensive Master Plan Update.

On an inquiry from Mayor Davis, Anna Stanley shared that the jump in price from \$11,000 was due to professional firm quotes versus an individual.

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Turner, Budget Ordinance Amendment 2021-8 re-allocating the original \$11,000 and allocating an additional \$19,000 (\$30,000 total) was unanimously approved.

Financial Report – April 2021 – Finance Director Johnson reviewed details from the monthly financial report, *attached herein*.

On an inquiry from the Board, Director Johnson shared she would be providing FY 20/21 year-end projections in June. A reliance of approximately \$260K may be needed for year end. Expenditures would exceed revenues for FY 20/21 but, budget amendments adopted throughout the year would cover those overages.

FY 21/22 Budget Discussion – At the May 13, 2021 Budget work session, instructions were given to further reduce the Town's reliance on the fund balance from the \$415,233 level presented at said meeting. Manager Seaberg provided highlights of some of the adjustments:

1. Proposed New Personnel was eliminated to reduce expenses. These positions could be readdressed in the new fiscal year potentially with reimbursements expected from FEMA or even the new American Rescue Plan (ARP) funding through the Federal Government.

- * Planner Tech \$56,042 (previously discussed during the April 26, 2021 Board meeting)

- * Fire Fighter/Driver \$54,690

- * Maintenance Tech \$51,799

- * Total expense for all three positions is \$162,531

Manager Seaberg also noted he would like to allow the new Fire Chief (once on board) an opportunity to share his methodologies on department structure and staffing needs.

2. Public Buildings was reduced \$10,000 under various facilities' R&M

3. Although the Proposed Pay Plan was extremely important, there seemed to be some questions that staff should ensure were satisfactorily answered before finalizing. It was therefore, recommended to hold off on action on this item and replace it with a 2% COLA which reduced the budgeted expenses relative to this item \$27,000. The proposed pay plan could also be readdressed later in the fiscal year.

In total, staff was able to reduce the reliance of fund balance for this FY 2021-2022 Draft Operating Budget from \$415,233 to \$204,494, while still maintaining no property tax increase.

Under the Enterprise Fund, Manager Seaberg recommended modifying the stormwater fee structure as follows to keep the fund self-sufficient. As originally submitted, the fund would rely on the General Fund at approximately \$21,500 for FY 21/22. Research provided that the Town was charging at the low end for stormwater maintenance.

Residential – currently collected under a tier system by impervious square foot; a proposed flat rate of \$5/month/year/residence was recommended.

Commercial – to remain under the current tier system by impervious square foot.

Mayor Davis expressed concern in cutting the Firefighter position. He inquired whether a current parttime position be made fulltime. Manager Seaberg reiterated that he would like to wait and rely on the new Fire Chief methodologies and see if he may have different ideas on staffing. Mayor Davis noted the concern that Chief Tessing had shared on the possibility of a no call and the negative results that could come from a no call report. Mayor Pro Tem Tursi had the same concerns and worried a no call would lead to a higher ISO rating for the Town. He supported keeping the FT Firefighter in the budget and believed \$25,000 in additional cuts could be found, the remaining \$29,690 could be allocated from fund balance. He noted the struggle the staff was in with no tax increase and the staffing needs presented. Commissioner Turner agreed and stated that she did not believe part time positions in the Fire Department was the answer. She was also concerned with the Planner Tech position being cut and the burden that would put on the Manager to cover during the Planner's maternity absence. Mayor Davis suggested moving a parttime position in Fire to fulltime, but Commissioner Turner was not sure that improved the situation when it came to potential no calls. Commissioner Meilleur agreed with Mayor Pro Tem Tursi, believing the Town was digging a hole with year-to-year fund balance reliance. Where could other cuts be made; did we need to reduce services? Commissioner Philpott was also concerned with the potential no call ramifications. He believed some department cuts could still be made. Manager Seaberg offered that he could reduce the budget further by roughly \$12,000 by deferring the website updates. Mayor Davis believed there were other department cuts that could be made; he would however choose the Firefighter over the website update. Mayor Pro Tem Tursi supported the website updates but if a choice had to be made, he would choose the Firefighter. He also suggested that contributions to other organizations might need to be cut in half. Commissioner Pugliese believed the Firefighter position was essential. He asked what R/M (repairs and maintenance) would be reduced or eliminated in Public Buildings. Manager Seaberg noted that the line item was elevated in the prior year due to Hurricane Florence, therefore he reduced it for FY 21/22. He also shared that contributions to the NC Beach Inlet Waterway and dredging had already been cut. Mayor Pro Tem did not believe the budget was "fat," further cuts would be hard to make, and he too was concerned with the Manager having to take on Planning during the Planner absence. He added that it should be evident that a tax increase would be inevitable next year.

The budget message (by law) had to be published by June 1. Direction was given to make additional cuts to assist in funding the Firefighter position. A public hearing on the proposed budget would be scheduled for June 28, 2021.

Future Agenda Items – A memo detailing proposed upcoming agenda items was reviewed and an opportunity for the Board to introduce any new items was given.

Public Comments

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

Manager's Comments

Manager Seaberg gave highlights from the Manager's Brief provided in the agenda packet. Specifically noting the following:

- July 4th Fireworks would be held on July 2nd, use of the island had been secured, staff still needed to assess the island conditions for potential cleanup
- As previously discussed under the Downtown Traffic and Parking Plan Implementation – fourteen crosswalks proposed in the plan. Hatched pavement crosswalks were not something staff would be able to do, therefore, it was recommended that a simple painted crosswalk be done in the interim once the final report was received. If hatched pavement were desired, it would have to be contracted out. Manager Seaberg noted discussion with NCDOT suggested that some parking spaces may be lost as designed. He believed he had resolved their concerns, and none would be lost. Although, the downtown streets were not NCDOT roads, the intersection to NC24 gave NCDOT some input. Mayor Davis asked that the Manager Seaberg follow up with him to make phone calls regarding such.
- Regarding the NC DCM Resilient Coastal Communities Program (RCCP) Grant, the Town needed to appoint a Community Action Team. Manager Seaberg recommended the following members and sought volunteers to serve on the committee. Mayor Pro Tem Tursi volunteered to serve on Community Action Team.

1. Town Manager
2. Town Planner
3. 2 representatives from the elected Board
4. 2 representatives from the Planning Board
5. 1 representative from the Flood Management Appeals Board

Wayfinding Signs had arrived, staff was now waiting on the required poles for installation.

Regarding the NC Public Beach and Coastal Waterfront access Grant – staff was still working with Randy Swanson on obtaining the required easement for the future phase of the dockwalk. Construction would most likely take place in the fall with the tourist season now upon us. Mr. Swanson had been busy opening his new restaurant Il Cigno. Commissioner Pugliese shared concern that the cost of lumber was rising. Manager Seaberg offered that project reduction may need to be looked at if prices continued to rise. Commissioner Meilleur inquired whether the kayak launch would remain since Pogies had re-located. Manager Seaberg shared that the kayak launch would be eliminated since Pogies had moved. The launch was a private investment, not part of the grant. The area where the launch was might be able to be another boat slip.

Speaking on price increases, Commissioner Meilleur asked about sidewalk development costs. Manager Seaberg stated that NCDOT appeared to be holding on their quotes for sidewalk development phases so far.

Commissioner Turner asked if an update could be given on the Yacht Club. Now a legal matter, Attorney Parson recommended a closed session update on June 14th.

Emergency Operations Center (EOC) Update - Russell Pearlman of the Wooten Company gave a status report on the EOC structure, also included in the agenda packet. He referred to page 102 of the agenda to explain the sufficiency and/or lack thereof regarding the footing requirements, weight & keeping the building planted during wind speed. The current NC State Building Code was used in their assessment. Most elements were found insufficient.

To determine space/staffing needs both the Fire Chief and Police Chief were interviewed. Page 108 provided Fire Department space needs noting that the subtotal number provided usable room space needs and the ancillary number provided mechanical room space needs etc. In 2030, 11,500 sq ft would be needed and in 2050, 11,700 sq ft. For the Police Department (page 112) in 2030, 6,900 sq ft needed and in 2050, 7,100 sq ft needed.

Commissioner Meilleur asked Mr. Pearlman for an estimated cost for a new building to meet the proposed needs. Mr. Pearlman was not comfortable on a price quote due to price fluctuations, however currently the Town would be looking at roughly \$250/sq ft. Commissioner Meilleur asked if Fire Departments were ever built without bays to house the fire trucks, but Mr. Pearlman said he had never seen one built without the bays.

Mayor Pro Tem Tursi felt the Town should consider a partnership that would allow the County to provide emergency management. Without justification of what the benefit was to the Town for an EOC he could not support a \$ 4 million debt to the taxpayers. Commissioner Meilleur believed the price tag would be much higher than \$4 million. He proposed continuing with the SUMC Agreement for space and leave the equipment in the current structure. Was it worth continuing with the study?

Mayor Davis asked if there would be an analysis of all the options originally discussed in January. Manager Seaberg referenced the brief email from Onslow County Emergency Manager Norman Bryson on the benefits of an EOC in community. The update tonight was not the final report, just an update. The final report would include those options that had been previously given.

While Mayor Pro Tem Tursi understood the space/staff needs provided by both the Fire and Police Chief, he stated that they were not responsible to the taxpayers and reiterated that the final report had to outline why the community needs an EOC. Other Board members agreed, and Commissioner Philpott referred to the original options that offered the idea of a bunker style EOC. Mayor Davis noted that the public safety building did need to be strengthened to keep the staff safe.

Manager Seaberg stressed the importance of the final document. He and Mr. Pearlman believed the Fire and Police Chiefs were realistic in their space/staffing needs. Mayor Pro Tem Tursi supported completing the study but the critical question was what was needed in critical emergencies. Could the existing building be improved to withstand a Category 2 storm? Also, how does the EOC benefit a Town of 3000. Mayor Davis believed it important to protect our public safety employees. Perhaps a presentation by both Chief Tessing and Jackson on why an EOC was needed.

Board Comments

Commissioner Philpott acknowledged that when a tax increase was considered, it would take more than one cent to catch up.

Adjournment

On a motion by Commissioner Philpott, seconded by Commissioner Turner, the meeting adjourned at 7:30pm.

**Town of Swansboro
Board of Commissioners
June 14, 2021 Regular Meeting**

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner Pat Turner, Commissioner Harry PJ Pugliese, Commissioner Larry Philpott, and Commissioner Laurent Meilleur. It was noted that the Board returned to in-person meetings. A remote link through the ZOOM platform remained on the agenda to allow for citizens who might not yet be vaccinated or comfortable attending in person. Governor Cooper had declared a state of emergency due to the COVID-19 Pandemic in March 2020 and it remained in effect.

Call to Order/Opening Prayer/Pledge of Allegiance

The meeting was called to order at 5:30 pm. Mayor Davis gave the invocation and 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 offered.

Adoption of Agenda

On a motion by Commissioner Philpott, seconded by Commissioner Turner, the Agenda, and Consent Item below were unanimously approved.

Meeting Minutes:

February 8, 2021 Closed Session	February 22, 2021 Closed Session
April 26, 2021 Closed Session	April 12, 2021 Regular Meeting
April 26, 2021 Regular Meeting	(All closed session minutes were sealed)

FY 20/21 Audit Contract – The Town was required to have an annual audit performed. Current Auditor, Gregory T. Redman would perform the audit for fiscal year ending June 30, 2021 at \$12,500.

Resolution 2021-R6 for Bank Financing of Vehicles & Software – Proposals for the financing of vehicles and software approved in FY 20/21 were received May 2021. Resolution 2021-R6 authorized the Town Manager to file the formal application with BB&T Governmental Finance for a 5-year term at 1.84% to secure funds for the purchase of the following capital assets not to exceed \$134,830.

Streets-Public Works/Service Truck - \$25,630
Fire Department/Chief's Vehicle - \$28,000
Police Department/Detective Vehicle - \$19,200
Finance Department/Financial Software - \$62,000

Appointments/Recognitions/Presentations

Police Officer Recognitions - Chief Ken Jackson and Onslow County Sheriff Hans Miller recognized Swansboro Police Officers John McLean and Ben Brim, and Deputy Joseph Ford for their efforts in safely apprehending a suspected felon who became combative during questioning. Certificates and medals for bravery were given.

Swansboro High School Recognitions - Mayor John Davis and SHS Principal Dr. Helen Gross recognized and presented gifts to the follow:

Queens Creek Elementary Principal Elaine Justice, who retired after 40-years service

SHS Receptionist Felicia Hill, who retired with more than 30-years service

SHS Ladies Basketball Team – Conference Champions (first time in 19 years and first ever as a 3A High School)

SHS Lacrosse Team Conference Champions (first season)

SHS Ladies Track and Field Conference Champions

SHS Conference Players of the Year

Noelle Miller – Basketball

Emily Matthews – Golf

Jona Odum – Soccer

SHS State Qualifiers

Cesar Brawner – Cross Country and Track

Morgan Cassell – Swim

Nathan Priechenfried – Swim

Owen Mohr – Swim

Liam Kinlan - Swim

Conference Coaches of the Year

Scott Evans – Swim

Kim Miller – Basketball

(The Board recessed at 6:12pm and reconvened at 6:17pm.)

Board Appointments – Appointments and/or re-appointments to the Board of Adjustment were necessary. All current members confirmed a desire for re-appointment. It was also noted that there was one in-town (alternate) seat and one ETJ (alternate) seat vacant on the BOA; there were no applications on file for this Board.

On a motion by Commissioner Pugliese, seconded by Commissioner Philpott, Karen Hansack and Ralph Kohlmann were re-appointed through 2023. Jeff Conaway, and Michael Favata were re-appointed through 2024. Resolution 2021-R7 was adopted making recommendation to the Onslow County Board of Commissioners that Tom Cariker be re-appointed as the ETJ member through 2024. The vote was unanimous.

Public Comments

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

Manager's Comments

Manager Seaberg indicated that the staff was still working to determine if further cuts to the proposed FY 21/22 Budget could be made. The public hearing was scheduled for June 28, 2021.

Mayor Davis added that he was saddened to learn of the sidewalk construction shortfall of approximately \$100,000. He shared that Representatives Cleveland, Shepard, and Senator Lazzara were working to resolve and perhaps determine where additional funds might be provided. Appropriations spent to date had been allocated to NCDOT, who contracted the construction. If need be, Mayor Davis hoped the Board might consider further allocations by the Town.

Mayor Davis also noted that Representative Cleveland was following the Town's review on its Emergency Operations Center and may find funding to assist.

Board Comments

Commissioner Turner inquired when the Town might be able to begin removing the skatepark equipment. Attorney Parson noted that due to the legality of the skatepark claims, certain milestones had to be met before removal of any of the equipment could occur.

Mayor Pro Tem Tursi was not surprised to learn of the sidewalk construction shortfall believing the funding allocations through NCDOT was a terrible way to fund capital projects for the Town. Mayor Davis hoped the state would further assist with NCDOT shortfalls on the sidewalk construction phases and shared that the residents of Hall's Creek North had indicated some interest to assist in further funding for the phase to be constructed along Hammocks Beach Road.

Closed Session – On a motion by Commissioner Philpott, seconded by Commissioner Turner, the Board entered Closed Session pursuant to NCGS 143-318.11 (A) (3) to consult with the Attorney regarding legal matters at 6:26pm. The vote was unanimous.

Pursuant to a motion duly made in Closed Session, the Board re-entered Open Session at 6:55pm. No action was taken.

Adjournment – On a motion by Commissioner Philpott, seconded by Commissioner Turner, the meeting adjourned at 6:55pm.



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Tax Refund Request**

Board Meeting Date: **July 26, 2021**

Prepared By: **Sonia Johnson, Finance Director**

Overview:

The Onslow County Tax Collector recommends refunds of the below listed taxes totaling \$34.35.

Vehicle Tax

Shin, Michelle Nara	34.35	Tag Surrender
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Recommended Action:

Motion to approve refunds as recommended by Onslow County.

Reviewed By:

Town Manager _____
Town Clerk 07/20/2021

Finance Director 07/20/2021
Town Attorney _____

Date Action Approved by Board: _____ Action if different from Recommended: _____



Board of Commissioners

Agenda Item Submittal

Item To Be Considered: **Text Amendment - Food Truck Vendors**

Board Meeting Date: **July 26, 2021**

Prepared By: **Jennifer Ansell, Planner**

Overview: In late 2020, the Board held a number of meetings to include a public hearing on a text amendment request submitted by Elizabeth Shepard, owner of the Urban Street Eats food truck. Due to COVID19 and capacity limitations with meetings etc., the Board decided it would not consider controversial matters until it was able to return to complete in-person meetings. In June 2021, the Board then directed staff to place the Food Truck Text Amendments back on the agenda for consideration. Below is the original agenda memo language provided to the Board following discussion with Mayor Pro Tem Tursi and Commissioner Philpott.

Elizabeth Shepard, owner of the Urban Street Eats food truck, has submitted an application for text amendment which would allow food truck vendors.

Currently, the Town Code of Ordinances prohibits itinerant merchants other than ice cream trucks and push cart vendors, and vendors associated with festivals and other events.

It appears that in July of 2016, the Unified Development Ordinance was overhauled to make most commercial uses special uses, and to delete or modify several existing uses. As a part of that amendment, "Food Sales, Push Cart" was removed from the Table of Permitted/Special Uses and Note 30 to the table was deleted. However, the definition remained, and the Town Code was not modified.

Because push cart vendors have a similar impact as food trucks, and because the ordinances are not currently consistent with one another, the applicant's proposal was modified to include both.

Planning Board Recommendations:

- At the May 4, 2020 regular meeting, the Planning Board voted unanimously to recommend denial of the proposed text amendments related to food truck and push cart vendors due to the potential financial impact on brick and mortar businesses and current restrictions on those business as a result of the Coronavirus.

Reviewed By:

Town Manager _____
Town Clerk 7/20/2021

Finance Director _____
Town Attorney _____

Date Action Approved by Board: _____ **Action if different from Recommended:** _____

- At their July 7, 2020 special meeting, the Planning Board voted 4 to 1 to recommend denial of the revised ordinance amendment, citing its inconsistency with the 2019 CAMA Land Use Plan Update and Gateway Plan, specific to the vision for the appearance of the Highway 24 corridor.
- During its November 16, 2020 special meeting, the Planning Board voted 7 to 0 to recommend denial of the proposed amendments because they felt the proposal was inconsistent with the Comprehensive Plan and the Gateway Plan, specifically in the vision for the Highway 24 corridor. They also felt it was inconsistent with the Economic Development Strategic Plan, because it discusses promotion of "locally owned businesses".

Board of Commissioners' Discussion:

- At the June 8, 2020 meeting, the Board of Commissioners directed Staff to revise the proposed ordinance and to submit it to the Planning Board for further review in order to:
 - Remove the allowance for food vendors in the B-2HDO zoning district;
 - To require a time limit for vendors to include a maximum duration per site and total allowance per year; and
 - Increase the fees proposed.
- At their June 22, 2020 regular meeting, the public hearing was held, but the discussion was tabled, and a special meeting was set for August 10, 2020.
- At the August 10, 2020 special meeting the Board directed Staff to:
 - Explore allowing food trucks in locations such as Seth Thomas Lane, large construction sites, parks and at special events, within specific Future Land Use Designations/Nodes, and distance them from other food establishments and locate them off of Hwy 24;
 - Allow them on a temporary basis. Most agreed 3 consecutive days in the same location was appropriate;
 - Limit the number of permits issued; and
 - Consider Commissioner Philpott's comments (provided at the meeting).

Philpott and Tursi Meeting

Additionally, at the August 10, 2020 meeting, the Board of Commissioners directed Staff to meet with Commissioners Philpott and Tursi to further refine the ordinance proposal prior to it going back to the Planning Board for review. Staff met with the two Commissioners on September 17, 2020. The comments received from that meeting have been incorporated into the proposed text amendment.

Action Needed: A motion to approve, deny or table Ordinance 2021-O7 and adopt a statement of consistency.

Per NCGS 160D-605, when adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan.

The requirement for a plan consistency statement may also be met by a clear indication in the minutes of the governing board that at the time of action on the amendment the governing board was aware of and considered the planning board's recommendations and any relevant portions of an adopted comprehensive plan.

Attachments

Proposed Ordinance 2021-O7

Planning Board Statement of Consistency

Text Amendment Application
Food Trucks Spreadsheet
Food Truck Comments-Commissioner Philpott
Future Land Use Map (2019)
Zoning Map (January 2020)
GIS Aerial Overlay Maps

*Changes from original draft are highlighted in blue

ORDINANCE 2021-O7
AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
TO ALLOW FOOD TRUCK AND PUSH CART VENDORS

WHEREAS North Carolina General Statute 160D-605 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS NCGS 160D-605 also states that when adopting or rejecting any zoning text or map amendment, the governing board shall approve a brief statement describing whether its action is consistent or inconsistent with an adopted comprehensive plan; and

WHEREAS the Board of Commissioners finds that the proposed text amendment is consistent with the current Comprehensive Plan, and considers the action taken to be reasonable and in the public interest because it will allow for a variety of dining options for citizens and clarifies the existing requirements related to peddlers and itinerant salesman.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the Town Code of Ordinances, Unified Development Ordinance, and Fee Schedule are amended as follows:

TOWN OF SWANSBORO, NORTH CAROLINA
CODE OF ORDINANCES

CHAPTER 112: PEDDLING AND SOLICITING

§ 112.01 DEFINITIONS.

Mobile Food Truck Vendor. A person or persons who sells food and/or beverages from a mobile food truck or trailer.

§ 112.02 ITINERANT MERCHANTS PROHIBITED.

- A) No itinerant merchant shall be permitted to engage in any of the activities described in this chapter at any location within the town or its extraterritorial zoning jurisdiction area.
- B) Provided, however, that this section shall not apply to:
 - 1) Itinerant merchants duly authorized by the sponsoring agency of any event, exhibition, or show duly permitted pursuant to the terms of § 112.05(A) of this chapter during such event, exhibition, or show; or

Reviewed By:	
Town Manager _____ Town Clerk <u>7/20/2021</u>	Finance Director _____ Town Attorney _____
Date Action Approved by Board: _____ Action if different from Recommended: _____	

- 2) Any person licensed and/or approved to sell agricultural or horticultural products, handmade products, artwork, or other products within a municipally-operated public market; or
- 3) Push cart and food truck vendors ~~if same are allowed in a specific~~ where allowed by the underlying zoning district or otherwise exempted.

§ 112.03 PEDDLERS AND ITINERANT SALESMEN PROHIBITED.

No peddler or itinerant salesman shall be permitted to engage in any of the activities described in this chapter upon any private residence and the premises thereof, unless such peddler or itinerant salesman has been requested or invited to do so by the owner or occupant of the private residence and premises; ~~nor shall any such~~

~~No~~ peddler or itinerant salesman shall be permitted to engage in any of the activities described in this chapter upon any public park, street, highway, alley, sidewalk, or other public way, or upon any property owned or leased ~~as lessee~~ by the town unless otherwise specifically exempted.

Violation of this chapter shall be a misdemeanor.

§ 112.04 NON-PROFIT AND SERVICE ORGANIZATIONS.

Recognized non-profit and service organizations are exempt from this chapter.

§ 112.05 PEDDLERS AND ITINERANT SALESMEN PROHIBITED: EXCEPTIONS.

- A) ~~That~~ peddlers or itinerant salesmen duly authorized by the sponsoring agency of any event or exhibition show under town's approval;
- B) Mobile ice cream vendor with certificate of convenience and necessity issued through the Police Chief or his or her designee following approval by the Board of Commissioners; or
- C) Special events or sales conducted by businesses on their property not to exceed three (3) days in duration.

CHAPTER 152: UNIFIED DEVELOPMENT ORDINANCE

§ 152.016 DEFINITIONS OF BASIC TERMS.

FOOD SALES, FOOD TRUCK. Sales of food and/or beverages from a mobile food truck, ~~trailer,~~ or other vehicle.

§ 152.179 TABLE OF PERMITTED/SPECIAL USES.

PERMITTED/SPECIAL USES	B1	B2	B3	<u>MI</u>
<u>FOOD SALES, PUSH CART/FOOD TRUCK (see Note 30)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

§ 152.180 NOTES TO THE TABLE OF PERMITTED/SPECIAL USES/CONDITIONAL ZONING DISTRICTS (CD).

(DD) Note 30. Food sales, push cart /food truck. ~~Deleted when amended.~~ A zoning permit is required prior to the establishment of a push cart or food truck on any property within the

jurisdiction of the Town of Swansboro. The permit application must include the following information, documentation and acknowledgments by the vendor, and must be submitted at least three (3) business days prior to the vendor occupying the property:

- 1) List of the proposed location(s) of the cart/truck and duration for each location proposed. Vendors will be allowed in the zoning districts shown in the Table of Uses when the property is identified as being within the Traditional Town Center, Suburban Town Center, or Employment/Light Industrial land use designation as identified within the 2019 CAMA Land Use Plan on the Future Land Use Map;
- 2) The appropriate fee as established by the Town Schedule of Fees;
- 3) Push carts and food trucks may operate under an annual permit or may obtain a permit for a one-day event when not subject to the exemptions found in Chapter 112 of the Town Code. Vendors may set-up for a maximum of three (3) consecutive days per location and may not be re-established in any one location for a period of seven (7) business days. No carts, trucks or other equipment may be stored on the premises.
- 4) Push carts and food trucks must be located on private property and not within any street right-of-way. Evidence of property ownership or written permission from the property owner for the proposed location(s) must be submitted;
- 5) Push carts and food trucks must be set back at least 50 feet from the right-of-way of NC Highway 24;
- 6) Any push cart or food truck must be located at least 100 feet from the main customer entrance of any restaurant or outdoor dining area, and at least 50 feet from any other permitted push cart or truck;
- 7) Food trucks and push carts may not occupy any handicap parking space;
- 8) Hours of operation are limited to 7:00 am to 10:00 pm daily;
- 9) Any food truck or trailer must display a valid license plate;
- 10) A copy of a Health Department inspection/score or a certificate issued by the Department of Agriculture must be provided;
- 11) Proof of insurance must be submitted;
- 12) Compliance with any applicable Building Code requirements must be demonstrated, such as inspection of electrical power connections;
- 13) No signage, to include banners or flags, external to the cart or truck is permitted other than one 2'x 3' sandwich board (portable) sign;
- 14) Vendors are responsible for maintaining their service areas to include trash removal;
- 15) A certificate of registration with the North Carolina Department of Revenue must be provided;
- 16) No music or other amplified sound is permitted to emanate from the push cart or food truck;
- 17) Flashing or moving lights are prohibited whether attached to or external of the push cart or food truck;
- 18) The Town Manager reserves the right to temporarily suspend food sales permits during special events; and
- 19) Violations of this section will result in the permit being revoked, and the vendor will be subject to the penalties as established by Section 152.133, Civil Penalties.

Town of Swansboro Schedule of Fees

PLANNING AND DEVELOPMENT FEES

<u>Push Cart/Food Truck Vendors</u>	<u>\$500.00 (Annual; Expires December 31st)</u> <u>\$100.00 (One-Day Event/Non-Exempt)</u>
<u>Zoning Permit</u>	<u>\$50.00</u>

The above amendment is effective upon adoption of this Ordinance.

Adopted this 26th day of July 2021.

Town of Swansboro Board of Commissioners

John Davis, Mayor

ATTEST:

Paula W. Webb, Assistant Manager/Town Clerk

PLANNING BOARD STATEMENT OF CONSISTENCY

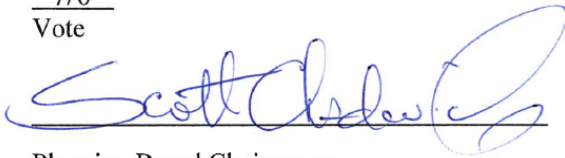
Food Vendors Text Amendment

During its November 16, 2020 special meeting, the Town of Swansboro Planning Board reviewed proposed amendments to the Town Code of Ordinances, Unified Development Ordinance, and Fee Schedule related to food truck and push cart vendors.

The Board found the proposed changes were **inconsistent** with the current Comprehensive Plan, specifically the CAMA Land Use Plan and have been recommended for **denial** by the Planning Board citing specifically the inconsistency with the Gateway Plan in the vision for the Highway 24 corridor and the Economic Development Strategic Plan for “locally owned businesses”.

This statement reflects the recommendation of the Town of Swansboro Planning Board this the 16th day of November 2020.

7/0
Vote

A handwritten signature in blue ink, appearing to read "Scott Anderson", is written over a horizontal line.

Planning Board Chairperson



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Resolution Supporting State Funding for Sidewalk Project**

Board Meeting Date: **July 26, 2021**

Prepared By: **Christopher D. Seaberg, Town Manager**

Overview:

On July 14, 2021 we received the following email from Senator Lazzara's Office:

Good morning,

Senator Lazzara and Phil Shepard each plan to request \$50,000 from the Office of the President Pro Tempore and the Office of the Speaker of the House, thus covering the \$100,000 overage on this project. We completed our letter requesting the funds (attached), but we are told that the Town of Swansboro must also pass a resolution in support of the project. I will also attach an example of another member's request so you can have an idea of what the completed request often looks like.

Please let me know if you have any questions.

Best,

Danielle Jordan

Legislative Assistant

Office of Senator Michael Lazzara

State of North Carolina

(919) 715-3034

His office's official letter to the Office of the President Pro Tempore is attached to this memorandum for review. Also attached is a similar support resolution adopted on August 13, 2019 for the initial State investment in this project.

Background Attachment(s):

- Senator Lazzara Request for Contingency Funds SWANSBORO 2021
- Resolution (2019-R9)

Recommended Action:

- Motion to approve Support Resolution #2021-9

Reviewed By:

Town Manager _____
Town Clerk _____

Finance Director 03/15/21
Town Attorney _____

Date Action Approved by Board: _____ Action if different from Recommended:



North Carolina General Assembly
Senate

SENATOR MICHAEL LAZZARA
6TH DISTRICT

OFFICE: 2115 LEGISLATIVE BUILDING
16 WEST JONES STREET
RALEIGH, NC 27601
PHONE: (919) 715-3034
EMAIL: MICHAEL.LAZZARA@NCLEG.NET

COMMITTEES:
APPROPRIATIONS ON GENERAL GOVERNMENT
EDUCATION
JUDICIARY
STATE & LOCAL GOVERNMENT

July 14, 2021

The Honorable Phil Berger
President Pro Tempore of the North Carolina Senate
16 W Jones St, Room 2007
Raleigh, NC 27601

Dear Senator Berger,

I am writing to you today to formally request \$50,000 in funding for the Town of Swansboro's sidewalk repair project. This project was approved for \$366,668 in funding from the North Carolina Board of Transportation in December 2019. The Town of Swansboro also contributed \$116,634, making the total budget for the project \$483,302. After completing part of the project, the town ran into an issue with a stormwater pipe, causing the cost of the project to increase. The project is now going to come in \$100,000 over budget. As a result, I am reaching out to request assistance in covering \$50,000 of this overage. Representative Phil Shepard intends to make the same request to Speaker Tim Moore for the same amount, thus fully covering the remaining costs of the project.

Thank you for your time and your consideration of this request.

Sincerely,

Senator Michael Lazzara
North Carolina Senate

Board of Commissioners

John Davis, Mayor
Frank Tursi, Mayor Pro Tem
Patricia Turner, Commissioner
Roy Herrick, Commissioner
Brent Hatlestad, Commissioner
Philip Keagy, Commissioner



Assistant Town Manager/Town Clerk
Paula W. Webb, MMC-NCCMC
pwebb@ci.swansboro.nc.us

Town of Swansboro

Friendly City by the Sea • Established 1783
www.swansboro-nc.org

**RESOLUTION (2019-R9) REQUESTING THE ALLOCATION OF FUNDS FOR
SIDEWALK IMPROVEMENTS IN THE TOWN OF SWANSBORO**

WHEREAS the addition of sidewalks in the Town of Swansboro is a high priority for several reasons, first, as Swansboro continues to grow its important to offer connectivity between neighborhoods where people live to parks, schools, and shopping; and

WHEREAS secondly and most importantly, sidewalks provide a mode of transportation other than a motor vehicle; a safe area to walk out of harm's way. This is especially true for young children and those that are handicapped and/or wheelchair bound residents who have been sited traveling in the center lane of NC24 or the right-of-way where sidewalks and/or multi-purpose paths are not present; and

WHEREAS annually, the Town appropriates funds for sidewalks; a current balance of \$116,634 reserved, however, the amount of funds available nowhere matches the need for new sidewalk construction; and

WHEREAS the Town has prepared a summary of the top four sidewalk projects it would like to construct (attached), all of which are becoming increasingly important as the Town grows, particularly along the highway 24 corridor. An estimated 30,000 vehicles travel this route each day and there is not a safe mode of travel for pedestrians to walk; and

WHEREAS the Town of Swansboro respectfully seeks assistance to help fill the gaps in funding for sidewalk improvements.

NOW THEREFORE BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of Swansboro respectfully request the allocation of funds up to \$500,000 for sidewalk improvements within the Town from the NC Dept of Transportation Discretionary Funds.

Adopted by the Swansboro Board of Commissioners on August 13, 2019.

Attest:

Paula Webb, Assist. Manager/Town Clerk



**RESOLUTION (2021- R9) REQUESTING THE ALLOCATION OF FUNDS FOR
SIDEWALK IMPROVEMENTS IN THE TOWN OF SWANSBORO**

WHEREAS the addition of sidewalks in the Town of Swansboro is a high priority for several reasons, first, as Swansboro continues to grow its important to offer connectivity between neighborhoods where people live to parks, schools, and shopping; and

WHEREAS secondly and most importantly, sidewalks provide a mode of transportation other than a motor vehicle; a safe area to walk out of harm's way. This is especially true for young children and those that are handicapped and/or wheelchair bound residents who have been sited traveling in the center lane of NC24 or the right-of-way where sidewalks and/or multi-purpose paths are not present; and

WHEREAS the Town and NC Department of Transportation have partnered to complete sidewalk installations at 3 strategic priority areas located specifically on NC Hwy 24(AKA W. Corbett Ave), Old Hammocks Rd, and Hammock's Beach Rd; and

WHEREAS the NC Department of Transportation has estimated a \$97,000 funding shortage restricting this project's completion as proposed.

NOW THEREFORE BE IT RESOLVED that the Mayor and Board of Commissioners of the Town of Swansboro respectfully support Senator Lazzara's and Representative Shepard's request for additional funding request to allow this beneficial project to be completed in its entirety.

Adopted by the Swansboro Board of Commissioners on _____.

John Davis, Mayor

Attest:

Paula Webb, Assist. Manager/Town Clerk



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Budget Ordinance Amendment #2022-1**

Board Meeting Date: **July 26, 2021**

Prepared By: **Sonia Johnson, Finance Director**

Overview:

1. **Streets** - In FY 20/21, donations were received in honor of Jean King of Swansboro to purchase Christmas lights. Requesting \$6,943.78 be re-appropriated for its intended purpose.
Source of Funds: Appropriated Fund Balance
2. **Public Building** - The Onslow County Board of Commissioners approved Tourism Event and Capital distribution funding for the Fiscal Year 2021-22. The Town of Swansboro was awarded \$20,000 for Visitor's Center improvements.
Source of Funds: Grant Various
3. **Public Buildings** - Since January 2020, we have spent approximately \$4563.56 on repairs for the HVAC units at Municipal Park Recreation Building. Currently, unit #3 of 6 is not operating. A quote for those repairs is \$2413.63. The Public Works Director and HVAC Contractor recommend replacing all six units which are ten years old. Requesting \$50,000 be appropriated from fund balance to replace six HVAC units at the Municipal Park Recreation Building.
Source of Funds: Appropriated Fund Balance
4. **Fire Department** - An upfit package & radio were ordered for the Fire Chief's Dodge Ram that was budgeted in FY 20/21. However, the funds went back to fund balance because they were not used prior to the end of last fiscal year. Requesting \$5,331 be appropriated back out of fund balance for its intended purpose.
Source of Funds: Appropriated Fund Balance
5. **Admin Services** - The ADA Plan is still under development. Request the balance left of \$669.00 be re-appropriated from fund balance.
Source of Funds: Appropriated Fund Balance

Reviewed By:

Town Manager

Town Clerk 7/20/21

Finance Director 7/20/21

Town Attorney

Date Action Approved by Board:

Action if different from Recommended:

6. **Admin Services** - The downtown traffic movement is still under development. Request the balance left of \$3,720 be re-appropriated from fund balance.

Source of Funds: Appropriated Fund Balance

7. **Emergency Management** - The Emergency Operations Center planning is still under development. Request the balance left of \$21,085 be re-appropriated from fund balance.

Source of Funds: Appropriated Fund Balance

8. **Emergency Management** - Concerns over how the Town's Public Safety Building performed during Hurricane Florence in 2018 lead to the Town contracting with a structural engineer to review the building's ability to handle storms. The result of the review was that the Public Safety Building is not recommended for use during any storm equivalent to the strength of a Category 2 Hurricane or higher. This led staff to look for alternative locations for operations during storms at or above that threshold so emergency operations could continue.

At the September 28, 2020 Regular Meeting, authorization was given for staff to enter into an agreement with Swansboro United Methodist Church, Inc. for use of "Building 2" at 665 W. Corbett Avenue as an alternate Emergency Operations Center during an event when the expected storm is forecasted as a Category 2 or higher Hurricane. Part of the agreement was that the Town would install a switch for a trailerable generator to serve during a power outage. The cost to install the switch for "Building 2" is \$29,900. Requesting \$29,900 be appropriated from fund balance for its intended purpose.

Source of Funds: Appropriated Fund Balance

Attachment(s): Budget Ordinance Amendment #2022-1

Recommended Action: Motion to approve Budget Ordinance Amendment #2022-1

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FY 21/22

BUDGET ORDINANCE AMENDMENT #2022-1

BE IT ORDAINED by the Board of Commissioners of the Town of Swansboro that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2022:

Section 1. To amend the General Fund budget, the following changes are to be made:

<u>Appropriations</u>	<u>Increase</u>
Streets	6,943.78
Public Buildings	70,000.00
Fire	5,331.00
Admin Services	4,389.00
Emergency Management	50,985.00

<u>Revenues</u>	<u>Increase</u>
Appropriated Fund Balance	117,648.78
Grants-Various	20,000.00

Section 2. Copies of this budget amendment shall be furnished to the Town Clerk, the Budget Officer, and the Finance Director, to carry out their duties.

Adopted by the Board of Commissioners in regular session, July 26, 2021.

Attest:

John Davis, Mayor

Paula Webb, Town Clerk

**TOWN OF SWANSBORO
FINANCIAL REPORT
(AS OF JUNE 30, 2021)**

REVENUES

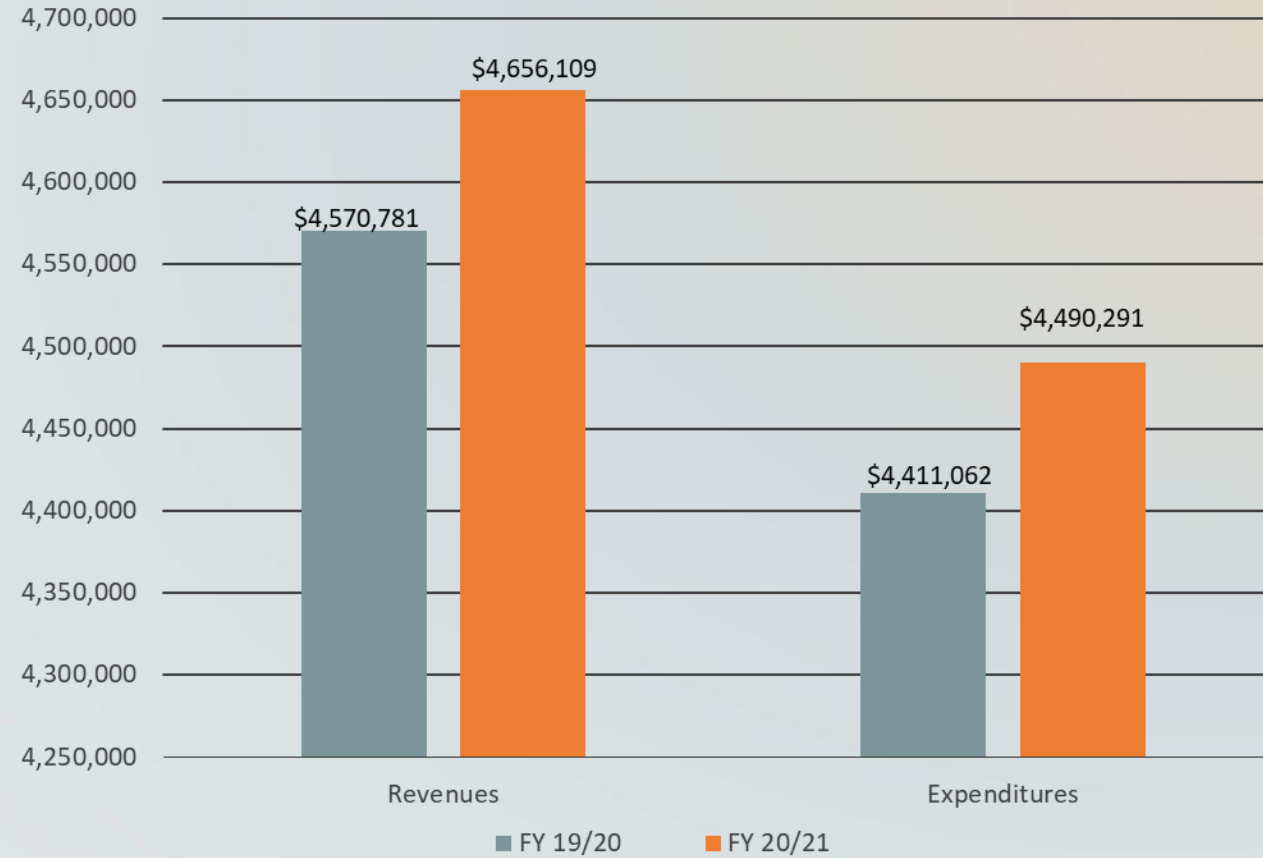
EXPENDITURES

LOAN PAYMENTS

INVESTMENTS

**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF JUNE 30, 2021)**

GENERAL FUND



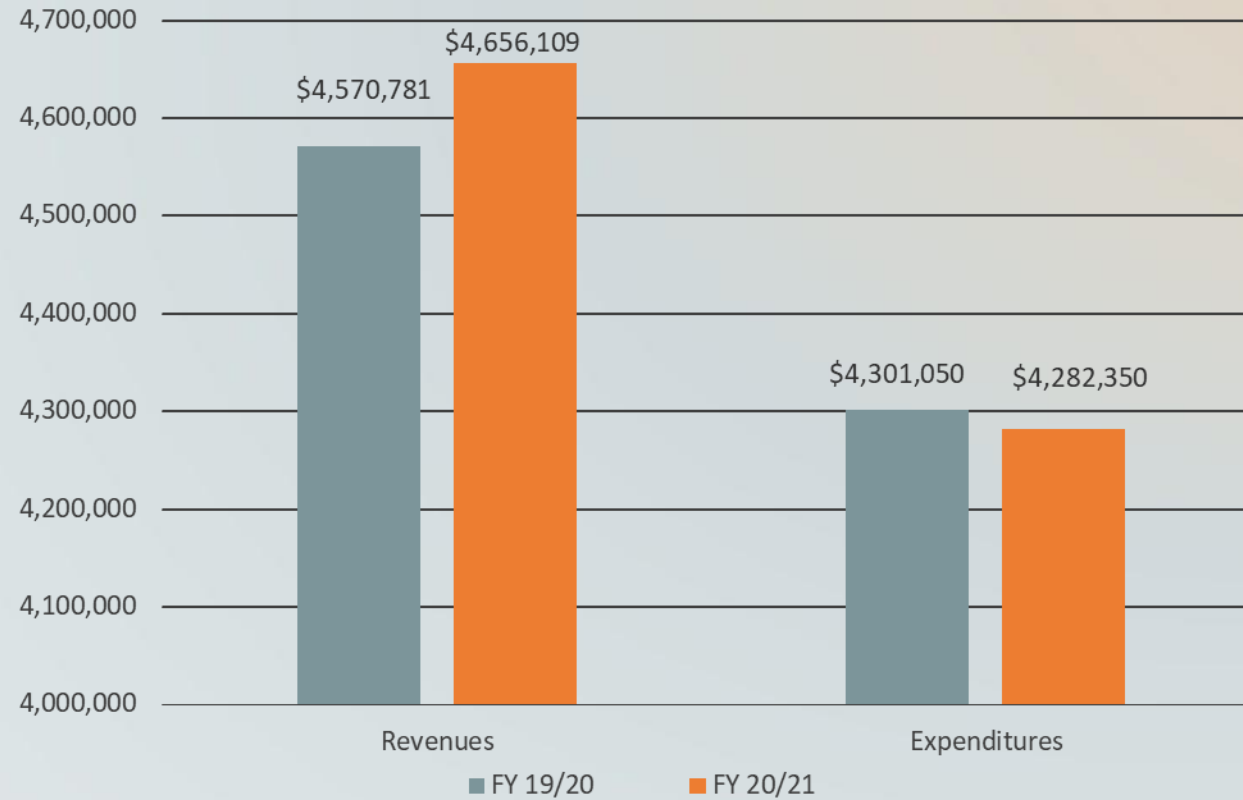
ENCUMBRANCES INCLUDED

Total Excess of Revenues Over Expenditures **\$165,818**

**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF JUNE 30, 2021)**

(ACTUAL)

GENERAL FUND



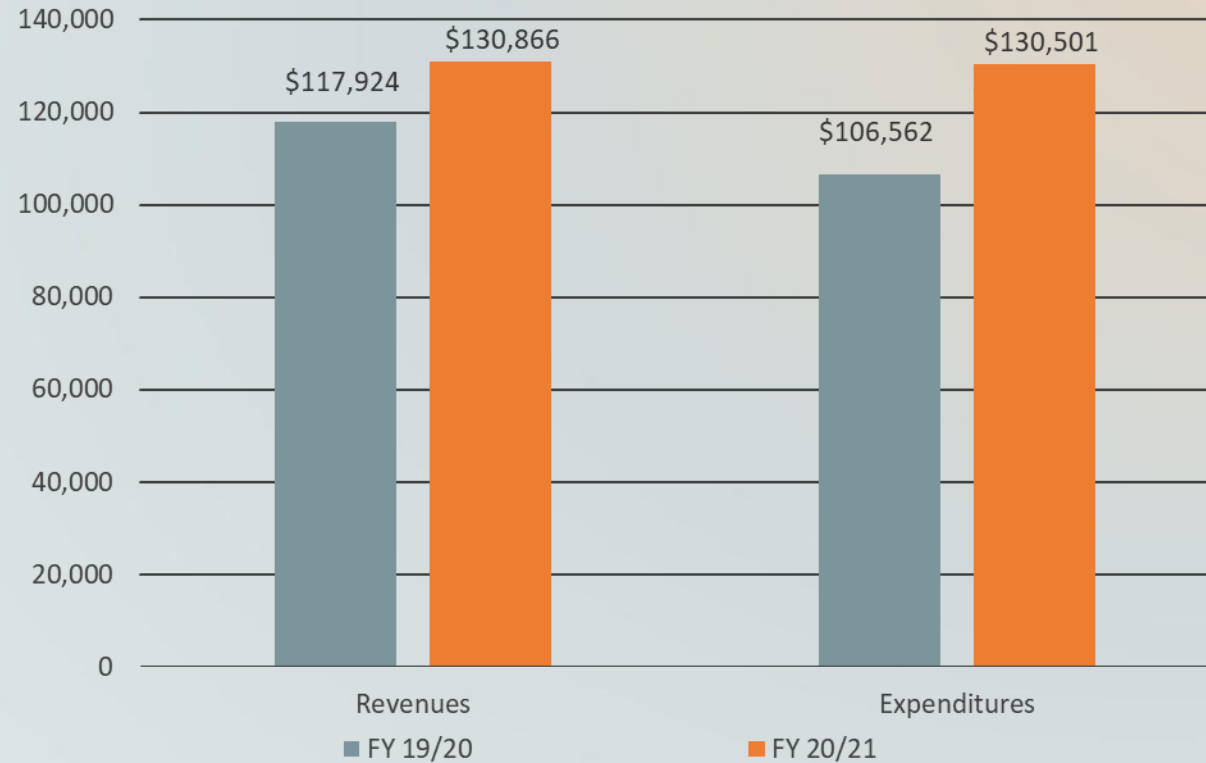
(ENCUMBRANCES NOT INCLUDED)

Total Excess of Revenues Over Expenditures \$373,759

DEPT.	BUDGET	(PAID YEAR TO DATE) ACTUAL	(PURCHASE ORDERS) ENCUMBERED BALANCE	SPENT % June 30, 2021
GOVERNING BODY	14,098	13,403	150	96.1%
ADMIN SERVICES	429,255	405,013	18,969	98.8%
FINANCE	302,825	292,130	6,992	98.8%
LEGAL	42,000	29,467	-	70.2%
PUBLIC BUILDINGS	368,130	315,377	13,616	89.4%
FIRE	909,443	747,708	61,473	89.0%
PERMITTING	223,915	200,252	8,338	93.2%
POLICE	1,050,863	914,858	42,120	91.1%
PUBLIC WORKS-STREETS	303,916	291,438	6,058	97.9%
POWELL BILL-STREETS	90,318	80,365	5,621	95.2%
PARKS & RECREATION	371,304	294,060	21,774	85.1%
CHURCH STREET DOCK	8,230	6,906	-	83.9%
EMERGENCY MANAGEMENT	316,014	145,001	22,888	53.1%
FESTIVALS & EVENTS	95,451	5,208	(75)	5.4%
NON DEPARTMENTAL	553,107	541,163	17	97.8%
TOTAL	5,078,869	4,282,350	207,941	88.4%

**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF JUNE 30, 2021)**

STORMWATER ENTERPRISE FUND

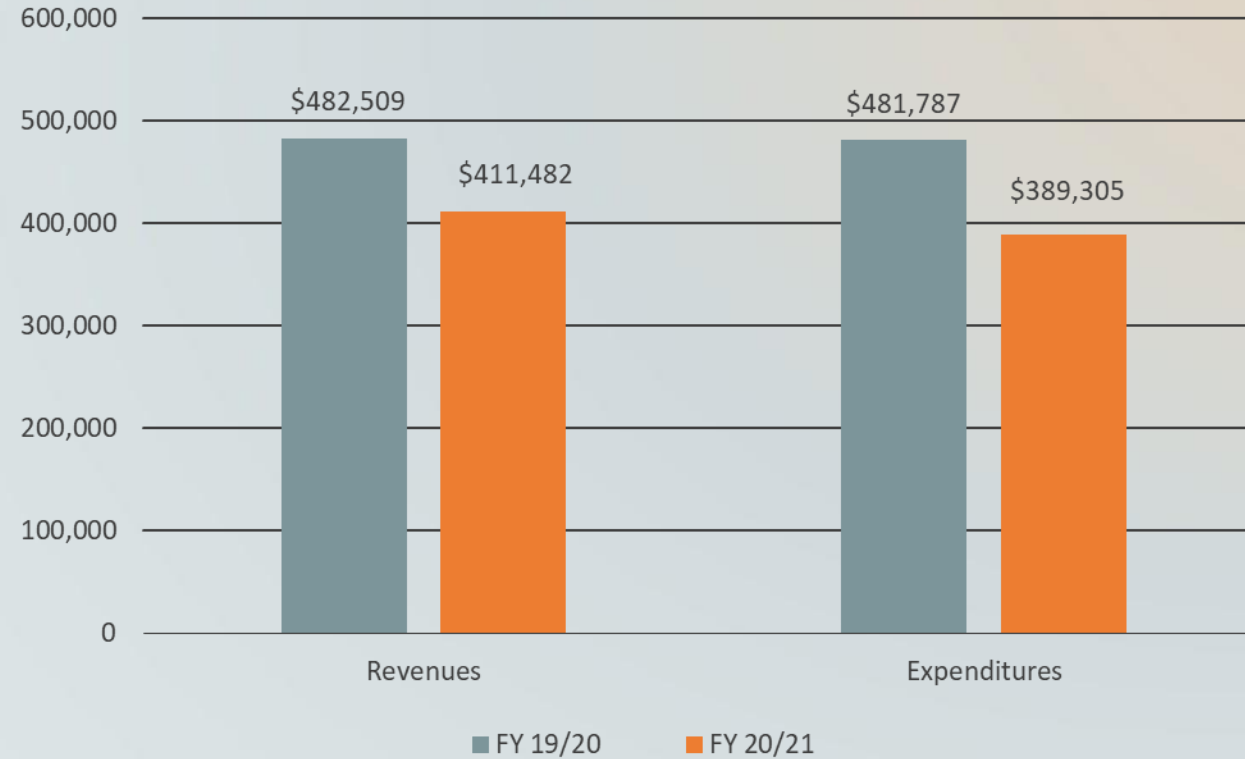


ENCUMBRANCES INCLUDED

Total Excess of Revenues Over Expenditures \$365

**TOWN OF SWANSBORO
REVENUES/EXPENDITURES
TWO YEAR COMPARISON
(AS OF JUNE 30, 2021)**

SOLID WASTE ENTERPRISE FUND



ENCUMBRANCES INCLUDED

Total Excess of Revenues Over Expenditures \$22,177

TOWN OF SWANSBORO LOAN REPORT (AS OF JUNE 30, 2021)

Item	Principal Balance	Interest Rate	End Date	Annual Debt Service
Town Hall/Tanker	\$534,076	2.69	03/21/2028	\$84,724
Public Safety Facility	\$160,000	2.58	12/22/2024	\$45,160
Fire Truck	\$265,418	2.08	11/01/2026	\$47,512
Equipment/Vehicles	\$50,832	1.87	11/01/2021	\$51,783
Sleeping Quarters	\$150,000	2.43	12/14/2026	\$29,253
Grapple Truck/Town Hall Generator	\$183,700	1.72	6/25/2025	\$47,917
Vehicles(Police & Fire Department) & Software	\$110,700	1.84	7/15/2026	\$23,377
Total Debt	\$1,454,726	57		\$329,726

**TOWN OF SWANSBORO
CASH & INVESTMENTS REPORT
(AS OF JUNE 30, 2021)**

CASH & INVESTMENTS

BANK	BALANCE	INTEREST RATE
First Citizens Bank	\$3,760,118	.03%
NC CMT-General	\$427,564	.01%

Any Questions

?



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Board of Commissioners Policy 17 – Agenda Development**

Board Meeting Date: **July 26, 2021**

Prepared By: **Paula Webb, Assistant Manager/Town Clerk**

Overview: Board members have shown interest in a more formal agenda development process to assist in the order and efficiency of how their meetings are handled.

The agenda is typically prepared by the Town Clerk in coordination with the Town Manager and Department Heads. “Future Agenda Items” was added to the agenda in 2020 to inform the Board of upcoming agenda items and to provide an opportunity for Board members to introduce items for discussion, consensus, and future action.

The purpose of this policy is to set forth the procedures, criteria, and conditions under which the Board of Commissioners Meeting Agendas are created. A comprehensive agenda, which sets forth the items of business and the order in which they are to be considered, is vital to the order and efficient handling of any meeting.

Background Attachment(s): Draft Policy 17 - Agenda Development and Request Form

Recommended Action: Motion to approve BOC Policy 17 – Agenda Development

Reviewed By:

Town Manager _____
Town Clerk 7.19.2021

Finance Director _____
Town Attorney _____

Date Action Approved by Board: _____ Action if different from Recommended: _____

BOARD OF COMMISSIONERS – POLICY NO. 17

AGENDA DEVELOPMENT

A. Purpose

The purpose of this policy is to set forth the procedures, criteria, and conditions under which the Board of Commissioners Meeting Agendas are created. A comprehensive agenda, which sets forth the items of business and the order in which they are to be considered, is vital to the order and efficient handling of any meeting.

B. Statement of Intent

Board members have shown interest in a more formal agenda development process to assist in the order and efficiency of how their meetings are handled.

The agenda is typically prepared by the Town Clerk in coordination with the Town Manager and Department Heads. “Future Agenda Items” was added to the agenda in 2020 to inform the Board of upcoming agenda items and to provide an opportunity for Board members to introduce items for discussion, consensus, and future action.

C. Definitions

1. Proclamations – a ceremonial document issued by either the mayor or the governing board to honor individuals or groups for service or achievements, or to provide recognition/publicity to special events or significant issues. Typically, proclamations designate a day, week, or month for a special purpose.
2. Letters – a request for recognition or acknowledgement for something that does not justify the issuance of a proclamation. Such requests may include weddings, family reunions, non-milestone birthdays, and a Boy Scout achieving the rank of Eagle Scout. A formal letter from the office of the mayor usually serves this purpose quite well.
3. Certificates/Awards – Certificates and awards are similar to proclamations in that they recognize individuals or groups for service or achievements, but without the background information provided by the “whereas” clauses found in a proclamation. A certificate is a concise acknowledgement stating who is being recognized and why, followed by a date and signature(s) of the mayor and/or the governing board.
4. Resolutions – a formal document adopted by the governing board whenever a formal written record of action taken is required or when certain findings must be made in connection with a particular action.
5. Background Materials – supporting documents and information to assist the Board in making proper decisions.

6. Ordinances – Ordinances set forth standards that govern throughout a community. In short, they are the written laws of a municipality, which have been duly adopted by its governing body and can be amended or repealed only through adoption of a new ordinance. Other situations that require adoption of an ordinance include adopting or amending the city budget, creating, or amending zoning classifications, and establishing regulations applicable to persons or property which impose a penalty by fine, imprisonment or forfeiture.

D. Guidelines to Request Proclamations/Certificates/Letters

Citizens seeking recognition should submit their request in writing to the Town Clerk at least 30 days prior to the date of the event so that the proper document can be prepared. Recognitions before the governing board must have prior approval by the entire Board. Otherwise, the Mayor may present such recognitions at such events. A copy of all documents will be filed with the Town Clerk whether recognition is done at a regular meeting or by the Mayor at such event.

Requests may be turned into Town Hall at 601 W. Corbett Avenue in Swansboro NC 28584 or emailed directly to the Town Clerk at pwebb@ci.swansboro.nc.us. The Request Form can be found at www.swansboro-nc.gov.

Proclamations will not be issued for matters of political controversy, ideological or religious beliefs, individual conviction, events or organizations with no direct relationship to the Town of Swansboro, campaigns or events contrary to Town policies. Proclamations should affect a broad group of people, not individuals and will only be issued once per calendar year.

Letters/Awards/Certificates can be prepared for individuals.

E. Guidelines for the Mayor and/or Board Members to introduce items for the Agenda

In 2020, “Future Agenda Items” was added to the agenda to inform the Board of upcoming agenda items and to provide an opportunity for Board members to introduce items for discussion, consensus, and future action. Any such items will require a consensus by the Board to be added to a future agenda.

1. In 2020, the Board agreed by consensus that recognitions such as sports and academics, and other recognitions noted in the above Definitions section would only be done at board meetings when a state championship level was achieved. The Mayor has discretion to provide any other such awards at the schools and/or locations where other achievements were obtained. Requests for such recognitions would still run through the proper process and be filed with the Town Clerk when given.

F. Agenda Sections

Agenda layouts may differ, but generally consist of the same sections each month including, but not limited to, the following:

1. **Call to Order/Opening Prayer/Pledge of Allegiance**
2. **Public Comment:** Required by general statute to be on a governing body's agenda at least once a month to allow the public to speak (NCGS § 160A-81.1). Swansboro goes above and beyond the law allowing up to three comment periods at its regular meetings. Public Comment #1 – Citizens have opportunity to speak on agenda items listed on the agenda. Public Hearings – Citizens have opportunity to speak on items requiring a public hearing. Public Comment #2 – Citizens have opportunity to speak on items not listed on the agenda. It is noted that the governing board does not typically respond to public comment provided at meetings and may ask the Manager to respond accordingly. (*Reference BOC Policy #4 Meeting Procedures and Guidelines*)
3. **Adoption of the Agenda and Consent Items:** The governing body approves the agenda as presented or may amend the agenda by majority vote. The governing body may also approve noncontroversial items under Consent. Items suitable for Consent: Approval of Minutes, Tax Refunds, Adoption of Ordinances previously introduced, Budget Ordinance Amendments when agenda memo details are clear to the governing board. Once the Agenda is adopted, no further changes should occur.
4. **Appointments/Recognitions/Presentations:** Board appointments, special recognitions and presentations are made after the adoption of the agenda. From time to time a public presentation may be made when requested in advance and approved under the terms of this policy. However, inquiries for presentation are typically referred to the Public Comment section of the agenda.
5. **Public Hearings:** Topics as required by general statute.
6. **Business Non-Consent:** Items of old business are typically place first under Business Non-Consent but can be moved prior to Adoption of the Agenda to accommodate guest presentations etc. New Business items that the governing body has not seen or discussed previously are then considered. Items can include the monthly Financial Report and Future Agenda Items discussion/introduction.
7. **Items Moved From Consent:** If items placed on Consent need discussion they are moved to this section for discussion/action prior to Adoption of the Agenda.

8. **Manager's Report and/or Comments:** Manager informs the governing body on various topics or issues. This report may include special dates, upcoming meetings, etc.
9. **Board Comments:** The mayor and members of the governing body report or comment on various items.
10. **Closed Session:** Items the governing body need to discuss privately as allowed by statute (NCGS § 143-318.11).
11. **Adjournment**

Adopted in regular session July 26, 2021 by the Town of Swansboro, Board of Commissioners.

(Development of this policy involved use of the MORE (Minutes, Ordinances, Resolutions, Etc.) written by NC Association of Municipal Clerks and review of several policies by other jurisdictions provided through the UNC SOG Listserv.)



Town of Swansboro

Recognition Request Form

Form must be completed and returned 30 days prior to date of recognition to the Town Clerk at pwebb@ci.swansboro.nc.us or 601 W. Corbett Avenue Swansboro, NC 28584.

Requestor's Name _____

Requestor's Address _____

Requestor's Telephone and Email _____

Person/Organization to be Honored _____

Event Title _____

Event Date, Time & Location _____

Type of Honor Requested Proclamation _____ Certificate _____ Letter _____ Resolution _____

Provide detailed reason for request including a list of accomplishments and how the individual/organization benefits the quality of life in the Town of Swansboro. For proclamations include 4-6 "whereas" clauses that detail the recognition.

The Town of Swansboro reserves the right to use submitted facts as deemed appropriate and may request additional information when necessary.



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Future Agenda Topics**

Board Meeting Date: **July 26, 2021**

Prepared By: **Paula Webb – Assistant Manager/Town Clerk**

The purpose of this memo is to provide the Board with matters that staff anticipates/proposes for upcoming meetings. It should be noted that these items are tentatively scheduled for the specified monthly agenda but are subject to change due to preparation of materials, public notice requirements, etc.

In providing this memo each month, we hope it will also provide opportunity for the Board to introduce items of interest and subsequent direction for placement on future agendas, which will allow staff the opportunity to plan accordingly.

Proposed for August 9, 2021

Nothing scheduled to date – Attorney Parson and Commissioner Turner unavailable for meeting

Proposed for August 23, 2021

- * Public Hearing – Text Amendments/Sign Amortization *deferred by BOC 12/14/20*
- * Public Hearing – Text Amendments/Clear Cutting Defined *referred back to PLN June 2021*

Proposed for September 13, 2021

- * Public Hearing – Text Amendments/Temporary Signs *deferred by BOC 12/14/20*

Future Agenda Items

- * Further LUP Review/Amendments
- * Comprehensive Transportation Plan Revisions
- * Gateway Plan Discussion/Town Limits Beautification
- * Text Amendments – Occupancy Tax
- * Text Amendments – R/A Zoning Uses – *referred back to Planning Board*
- * Downtown Traffic Movement Decision – *February 22, 2021 and future*
- * Sub-committee designations for Strategic Plan Implementation (*Eco Dev Committee est. Oct 2020*)

MANAGER'S REPORT

Period: June 18, 2021 – July 16, 2021 **Submitted By:** Chris Seaberg, Town Manager

1. Town Projects/Initiatives Update

Updates on Town Projects/Initiatives. Items will be removed after noting their completion.

- **Swansboro Causeway Living Shoreline Project:**

NCDOT and NC Coastal Federation have partnered on a National Fish and Wildlife Foundation Grant to install a proposed living shoreline at strategic locations on NC Hwy 24 that are exposed to the White Oak River.

The following information is from their project narrative:

Project Site 2: Swansboro Yacht Club

“Project Site 2 is located northeast of the Swansboro Yacht Club, a local community dining establishment, located within Onslow County, at the border of Carteret County. Living shoreline work will be completed on an island that is located between the two N.C. 24 bridges. The causeway along the northeast side of N.C. 24 has experienced past erosion due to storm events (in 2005 and 2011), including erosional undercutting as a result of Hurricane Florence (2018). The abutment along the northwest end of the island and the abutment at the southeast end of the island are also showing continued signs of erosion...”

Design and permitting of the proposed project is in the works with an intended construction to take place over the winter. Proposed project designs will be forthcoming when available.

- **Public Safety Building Restoration/Relocation Planning Project**

As a reminder, our contract with the Wooten Company is to review 3 scenarios in consideration on moving forward with this project.

1. To repair/restore the current facility with the necessary upgrades to meet the standards to safely operate an Emergency Operations Center along with Fire and Police operations within the 2018 NC Building Codes.
2. The parameters under scenario #1 with additional upgrades to accommodate current staffing needs along with the anticipated needs through the year 2030.
3. To purchase additional land to relocate Public Safety operations into a new

Town of Swansboro, NC
Manager's Report (June 18, 2021 – July 16, 2021)

facility with expansion capabilities to handle anticipated need through the year 2050.

In the July 20, 2021 project update (shown below for your review), our contractor gives the further analysis of Option 1 and 2:

We project labor costs would double to deconstruct your building down to the Main Frame members and reconstruct it with the following structural enhancements:

- Add metal plates welded to the top and bottom of the main frames
- Provide additional gable end wall framing
- Provide additional girts, secondary framing to support wall panels
- Provide additional purlins, secondary framing to support roof panels
- Provide bracing (functions like blocking) to the above secondary framing
- Replace or provide additional cross bracing in walls
- Replace or provide additional cross bracing in roof

Additionally, you would need to:

- Sawcut and excavate the slab around each of the concrete footings, and provide additional concrete and steel rebar to approximately double (198%) the size of the current footings
- The wood-framed portion of the building will likely need all hurricane clips to be doubled
- Although the wall and roof panels are deemed structurally sufficient, while they are removed for the above noted work, you would likely want to replace them.
- Insulation and vapor barrier in the roof and walls would need to be replaced with that which meets the current code.

When the structural materials costs are added to the labor noted above, Options 1 and 2 become financially impractical.

You will also see in the update, the conceptual work to provide information for scenario #3. For this purpose, we have chosen, for planning purposes only, a parcel located on the western side of town at the lighted intersection of NC Hwy 24/Corbett Ave and Swansboro/Belgrade Rd.

We have provided conceptual plans specifically for the proposed site based on your projected space needs through the year 2050 target date per the Option 3 of our scope.

- Sheet A101 is the Floor Plan. You will find all of the programmed spaces previously provided to you as developed through interviews with the Chiefs and yourself. We have shown representative furniture to give those who don't regularly look at plans a better sense of your room sizes.
- Sheet A201 is the Site Plan. You will find vehicular and pedestrian circulation indicated, as well as the yellow block representing the footprint of the building to scale as shown on A101.

Excluding the site procurement and development, we expect that this new Public Safety Building would cost \$5+ Million. Keep in mind that the current pricing environment is very fluid, though we hope that will stabilize by the time your project hits the street.

Town of Swansboro, NC Manager's Report (June 18, 2021 – July 16, 2021)



**Town of Swansboro, NC
Manager's Report (June 18, 2021 – July 16, 2021)**



120 N. Boylan Avenue
Raleigh, NC 27603
(919) 828-0531

July 20, 2021

Mr. Christopher D. Seaberg
Town Manager
601 W Corbett Avenue
Swansboro NC 28584

**Re: Public Safety Building Restoration/Relocation
Planning Status Memo**

Dear Chris:

Regarding Options 1 and 2 in which you would strengthen the existing facility to meet the wind loads per our current North Carolina State Building Code, we have a common cost factor...construction costs for a Pre-Engineered Metal Building are almost a 50/50 split labor/material.

We project labor costs would double to deconstruct your building down to the Main Frame members and reconstruct it with the following structural enhancements:

- Add metal plates welded to the top and bottom of the main frames
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- The wood-framed portion of the building will likely need all hurricane clips to be doubled
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- Insulation and vapor barrier in the roof and walls would need to be replaced with that which meets the current code.

When the structural materials costs are added to the labor noted above, Options 1 and 2 become financially impractical.

Town of Swansboro, NC **Manager's Report (June 18, 2021 – July 16, 2021)**

Ms. Theresa Monday
Page 2 of 2
July 20, 2021

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Excluding the site procurement and development, we expect that this new Public Safety Building would cost \$5+ Million. Keep in mind that the current pricing environment is very fluid, though we hope that will stabilize by the time your project hits the street.

If any questions come up, please do not hesitate to reach out.

Sincerely,

THE WOOTEN COMPANY
July 20, 2021



Russell D. Pearlman, AIA
Project Architect

rdp



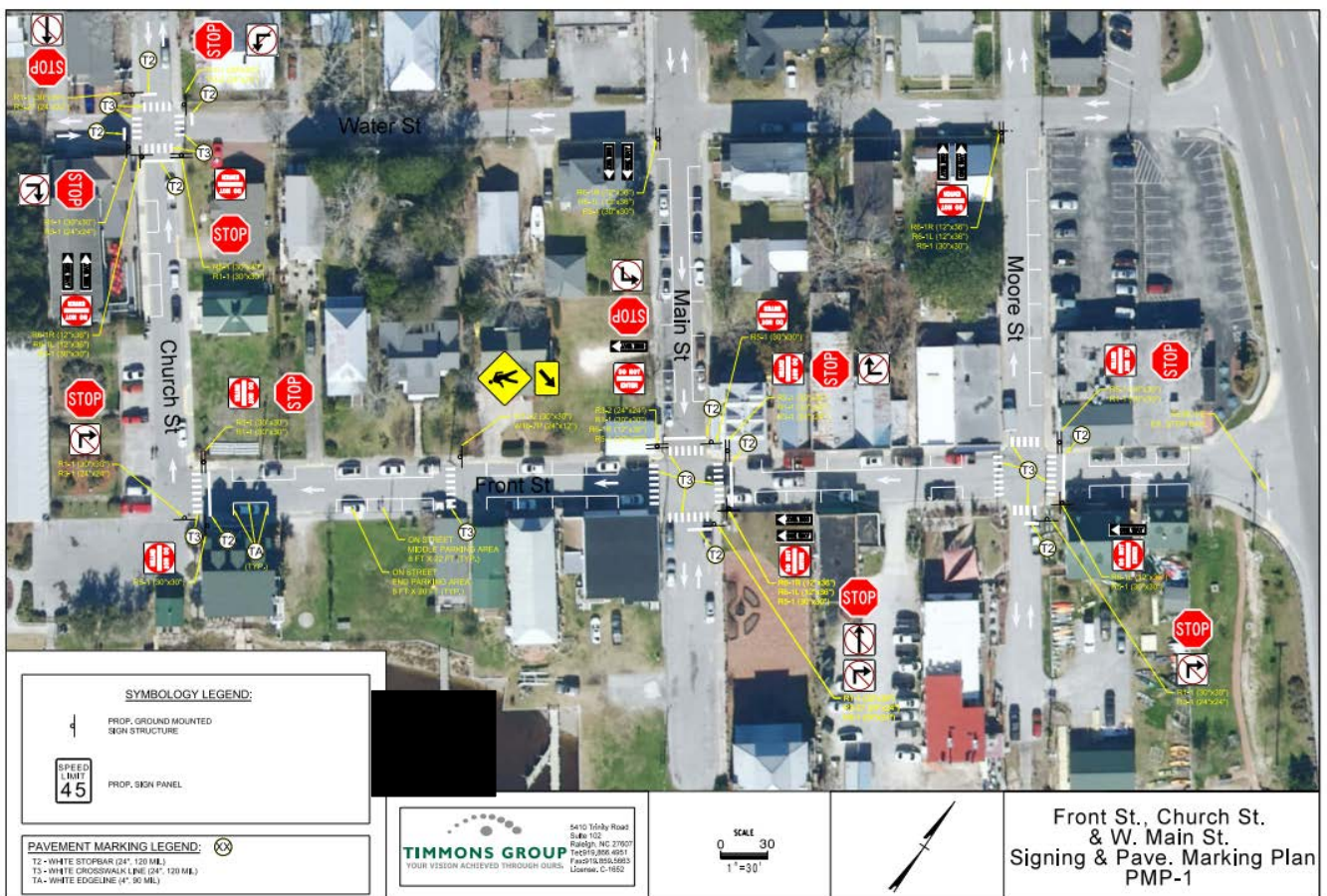
Town of Swansboro, NC Manager's Report (June 18, 2021 – July 16, 2021)

- **Swansboro Alternate Emergency Operations Center (Swansboro United Methodist Church)**

June 1st is the start of Hurricane season. With that understanding, Staff has been working on preparatory measures, including an assessment of the alternate EOC site, as we move through these summer months.

Public Safety staff and I visited the location to verify the areas for town use, if needed, and to ensure communications would be available. The structure provides the structural integrity needed but communications during the storm while in the interior rooms will be difficult. Staff is working the “kinks” on communications.

- **Downtown Traffic and Parking Plan implementation:** Our contractor (The Timmons Group) provided the Town with sealed plans for moving forward on this project on June 7, 2020 (shown below). Staff will be moving forward on implementing these improvements after the summer season.



- **NC DCM Resilient Coastal Communities Program (RCCP) Grant** – On March 17, 2021, the North Carolina Department of Environmental Quality’s Division of Coastal Management award their first round of RCCP Grant funding. The Town of

Town of Swansboro, NC

Manager's Report (June 18, 2021 – July 16, 2021)

Swansboro was competitive enough to receive one of the grants. The intent of the grant is to fund efforts in four key phases in their Coastal Communities Resiliency Program:

1. Community Engagement and Risk & Vulnerability Assessment
2. Planning, Project Selection and Prioritization
3. Project Engineering and Design
4. Project Implementation

Through our efforts in the 2019 CAMA Land Use Plan update, Swansboro has effectively covered most of the parameters for phases 1 and 2. This grant will assist in finishing the remaining requirements under phases 1 & 2 so we may move forward with the final 2 phases. Applications for Phases 3 & 4 is expected to be due by the end of this calendar year.

Our contractor and the State are still working through contract term, which should be finalizing soon. After that, meeting shall begin.

- **August 2020 - NC State Historic Preservation Office Florence and Michael ESHPF Hurricane Disaster Relief Grant – Emmerton School:** The Town submitted an Emergency Supplemental Historic Preservation Fund (ESHPF) Hurricane Disaster Relief application for Emmerton School (AKA Old Town Hall) located at 502 Church Street for remaining Hurricane Florence damage repairs and resiliency measures for future events. The grant request is in the amount of **\$424,000** and is established as a 100% reimbursable grant.

If fully funded, we will use the funds for the following projects:

1. Tuck Pointing of the interior and exterior bricks to help stop the water penetration that occurs. This would also include the application of a sealant to the exterior brick.
2. Repair the extensive damage of the crumbling brick work above the south front door and other interior walls.
3. Historic Ceiling repair and repainting – Even though there is a new roof on the facility, some moisture did seep in sometime after the temporary fixes were installed.
4. The installation of a Centralized Dehumidification System
5. Window and Door repairs/replacing/storm proofing – there are a total of 81 windows and doors that are included in this request.
6. Electrical wiring repairs
7. Soffit repairs from Hurricane Florence damages
8. Sealing the crawl space
9. Attic Insulation

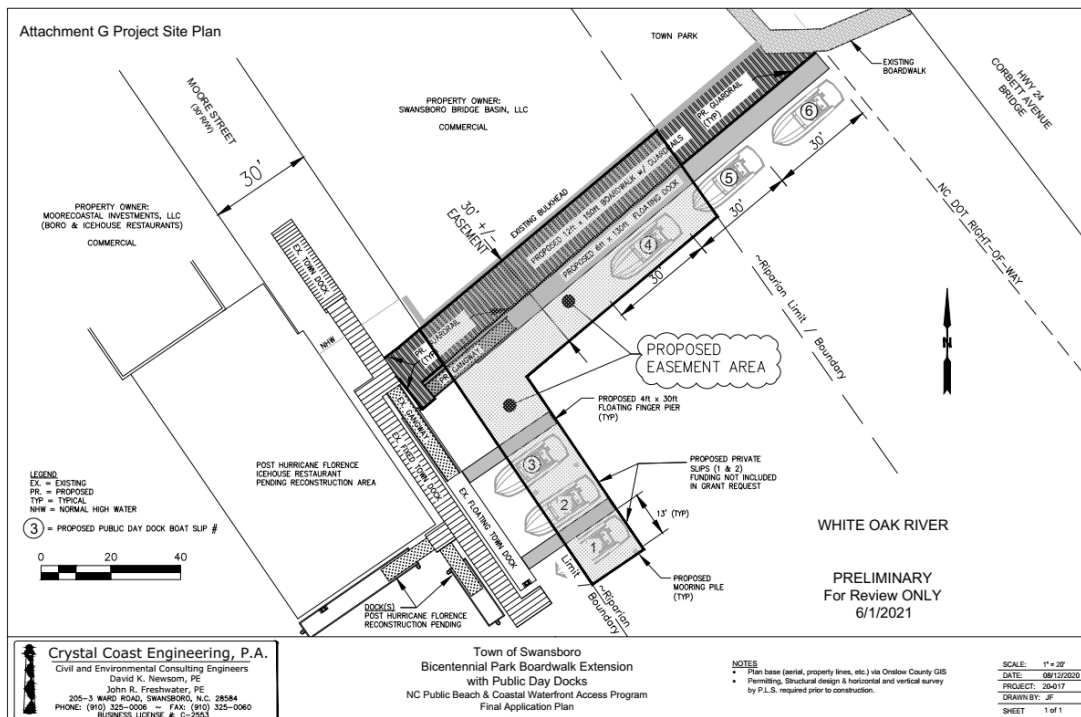
The application was written in a way that the reviewer(s) could approve all or portions of the improvements requested.

Town of Swansboro, NC Manager's Report (June 18, 2021 – July 16, 2021)

We were notified on January 14, 2021 that our application for Emmerton School was awarded for 100% funding (\$424,000). Please note that grant activities may not take place until the Grant Contract has been signed. We expect to receive the proposed grant contract in July 2021 and hope to have a quick turnaround on it. Once executed, we can move forward on the 9 action items listed above. The listed deadline for completion for this project is September 30, 2023, but are hoping, due to granting agency delays, that extensions may be available if needed.

- **2020 NC Public Beach and Coastal Waterfront Access Grant Project** – The Town received notification on November 3, 2020 that the Bicentennial Park Boardwalk Extension with Public Day Docks Grant Project has been approved and granted the full amount requested of \$142,350. The Total project cost is \$158,350 with the grant. \$7,000 of the required \$16,000 town match will be non-cash/in-kind. The project will include the following:

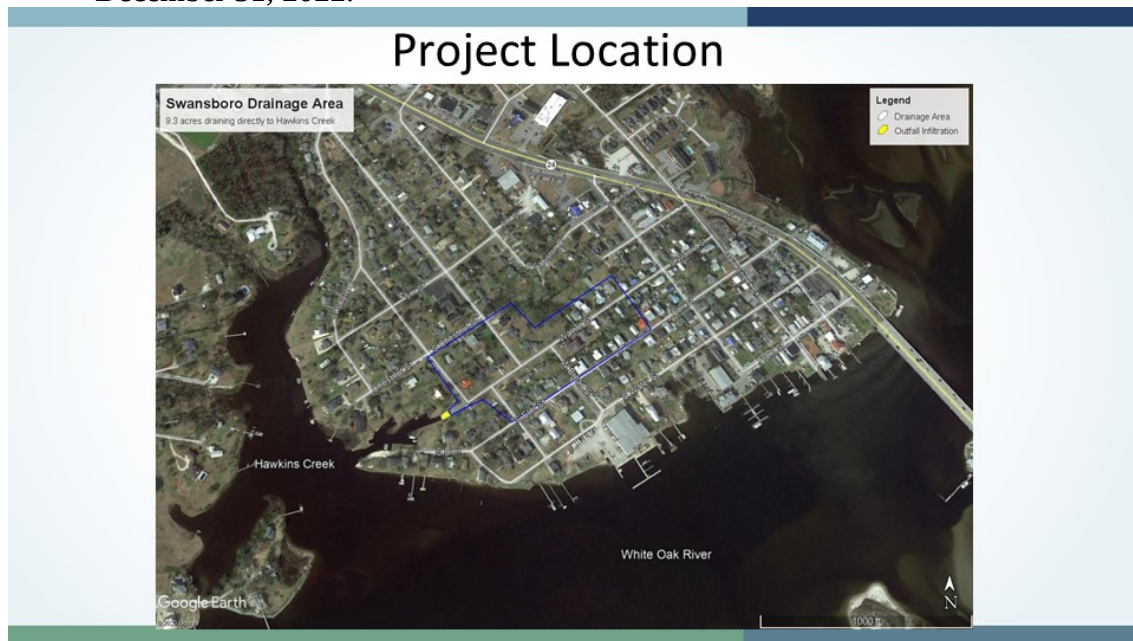
1. A 150 feet by 12 feet wide wooden boardwalk to be located waterward of an existing concrete bulkhead along the shoreline of the southern section of the park and the Mattocks House property. The boardwalk will connect on the western end of the existing Town Dock located in the Moore Street right-of-way.
2. A floating dock measuring 6 feet by 130 feet will be located immediately waterward of the Boardwalk and will connect to the existing Moore Street Dock by means of 4 feet by 30 feet aluminum gangway on the western end.
3. There will be four boat slips to accommodate day visitors in small boats



We are working on finalizing the easement shown above then move forward with construction later this year.

Town of Swansboro, NC
Manager's Report (June 18, 2021 – July 16, 2021)

- **FY 2020 Stormwater Outfall Retrofit Project – Walnut Street** – Through our continued partnership with the NC Coastal Federation, we were able to secure a stormwater retrofit project funded through the Section 319 NPS Pollution Control Grant administered through the NC Department of Environmental Quality. The grant amount is \$69,155 and will fund the retrofit the direct stormwater discharge pipe at the end of Walnut Street. The following slides show the location of the approximately 9.3 acres of area this facility will treat along with a project description and anticipated results. Design of this project is currently in the works with anticipated construction during FY 2021-2022. Deadline for project completion is December 31, 2022.



- **Sidewalk Projects** - At their December 5, 2019 meeting, the NC Board of Transportation approved a funding request from NCDOT Division 3 in the amount of \$366,668.00. Per amended Swansboro Resolution 2019-R9, the Town contributed \$116,634 for a total project funding of \$483,302. The project was split into 3 phases/priorities to focus the limited funding to the portions that ranked higher in need.

Construction of this project commenced Thursday, April 8, 2021. NCDOT has estimated project funding shortfall in the amount of \$97,000 due to limitations caused by ditching and utilities. The cost breakdown for each phase/priority is as follows (estimates as of April 16, 2021).

- Priority 1 - Sidewalk installation along NC-24 (Corbett Ave) from SR 1511 (Hammocks Beach Rd) to SR 1514 (Phillips Loop Rd); \$120,000 - **Completed**

Town of Swansboro, NC
Manager's Report (June 18, 2021 – July 16, 2021)

- Priority 2 - Old Hammocks Beach Rd from SR 1513 (Deer island Rd) to existing sidewalk near Fredericks Ln; \$335,000 – **Expected to begin in late August 2021**

- Priority 3 - SR 1511 (Hammocks Beach Rd) from Moore's BBQ sidewalk to Park Place Dr \$125,000 - *NOTE: we have not prepared survey/design on this section yet, so costs may vary more related to this priority*

Most of Priority 1 has been complete. There is some ditch work that must be completed by NCDOT maintenance staff versus their sidewalk contractor. With that said, they will be delaying future work until July 2021.

- **Traffic Light Synchronization Project** - Town Staff has been working with Nisarg Shah of NCDOT to get a better synchronization of the stoplights on NC Hwy 24/W. Corbett Avenue. He made some adjustments on Wednesday, February 3, 2021 but I image it may take a couple of adjustments to correct the issues.

- **Swansboro ADA Plan** – Assessments of Town facilities have been completed. We anticipate a Public Hearing early in 2021 in hopes to officially adopt this plan once complete.

July 20, 2021

Mr. Christopher D. Seaberg
Town Manager
601 W Corbett Avenue
Swansboro NC 28584

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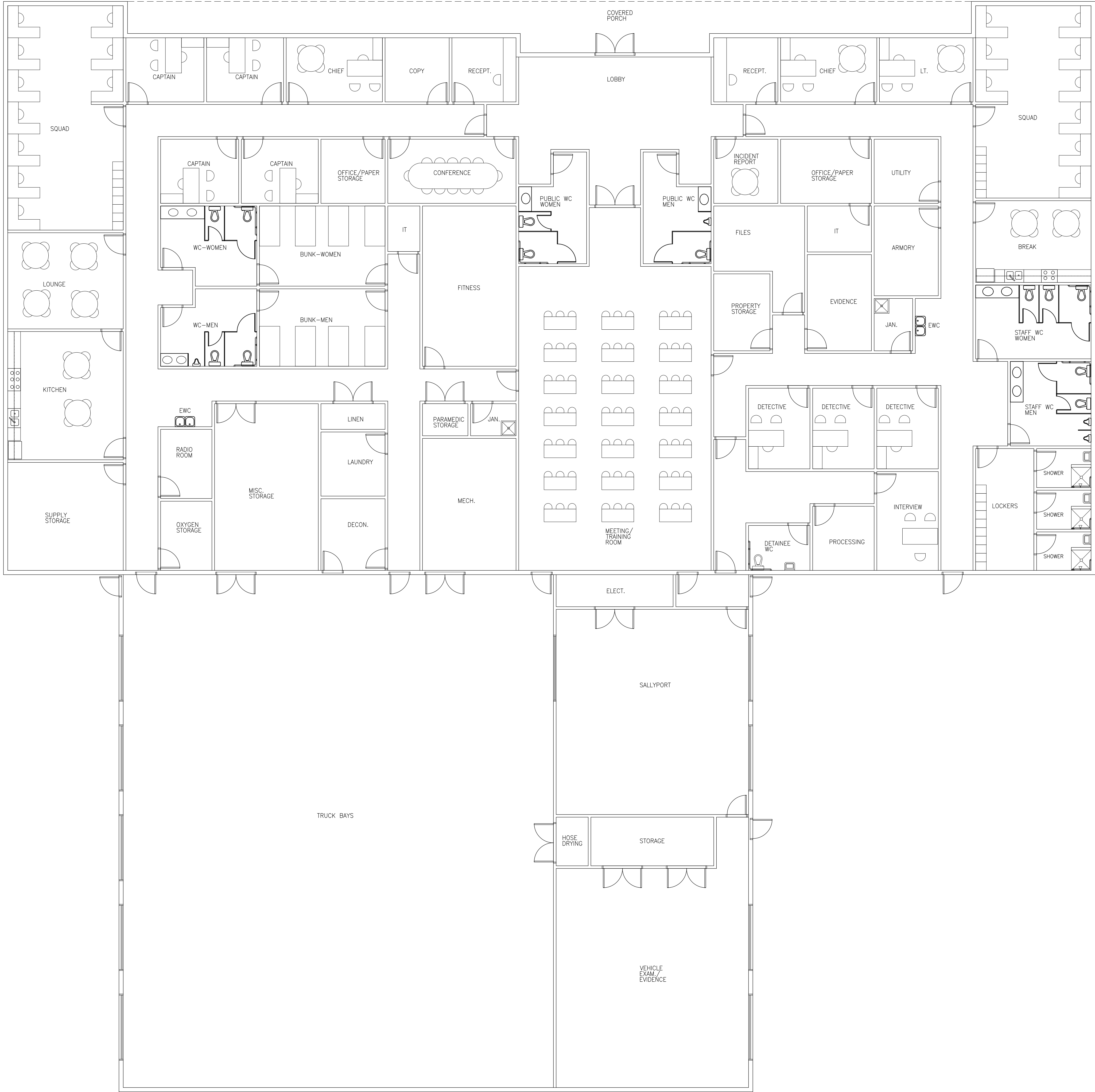
July 20, 2021



Russell D. Pearlman, AIA
Project Architect

rdp





REVISIONS

Wooten
120 North Boylan Avenue • Raleigh, NC 27603-1423
(919) 828-0531 • thewootencompany.com
License Number : F-0115

TOWN OF SWANSBORO NORTH CAROLINA
POLICE AND FIRE DEPARTMENT
PRELIMINARY FLOOR PLAN

PRELIMINARY
NOT FOR CONSTRUCTION

DESIGNED BY: RDP
DRAWN BY: TSM
CHECKED BY: RDP
PROJECT NO.: 2760-AE
DATE: 07-19-21
SCALE: 1/8" = 1'-0"

SHEET NO.

A101

PRELIMINARY
FOR REVIEW PURPOSES ONLY
NOT RELEASED FOR CONSTRUCTION



PRELIMINARY
FOR REVIEW PURPOSES ONLY
NOT RELEASED FOR CONSTRUCTION

PRELIMINARY
NOT FOR CONSTRUCTION

DESIGNED BY: RDP
DRAWN BY: TSM
CHECKED BY: RDP
PROJECT NO.: 2760-AE
DATE: 07-19-21
SCALE: 1/8" = 1'-0"

SHEET NO.

A201

SWANSBORO TOWN OF SWANSBORO NORTH CAROLINA
POLICE AND FIRE DEPARTMENT
PRELIMINARY SITE PLAN

Wooten
120 North Boylan Avenue • Raleigh, NC 27603-1423
(919) 828-0531 • thewootencompany.com
License Number : F-0115

REVISIONS

Department Reports for June 2021

Administrative Services

- Phone Records Report for June: 2,753 calls
Town Hall – 799 Parks and Recreation – 546
Police Department – 533 Fire Department – 104 Outgoing totals – 771
- Building permits sold for June: 111 residential/commercial combined; 14,425.48 total fees collected (includes 47 re-inspections)
- 424 Building inspections processed/15 Fire Inspections processed
- 133 Various receipts processed
- 302 ONWASA payments processed; 8 New Services; other requests
- 16 Work Orders generated for Public Works
- 7 Notarization's performed
- Admin Staff worked at Visitor's Center 3 days each week (Paula, Alissa, and Lisa)
- US Census Report Submitted - Permits
- Public Records Request – Building Permits and TDA Documents
- Continued FY 21/22 Budget Meetings
- Finalized June Departments Report
- Developed monthly and special meeting notices/hearings, agenda items, packets, and minutes/distributed for meetings. A staff representative(s) attended each meeting and prepared meeting minutes/follow-up.
- HR-related items estimated at 14.5 hours (includes new hire processing, interviews, timesheets, policy review, employment verifications, benefit submittals, preparation of job descriptions/submittals/postings, etc.)
- Town website updates continue (including Homepage articles/minutes/agendas/calendar, special events, projects, plans, etc.). Website Home Page defaults: 11,833. Top 5 pages viewed in June – Special Events 522, Permitting 481, Parks/Rec 451, Employment 323, and Police Dept 311
- Submitted News Release thru social media outlets for July 4th Events and prepared notice to downtown businesses and residents - Police Dept hand delivered
- NCLM Webinar on American Rescue Plan Funding Guidance
- Computer Warriors Training – Security Awareness
- Participated in conference call with McAdams – Master Plan Consultant
- ADA Plan review for final preparation with Stewart Engineering
- Conducted departmental evaluations
- Padrick Payment Close-out and notification
- Preparing retirement paperwork for Chief Mark Tessing and Public Works Kurt Conklin
- Created a Supervisory Orientation
- Reviewed and finalized Stormwater Ordinance Revisions
- Created a Retirement Policy for consistency and fairness among future retirees

Department Reports for June 2021

Finance

- Sales & Use Tax received in June 2021 - \$111,608
- Accounts Payable Summary for June 2021:
 - 93 Invoices-Totaling \$148,018
 - 2 Purchase Orders Issued
- PEV ChargePoint Station-Accumulated (kWh) for June 2021 (420.0)
- Processed payroll-6/4 & 6/18; updated employee accrual balances- (spreadsheet & Asyst)
- Stormwater Fees Collected-June 2021-\$998
- Updated Stormwater spreadsheet
- May 2021 Bank Reconciliation-Town accounts
- May 2021 Bank Reconciliation-Swansboro TDA
- Processed Swansboro TDA checks
- Prepared May 2021 monthly financial report
- COVID-19: Gathering receipts to upload to the FEMA Grants Portal.
- Attended budget meetings with Town Manager and Assistant Manager
- Gathered financial information for the Budget Workshop held on 6/28/21
- Updated the operating budget worksheet FY 21/22 and year-end projections worksheet
- Updated adopted Budget Ordinance for FY 21/22
- Submitted the annual property & liability renewal application to the NCLM
- Submitted the annual workers comp renewal application to the NCLM
- Auditor, Greg Redman will be conducting an annual audit for FY 2020/2021 during the week of September 20-September 22, 2021

Fire Department

Fire Calls

- 40 Total Fire Calls
 - o 20 Calls in Town including - 5 MVC, 2 Water Vehicle Fires, 6 Alarms Systems, 1 Gas Spill, 1 Unauthorized Burning, 1 Elevator Rescue, 1 Gas Odor, 1 Sick Person, 2 Lift Assists
 - o 4 Calls in White Oak District – 2 Alarm Systems, 1 Gas Leak, 1 Smoke Smell
 - o 7 Calls Mutual Aid - 2 Alarm Systems, 1 Smoke Smell, 4 Structure Fires
 - o 9 EMS – 2 Calls, 3 Chest Pains, 1 Unconscious Person, 1 Breathing Problem, 2 Cardiac Arrests
 - 187 Training hours - Paid Staff
 - 17 Training hours – Volunteer Training
 - 120 Hours Volunteer Duty Days = 5-24hr Shifts
- Cost Saved 120 hrs. x \$14.00 = \$1,680.00**



Department Reports for June 2021

Paid staff

- Currently the department has two full-time positions and two part-time positions open and accepting applications
- Scheduling agility tests

Volunteer staff

- We currently have nine volunteers on staff, six of which are interior firefighters the others are trainees

Vehicle repairs

- Engine 1703 is currently out of service due to major engine work which is under warranty
- All other vehicles have had their yearly service and DOT inspection and are in good working order

Department activities

- Completed all fire hydrant painting and flow testing
- All business preplans are up to date and have been entered into software system
- Hosted driver operator classes and will soon be offering ladder operations
- Captain Taveirne has completed 23 Level One fire inspections
- Volunteer Michael Hall has completed his 1403 training and is now an interior firefighter

Parks and Recreation

DIRECTOR'S REPORT

Festivals/Events

Sponsorships

- 2021 Sponsorships packets were mailed out to all sponsors from the last 3-5 years
- Began contacting vendors to proceed with July 4th events halfway through the month
- Secured fireworks and transport, portable toilets, bands, food for bands, submitted permit for fireworks
- Held logistical meetings with Police, Fire, Finance, and Town Manager

Mullet Festival

- Met with festival committee to begin planning for the Mullet Festival
- Scheduling meeting with businesses for sponsorship opportunities
- Secured portable toilets
- Secured in kind sponsor for all tent needs
- Continue to accept vendor applications
- Began seeking entertainment
- Negotiating shuttle service for satellite parking
- Researching new ideas for the kid's area
- Began planning for VIP tent needs



Department Reports for June 2021

- Mullet Run registration is setup and will go live soon
- Finalizing logo for Mullet Festival

Comprehensive Master Plan

- Received five proposals for the comprehensive master plan update ranging from \$30,000-\$76,000
- Met with Town Administration to review the five proposals that were submitted. The team narrowed down to two firms
- Held additional meetings with the two firms to gather more information to make a final decision

Miscellaneous

- Dock usage continues to be busy, continue to monitor docks daily, on-call on weekends to take reservations and handle docking problems
- Made additional adjustments to the budget and submitted a final request
- Financial review in order to begin closing out 2020-21 budget year
- Met with Anne Marie Bass with Front Row Communications to discuss Parks and Recreation facility and event listings on the visit Swansboro NC website
- Attend an Aquatic Facility community presentation by Matthew Prane
- Order four bike racks to be place in parks and along trails in Swansboro
- Closed out Onslow County Tourism grant for 2020-21
- Ordered replacement tables and chairs for the Recreation Center
- Webinars/Online Training: Creating a Culture of Business in Parks and Recreation Webinar Series (3-week seminar), and How to Tell #OurParkAndRecStory: Storytelling Through Video
- Attend a monthly networking meeting for women in recreation
- Serve on the Jacksonville Onslow Sports Commission board as a liaison. Attend monthly meetings, update the board on the department's programs, events, and festivals
- Continue to manage and monitor budget and funds
- Attend Board of Commissioner meetings via Zoom
- Conduct Parks Advisory Board meetings via Zoom

Metrics

- Facebook management continues – 12,587 followers
 - Post Reach 25,967 up 26%
 - Page Likes, 203, up 151%
 - Post Engagement, 3,8723 up 37%
- Activity Report for June

Department Reports for June 2021

Organization Activity

From 6/6/2021 to 7/6/2021

	Registrations	Reservations	Memberships	Check-Ins	Profiles Created	POS Transactions
All	100	59	7	0	148	0
Resident	17	4	3	0	10	
Non-Resident	83	54	4	0	138	
No Residency Set	0	0	0	0	0	
Demographics						
< 18	54	0	0	0	51	
18 - 65	38	43	7	0	80	
65+	8	15	0	0	17	
Male	43	32	4	0	85	
Female	57	26	3	0	63	
Other Genders	0	0	0	0	0	
Online vs In-House						
Online	26	0	0	N/A	73	
In-Person	74	58	7	N/A	75	

June Revenue

- Slip Fee - Town Dock \$1798
- Rental Fees-Parks \$0
- Rec Center Rentals \$350
- Dog Park Registrations \$0
- Rec Program Fees \$2,106
- Gym Memberships \$0
- Vendor Fees \$0

2020-2021 Year End Revenue

- Slip Fee - Town Dock \$26,348.50
- Rental Fees-Parks \$2,210
- Rec Center Rentals \$9,955.00
- Dog Park Registrations \$210
- Rec Program Fees \$11,342.63
- Rec Instructional Programs \$5,448
- Summer Day Camp \$9,070
- Gym Memberships \$1,785



Department Reports for June 2021

- Festivals
- 5K participants \$1,715
- Sponsors \$3,500
- Vendor Fees -\$270

RECREATION PROGRAM SUPERVISOR REPORT

Routine monthly job responsibilities:

- Payments/Refunds for programs and special events
- Emailed monthly distribution list the upcoming programs/events for the department
- Dock slip reservations/Pump Outs
- Compiled Daily deposits
- Advertised/promoted all programs/special events on social media platforms: Facebook, Instagram, JD News
- Created program proposals for new programs to be approved by Director
- Created all programs in RecDesk for registration
- Submitted weekly Community Service Work Program timesheets
- Departmental work orders
- Prepared and turned in future program proposals to director
- Parks advisory board meeting – presented past, current, future programs to board

Planned programs and other monthly work:

Summer Day Camp

- Mainly worked day in/day out with Summer Camp since June 14th
- Scanned staff ID's and turned in staff information packet for base access
- Meeting with volunteer to help with summer camp
- Established POC for base for movies and pool use
- Talked with Jessica's Dance Studio about bringing summer camp kids to facility. Set date, time, and discussed program details with Jessica
- Prepared weekly schedules to send to parents prior to registered camp week
- Booked reservations for field trips
- Facilitated summer camp program
- Requested extra t-shirt orders for summer camp participants

Fellowship Night

- Purchased supplies for program
- Planned supply pickup and use with instructor

Yoga & Zumba Combo Class

- Adjusted schedule with instructor for rescheduled dates



Department Reports for June 2021

Kids Half-Day Adventure Camp

- Emailed all registrants about location and required items to wear/bring
- Gathered snacks, beverages, materials for each trip
- Worked adventure camp program with Pogie's staff on June 16 and June 30

Boys Rec Night

- Purchased and prepared food for program
- Contacted and confirmed guest speaker to come and talk with participants
- Prepared games/crafts/supplies for program
- Instructed/facilitated program

Blood Drive with the Blood Connection

- Planned another drive with organization for July 5
- Advertised and promoted the blood drive through social media platforms

Permitting

Planning Board

- June 1, 2021 Regular Meeting
 - Reviewed a Special Use request from William Sherman to allow a 14' x 22' accessory structure in the front yard of his dwelling located at 177 Deer Island Road. The Board voted unanimously to recommend approval stating that the request was consistent with the Comprehensive Plan, specifically the CAMA Land Use Plan
- June 21, 2021 Special Meeting
 - Cancelled

Historic Preservation Commission

- June 15, 2021 Regular Meeting
 - Discussed various options for outreach to new and existing residents of the Historic District. Staff created a handout to be mailed to new residents when property changes hands. The Commission requested that Staff pull a report from GIS on a quarterly basis which would show ownership/deed changes.
- Submitted grant application for the 2021 Historic Preservation Fund Pass-Through Grant for Historic Preservation Projects in Certified Local Government Jurisdictions to update the architectural survey for the National Register district. Spoke to John Wood and Kristi Brantley on April 12, 2021; total project cost will be \$15,000.00, the Town will be responsible for \$6,000.00. John suggested that we reapply next cycle to explore designation of local landmarks. The grants committee will meet in May and applicants notified in June (pending the SHPO's receipt of federal funding); no updates received.

Department Reports for June 2021

Projects/Miscellaneous

- **Shipwright Pointe, Section I Acceptance:** Sent letter to Sydes and Parker on February 24, 2021 detailing requirements (landscaping must be completed; 46 understory trees). 12-month warranty period will expire on August 10, 2021. The 9-month warranty inspection was conducted on June 3, no infrastructure deficiencies were found. Sent follow up letter and email on June 9, 2021. Communicated with Rick Muni of Parker and Associates via email on 6/10 with regard to planting requirements
- **Shipwright Pointe, Section II Acceptance:** Final acceptance requested on January 8, 2020. Advised Parker & Associates that the Town would not consider acceptance of the public infrastructure until the portion of Pine Bluff Road to be utilized for access was annexed. Sent annexation application. Received second request for inspection of the infrastructure so that they could mobilize their contractor to correct any deficiencies at the same time they worked on Section I. Jim to coordinate with consultant engineer, Ron Cullipher
- **Shadow Creek Acceptance:** Letter of Credit on file for incomplete improvements has expired. Advised that if all work was completed, they could request final acceptance. Sent follow-up email 4/30/21, no response. \$40,151.79 for sidewalks and \$37,125.85 for the warranty guarantee were the outstanding amounts as of March 24, 2020. Received payment of the outstanding \$3,538.40 for recreation fees from O'Brien & Sons (builder) on 6/10. Received final acceptance request and documentation on 6/24; asked Jim to coordinate with consultant engineer on infrastructure inspection to identify any deficiencies
- **Swansgate:** Under construction. Public improvements should not be accepted until annexation petition heard and all required landscaping and fencing is installed. Stormwater fees are being charged. The site was clear-cut, so they are required to install an additional 23 trees per acre, see approved Preliminary Plat and approved Final Plat. Holding permits on several addresses due to no foundation as-builts being submitted; Darla has list
- **Ward Farm Village Phase II (Residential):** Original Preliminary Plat was approved as a Residential Cluster for 43 lots, only Phase I has been recorded (10 lots). Received a concept plan from John Freshwater adding 12 lots. Advised John on 4/6/21 that we could move forward with a lot reconfiguration as shown if the total number of lots is not increased, but the additional 12 lots would require Preliminary Plat review by the Board. Offered to process the sketch/preliminary at the same time to expedite it. Reference Section 152.337, (H), (1) of the UDO
- **Ireland Ave/Unnamed Estates:** Sketch Plan submitted for 60 lots in July 2020 for Residential Cluster. Advised Lori Morris with Parker & Associates on September 22, 2020, that the Town would allow Whitney Ave to become a "through" street to connect to Hamrick Road through the Rotary property. Hamrick is a dirt road but is a recorded 60' right of way. This would allow traffic to exit safely on Main Street Ext rather than at Ireland Ave as previously proposed. The right-of-way would need to be improved to NCDOT standards, to include sidewalks along both sides of all streets, to the intersection at Main Street Ext. Staff was contacted by two of the property owners on Hamrick Road with concerns about future

Department Reports for June 2021

development. They would like to receive copies of any future plans and be included in any board meetings

- **Lodge View Minor Plat:** 7 lots proposed on Norris Road in ETJ. Sent comments back to Prestige Land Surveying on July 1, 2020; awaiting response
- **Yacht Club Flood Ordinance Violations:** Building permit expired November 2019 based on permit revision issued; no inspections requested. Town has determined work constitutes a Substantial Improvement; structure will need to be brought into compliance with current Flood Damage Prevention Ordinance/Building Code. Final NOV sent on May 26th with 60 days to comply (7/26)
- **Boro Temporary Structure:** To be removed by June 30, 2021 (180 days) per permit 2020-1226 as allowed by the Flood Damage Prevention Ordinance for Temporary Non-Residential Structures in the floodplain and agreement with Randy. Spoke to Chris 6/2; he will follow up with Randy
- **Saltwater Grill Flood Violations:** Sent Notice of Violation on December 14, 2020. Tim Anderson communicated on February 24, 2021, that he was waiting for Alex Wood (structural engineer) to conduct a site visit, Alex was 3 weeks out. Reached back out on April 12, 2021, for an update, to date, no communication received. Final NOV sent 4/29/21; Spoke to Tim 4/30/21 who explained they were working with Bell and Phillips on a survey and Alex would be reviewing the file. Explained that we would work with him as long as he kept us in the loop on progress and that a permit would be required for any trade/structural work. Spoke to Chris 6/2; he will follow up with Tim. Sent email to Tim on 6/25, awaiting response
- **One Harbor Church:** Received an email from James Goodman on February 24, 2021, stating that they had completed site work to include the building pad, but that they were waiting on the architect to complete the final construction drawings for permitting. The Special Use Permit was issued on July 23, 2019. Spoke with Tom on 6/9/21; advised that they needed to keep us in the loop on progress, that no building permit had been issued. He stated he would have the architect send us an update on the status of the plans and get with Jonathan McDaniel on permitting
- **Salt Marsh Cottage/108 Front Street:** Stormwater plan modified to remove deck over infiltration basin. The original plan was for a restaurant tenant; however, the space is being utilized by Salt Marsh Cottage, so there is no reason for the fence separating the two buildings, the dumpster w/enclosure, or the steps that were shown on the original plan. John Freshwater will provide a new plan showing the changes and final certification for the stormwater. A landscaping plan will be provided; there is not enough room in the rear (existing root system) to provide the Type B buffer as referenced in the TRC comments, and the site is shaded/wet. John had previously discussed other options with Andrea and the Coastal Federation, no notes or plan found in file. As long as the number of trees and sizes are provided per the Type B buffer required, we would allow the plantings to be moved around the site/within the basin. The fence will be installed along the property line with the

Department Reports for June 2021

Keagy's as shown taking care to preserve the magnolia tree as referenced. Andrew will provide a copy of the plan for the covered rear porch as referenced in the COA amendment (no copy in file). A "key stone" or plaque will be installed as referenced in the COA approval to document the date of the addition (2021). The building permit needs to be modified to include fees for the landscaping inspection, fence, and covered porch

- **Brant Court RV Violation:** RV setup on the property following Hurricane Florence, connected to utilities. Sent final Notice of Violation per legal on March 18, 2021 with 30 days to comply. Certified mail copy was returned undeliverable. Was also hand-delivered by Police Department and sent via regular mail. Submitted to legal for enforcement on 4/29/21. Legal to send the complaint out for filing and service by Sheriff
- **144 Franklin Drive:** Existing nonconforming mobile home park (ETJ). Currently zoned MHS-15SF (single family lots of at least 15,000 sq. ft.). Owner provided evidence that the utilities had been maintained/reconnected within 180 days (power/water). Will allow the replacement of the homes one for one (10); no new lots can be created
- **209 Water Street COA Inquiry:** The property is within the B-2HDO zoning district, a business zoning district and does not allow single family dwellings. The dwelling on the property is considered to be nonconforming, and because it has not been occupied within the last 180 days, it cannot be reoccupied. A Certificate of Appropriateness would be required to demolish the current structure and to rebuild. Setbacks in the B-2HDO zone are subject to Historic Commission review. Additionally, the property is within the VE flood zone with a base flood elevation of 13 feet. The Town also has a 2' freeboard requirement. New construction would be required to be engineered and meet the elevation and construction requirements of this zone. Any work over 50% of the value of the existing structure would require the entire structure to be brought into compliance with these standards
- **Shoreline Access Grant:** Awaiting final plans. Advised Colin Mellor on March 1, 2021 via email that per Eryn Futral, NFIP Planner with the NC Department of Public Safety, the Town would issue a Flood Permit and that we would need copies of all permits issued (State/Federal) for our records. Sent permit application
- **Resilient Coastal Communities Program Grant:** Orientation held April 15, 2021. Dewberry has been assigned as the Town's contractor to aid in completion of Phases 1 & 2. A meeting with Dewberry was held on June 17, 2021. They will provide us with an outline of the project and begin providing monthly reports on progress. Scott Chadwick, Christina Ramsey and John Freshwater have agreed to participate on the grant committee

Police Department

Patrol:

- 196 Reportable Events
- 19 Motor Vehicle Crashes
- 3 Felony Arrests
- 11 Misdemeanor Arrests



Department Reports for June 2021

- 7 Arrests by Warrant Service
- 10 Arrests with Transport to the Onslow County Jail
- 13 Felony Crimes Reported (5-Fraud; 3-Break & Entering; 2-Larcenies; 1-Sexual Assault; 1-Counterfeit; 1-Obtaining Property by False Pretense)
- 36 Misdemeanor Crimes Reported (17-Property Damage; 4-Assaults; 4-Trespassing; 2-Drug; 2-Harassing/Stalking; 2-Other; 5-Traffic Related)
- 13 Disputes/Public Disturbances
- 3 Crisis Intervention with Mental Patient
- 1 Overdose (non-fatal)
- 1 Death Investigation
- 25 Alarm/Open Door Reports
- 149 Requests by Other Agencies for Requests
- 138 Requests by Citizens for non-Crime Related Assistance

5,319 Total Events Performed on Patrol

Community Service/Training:

- 12 Vehicle Unlocks
- 3 Funeral Escorts
- 88 Foot Patrols
- 40 Business Closing Standby's
- Provided security for an event held at the Swansboro Rotary Civic Center.
- Provided security for weekly Swan Fest Event

Admin Services:

- Answered 295 phone calls during business hours
- Assisted 137 walk in requests for assistance
- Took 28 requests for reports

Public Works

- Grass cutting Town wide is in full swing. 90% of Public Works time is now consumed with grass cutting edging and cleanup of Town Building grounds, Parks, Storm Water Easements, Subdivision right-ways, Hwy 24 corridor and DOT right-way easements
- Island clearing and setup for July 4th events completed
- Sidewalk cut and removed on Main St. for Duke/Progress pole replacement
- Highway 24 corridor edged and swept
- Trees on Holy Ln easement removed
- Ward Shore Park re-graded due to erosion
- Vehicles and Equipment due for service completed
- Multiple street locations patched and repaired due to raveling asphalt or potholes
- Pug Pavilion and Gazebo pressure-washed, Gazebo painted



Department Reports for June 2021

- 269 Inspections completed by Jim Stipe and Paul Brown
- Yard Waste Totals: 1165 Bags, 859 Bundles, 13 Loads, 0 Trees, 38 Man Hours
- Custodial Work and Works orders continue

Storm Drainage Maintenance Report

Drainage Easement Maintenance: Includes weed eating/cutting swale, inspecting swale for proper grade, re-grading where necessary, inspecting catch basin for debris buildup, removing silt buildups where necessary

Complaint Mitigation: A number of drainage easements in Forest Brook Subdivision, Halls Creek North, Swansboro Acres have been identified to be re-profiled

Town of Swansboro
601 W. Corbett Avenue Swansboro, NC 28584
 Phone (910) 326-4428 - Fax (910) 326-3101

APPLICATION FOR ZONING & ORDINANCE AMENDMENTS

Check the Appropriate Blank

- ☐ Add a Use to a Zoning District
☐ Remove a Use from a Zoning District
☐ Create a New Zoning District

Application No. 2020-02

- ☒ Amend Code of Ordinances
☐ Amend Unified Development Ordinance
☐ Zoning District Designation Change

A complete application must be received with the fee by the third Friday prior to the month of review.

Property Owner Name Elizabeth Shepard Phone # 910.546.8184

Address of Zoning Request _____

Mailing Address PO Box 1322, Swansboro, NC 28584

Zoning Amendments

Attach a copy of the legal description of the property (including address if assigned) that is requested for a zoning change (i.e. metes and bounds). **The application will not be scheduled for review until these items are received.**

Provide a list names and mailing address of adjacent property owner on the reverse side of this application. **The application will not be scheduled for review until these items are received.**

Present Zoning _____ Desired Zoning _____

Probable Use of Property _____

Reason for Zoning Change Request _____

Ordinance Amendments

Code Section to be amended 112 Peddling and Soliciting

Print clearly the code section wordage to be amended addition: Mobile food unit

Print clearly the code section wordage as suggested See attached

Reason for requested amendment to allow food trucks to serve inside the city limits

Signature Elizabeth Shepard Date 02/25/2020

Town Hall Use Only

Fee Paid 400.00 Date Received 3/2/2020 Date scheduled for Planning & Zoning Board review 4/10/20 3/11/20

Recommendation from Planning & Zoning Board _____

Public Hearing Run Dates _____ Date of Public Hearing _____

Effective Date of Change _____ Ordinance Number _____

Code Section to be amended: 112 Peddling and Soliciting

Suggested additions:

Mobile Food Units excluding Ice Cream Vendors and Push Carts

Mobile Food Unit- A person or persons who sells any food product from a stationary Mobile Food Unit.

Mobile Food Vendor is responsible for applying and maintaining a current certificate.

Mobile Food Units will apply for a permit at the cost of \$100 valid for one year from the date of issue. With application vendor will provide a copy of their county health department certification and mobile business insurance certificate.

Mobile Food Units Certificate will only be permitted on private property. Per the N.C. State guidelines Mobile Food Units must be located at least 100 feet away from the front door of any restaurant or outdoor dining area and at least 50 feet from any permitted mobile food vending cart location.

Mobile Food Units will operate stationary during the hours of 0700-2200 (7am-10pm)

Mobile Food Units will be responsible for maintaining service area including trash pick up and removal of service area.

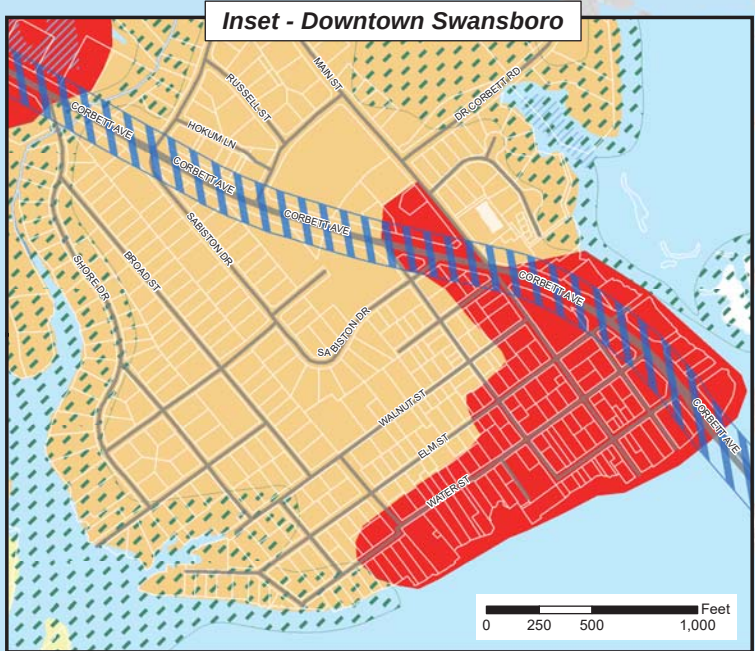
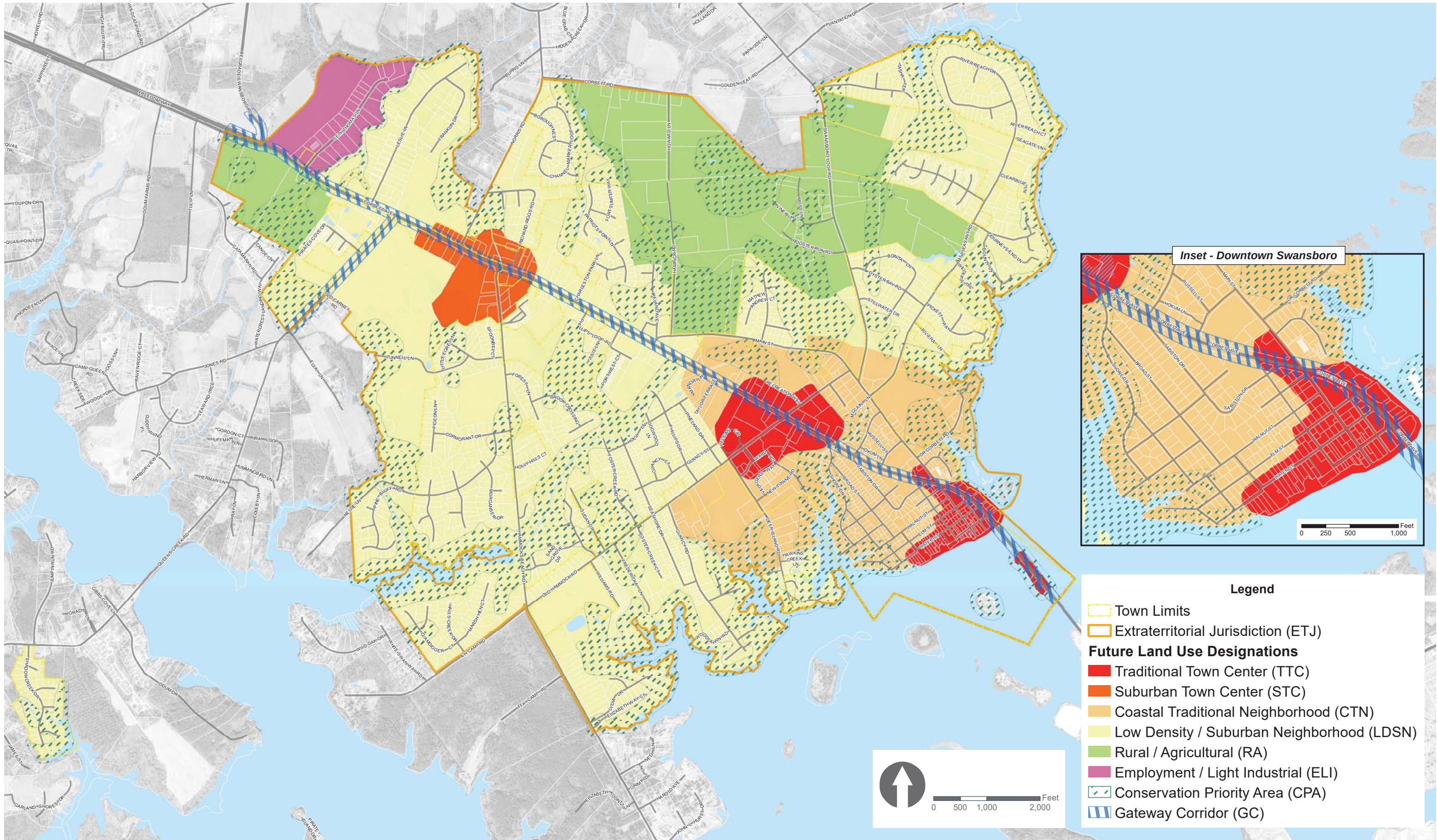
Jurisdiction	Where Allowed	Annual Fee	Daily Fee	Notes
Town of Emerald Isle	Oceanfront properties zoned business, ocean fishing piers, hotels, motels, campgrounds, recreational vehicle parks, condominium complexes, or public beach accesses. Approval from the property owner is required and a Town permit. Only one food truck is allowed at the approved location at one time. Vendors at Town approved events, food truck rodeos or farmer's markets are exempt, as well as brick and mortar businesses which own a truck and operate it on the property of their business	None	None	No duration limit; only one allowed per location, has to be approved by owner
Town of Cape Carteret	Town approved community markets or festivals	None	None	
Town of Cedar Point	Allowed on commercially zoned property under either a twenty-four (24) hour permit or twelve (12) month permit	\$100	\$25	
Town of Morehead City	Allowed in the downtown districts, requires vendors move every 30 minutes, they can't make loud or distracting noises, and must be legally parked. Food trucks are permissible if located in a zoning district that allows for restaurants, at Town parks with permission by the Parks and Recreation Department, and can operate during festivals/events subject the event sponsor obtaining any proper approvals from the Town	None	None	May be regulating food trucks differently in the near future
Town of North Topsail Beach	Food trucks allowed in commercial districts or at commercial locations; no food truck shall conduct business on any public right-of-way, sidewalk, upon any public road in the town, or on any property owned by the town except for town approved special events. The food truck shall be positioned at least one hundred feet from the customer entrance of an existing restaurant during its hours of operation, unless the food truck vendor provides documentation that the restaurant owner supports a closer proximity. Lighting shall be such that minimizes the glare on roadways and surrounding properties. The noise level from the food truck shall comply with the municipality's noise ordinance. The food truck will be removed from the premises when business operation ceases daily. A food truck annual permit expires on December 31st of the year upon which the permit was issued.	\$500	None	Special Event Fee of \$100
Town of Indian Beach	Allowed in commercially zoned areas or within multi-family projects as long as they are not set up within 150 feet of Hwy 58. All licenses are valid for a period of thirty (30) days. Certificate of registration from the NC Department of Revenue required. A mobile food vendor shall only operate on property where there is an existing business managed by an on-site manager or owner and only operate during the hours of said business is in operation or manager/owner is on the premises. No more than one vendor is allowed per lot. No outdoor seating is allowed. No loud speaker or live performance shall be permitted. No mobile food unit is allowed to remain on premise overnight. Each lot must have 2 dedicated parking spaces for the mobile food unit and three spaces for customers in addition to the required spaces for the principal business. Cannot be within 20 feet of the highway or public street right-of-way.	None	None	\$150/30 days
Town of Surf City	The food truck shall be positioned at least one hundred feet from the customer entrance of an existing restaurant. Food trucks shall only operate on private property, no food truck shall conduct business on any public right-of-way, sidewalk, upon any public road in the town, or on any property owned by the town; except for town approved special events. No vendor shall remain on site at one property for more than twelve consecutive hours, with exception of a holiday weekend if holiday falls on Friday or Monday. Permits are valid through December 31st.	\$500	None	
City of Greensboro	Allowed on private property with written permission from the property owner in the Central Business, Commercial-Medium, Commercial-Heavy, Light Industrial, Heavy Industrial, and Public & Institutional zoning districts. One truck is allowed per half-acre, up to two trucks on lots between half and one acre in size, and up to three trucks on lots larger than one acre. Not allowed within 50 feet from the main entrance of any restaurant during business hours unless authorized by a restaurant to be closer. No portion of the sales area may occupy any required parking space. Operations prohibited between 3-7:00 am. An annual business permit is required expiring on June 30th each year.	\$50	None	

Jurisdiction	Where Allowed	Annual Fee	Daily Fee	Notes
Town of Chapel Hill	Allowed on private property within the TC-1, TC-2, TC-3, NC, CC, or PD-MU zoning districts. Vendor Permits issued for food truck/food cart owners expire June 30th and renewed annually. Permits are not required for events on private residential property for one day only (catering a private party, for example), and the food is not being sold to the general public; events on UNC-Chapel Hill property, the vendor must make arrangements directly with UNC administration; or for temporary events on private property (shopping center, office park, community clubhouse, or public school, for example) as these events are covered under a separate event permit obtained by the event organizer. Must be 100 feet from any restaurant customer entrance unless restaurant owner supports a closer proximity (in writing), the food truck shall be positioned on designated parking spaces and shall not block drive aisles, other access to loading/service areas, or emergency access and fire lanes. The food truck must also be positioned at least fifteen (15) feet away from fire hydrants, any fire department connection, driveway entrances, alleys, handicapped parking spaces, tree trunks, and vegetation. The Town Manager reserves the right to temporality suspend food truck permits during special events downtown.	\$718/\$125	None	Annual Town of Chapel Hill Zoning Compliance Fee \$118 + Code Administration Fee \$600 = \$718 (fee only \$118 if vendor has already paid code administration fee of \$600 for the fiscal year for the same truck/trailer). Property owner fee of \$125
Town of Southern Pines	Food trucks are permitted in the GB (General Business) zoning district only. A Property Owner Authorization form is required for every location prior to operation. The food truck, trailer or cart may not remain on any authorized property beyond the permitted hours of operation. A maximum of one (1) retail sales – food truck, trailer or cart shall be located on a Lot or Parcel. Food trucks, trailers or carts shall be located a minimum of one hundred (100) feet from the main entrance to any eating establishment or similar food service business, and one hundred (100) feet from any outdoor dining area, as measured from the designated location on the Lot or Parcel accommodating the retail truck, trailer or cart. Food trucks, trailers and carts shall be located on a minimum distance of fifteen (15) feet from the edge of any driveway or public sidewalk, utility box or vaults, handicapped ramp, building entrance, exit or emergency access/exit, emergency call box or fire hydrant. Food trucks, trailers and carts shall not occupy any parking spaces required to fulfill the minimum requirements of the principal use, unless the Principal Use’s hours of operation do not coincide with those of the food truck business. Nor shall any retail sales – food truck occupy parking spaces that may be leased to another business and used to fulfill its minimum parking requirements. Food trucks, trailers and carts shall not occupy any handicap accessible parking space. Hours of operation of food trucks, trailers and carts shall be limited to the hours between 6:00 a.m. and 8:00 p.m., unless the designated location on the lot accommodating the use is located within one hundred (100) feet of the property line of a single-family or duplex dwelling, in which case the hours of operation shall be limited to the hours between 7:00 a.m. and 7:00 p.m. No freestanding signage or audio amplification shall be permitted as a part of the food truck, trailer or cart operation. Permits expire on December 31st.	\$50	None	
Town of Carolina Beach	Food Truck operators shall have the signed approval of the property owner for each location at which the food truck operates. This approval must be made available with the permit application. Any additional sites must be submitted to the town for review/approval prior to being implemented. Prior to obtaining approval, the food truck operator shall maintain a eating and drinking establishment for at least one year in the town. The eating and drinking establishment shall be in a building and open at all times when the food truck operates. However, if approved by health department the food truck’s hours of operation may extend beyond the hours of the eating and drinking establishment. The food truck shall be positioned at least one hundred (100) feet from the customer entrance of an existing restaurant during its hours of operation, unless the food truck vendor provides documentation that the restaurant owner supports a closer proximity. Food trucks shall not occupy parking spaces required to fulfill the minimum requirements of the principal use, unless the hours of operation of the principal use do not coincide with those of the food truck. Parking waiver allowances may be applied. Food Trucks shall be located no less than five (5) feet from any fire hydrant, sidewalks, utility boxes, handicap ramps and building entrances. No fire lanes, vehicular access ways, or pedestrian walkways may be obstructed or encroached upon by the food truck. . No amplified microphones or bullhorns shall be permitted as part of the food truck operation. The noise level from the food truck motor and generator must comply with the town's noise ordinance.	\$100	None	

Jurisdiction	Where Allowed	Annual Fee	Daily Fee	Notes
Town of Dallas	Allowed to operate within the Town Center Area. hours of operation shall be limited to Mondays through Saturdays, between the hours of 7:00 am and 10:00 pm; as well as on the days of Town sponsored and sanctioned special events, between the hours of 7:00 am and 10:00 pm. The noise level produced from the food truck, motor, generator, or any other on-site activity must comply with the Town’s noise Ordinance. Customers shall not be allowed to line-up, park, or act in any manner which causes a traffic hazard or a threat to safety of the motoring public or to other customers or noncustomer pedestrians. If the food truck is to be operated after dark, the operator shall propose, and the development services director shall approve, an appropriate lighting plan which shall become a condition of the permit. Any such lighting plan shall not allow any source of illumination to be directly visible from any residential district and shall be properly shielded so as to minimize light spill-over to adjacent properties.	\$400	None	Single event permit \$25
Town of Davidson	May only conduct business on privately owned non-residential property subject to the approval of the property owner. The operator of the food truck must submit proof of this permission. A food truck may not be located in any portion of a parking lot when and where such location would prevent the use of parking spaces during the regular hours of operation of the primary businesses on the lot; unless the vendor provides documentation that the property owner permits use of the parking spaces. The vending location shall not otherwise interfere in a significant way with the movement of motor vehicles. The hours of operation shall be between 8:00 a.m. and 10:00 p.m., if the food truck is proposed to operate after dark, the food truck vendor shall provide appropriate lighting.	None	None	

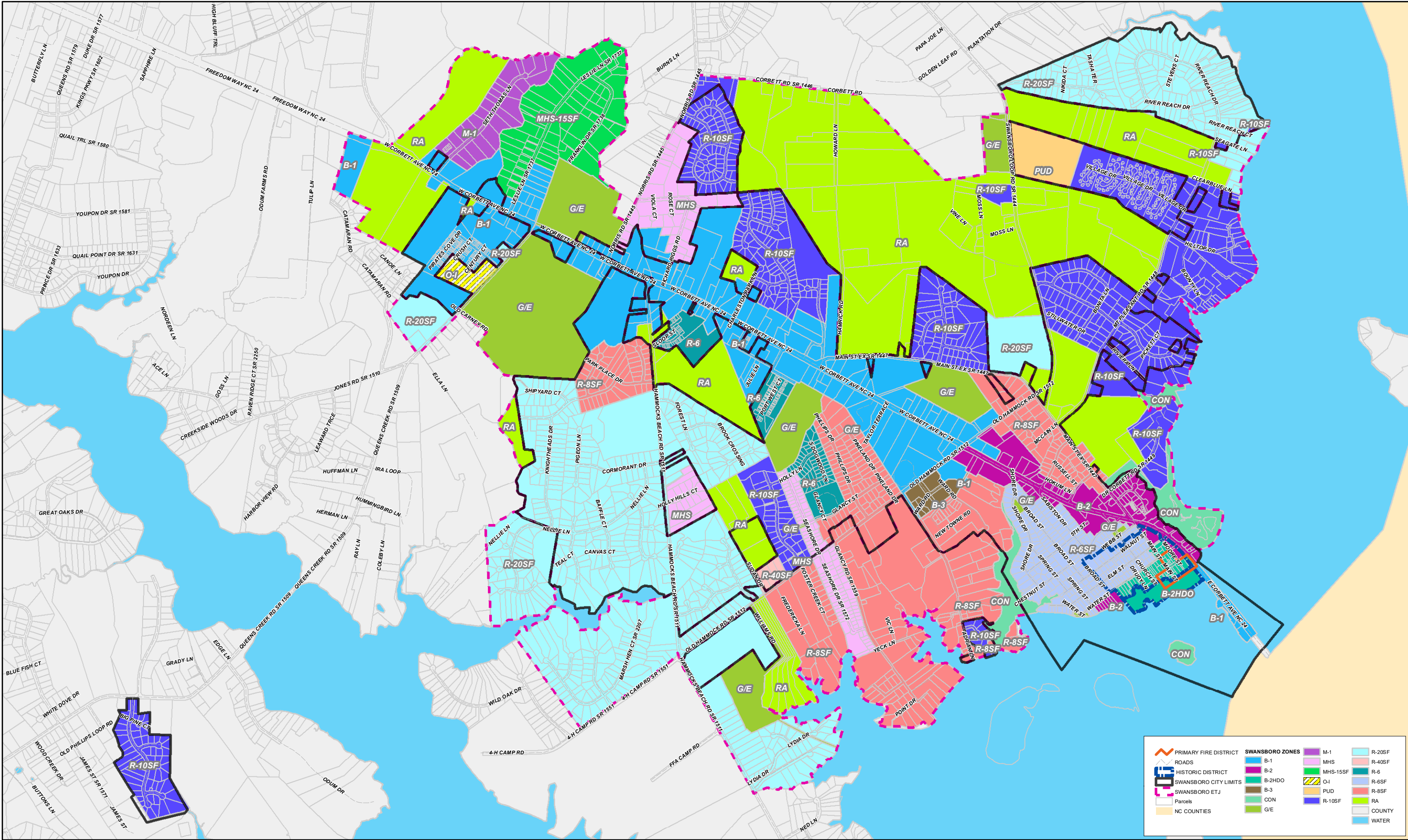
Food Truck Comments-Commissioner Philpott

- No portion of the vendor sales area may occupy any required parking spaces for the principal use of the lot.
- Must have written permission from property owner
- Trucks selling farm produce, dairy products, or ice cream (including yogurt, gelato, and similar items) may sell if lawfully parked on the street under specific conditions.
 - That such sales not be made on prohibited streets
 - The vehicle may not be parked longer than two hours in any one block during the same day.
- Permitted zoning districts
- The food truck shall be positioned at least 100 feet from the customer entrance of an existing restaurant during its hours of operation, unless the food truck vendor provides documentation that the restaurant owner supports a closer proximity.
- Temporary connections to potable water or sanitary sewer are prohibited.
- Grease must be contained and disposed of in an approved grease receptacle located at the associated commissary.
- Grey water must be contained and disposed of in the sanitary sewer at the associated commissary.
- shall not operate the food truck as a drive-in window.
- trash receptacle shall be provided for customers. Free of litter
- If the food truck is proposed to operate at after dark, the food truck vendor shall provide appropriate lighting and minimize glare on roadways and surrounding properties
- The Town Manager reserves the right to temporarily suspend food truck permits during times of special events
- Penalties for non-compliance
- Noise ordinance enforced; amplified sound is prohibited
- Annual permit and/or per event/day fees
- Signage/ sandwich board permitted



Legend

- Town Limits
- Extraterritorial Jurisdiction (ETJ)
- Future Land Use Designations**
 - Traditional Town Center (TTC)
 - Suburban Town Center (STC)
 - Coastal Traditional Neighborhood (CTN)
 - Low Density / Suburban Neighborhood (LDSN)
 - Rural / Agricultural (RA)
 - Employment / Light Industrial (ELI)
 - Conservation Priority Area (CPA)
 - Gateway Corridor (GC)



N



ZONING INFORMATION PROVIDED
BY MUNICIPALITY. ONSLOW COUNTY
GIS TAKES NO RESPONSIBILITY FOR
ACCURACY OF ZONING INFORMATION.

SWANSBORO ZONING MAP

PRODUCED BY ONSLOW COUNTY GIS

Date: 1/28/2020

THIS MAP IS INTENDED FOR REFERENCE ONLY.
ALL DIMENSIONS ARE APPROXIMATE.
AS PER NORTH CAROLINA G.S. 132-10, THIS MAP IS NOT TO BE
RESOLD OR OTHERWISE USED FOR COMMERCIAL PURPOSES.

Document Path: X:\SWANSBORO_ZONING_11x17.mxd



1 inch = 347 feet

W Corbett Ave Landuse & Zoning Map

Produced by Onslow County GIS

Date Printed: 10/5/2020 11:01 AM

This map is intended for reference only. All dimensions are approximate. As per NCOS 132-10, this map is not to be used for other purposes.



Aerial Flown February 2018



Future Land Use		Swansboro Zoning	
	Coastal Traditional Neighborhood		O-1
	Conservation Priority Area		PUD
	Light Industrial / Employment		R-10SF
	Low Density / Suburban Neighborhood		R-20SF
	Rural / Agricultural Area		R-40SF
	Suburban Town Center		R-6
	Traditional Town Center		R-6SF
	Gateway Corridor		R-8SF
			RA
			M-1
			MHS
			MHS-15SF



1 inch = 125 feet

Light Industrial / Employment Landuse & Zoning Map

Produced by Onslow County GIS

Aerial Flown February 2018

Date Printed: 10/5/2020 11:31 AM

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Future Land Use		Swansboro Zoning	
	Coastal Traditional Neighborhood		O-1
	Conservation Priority Area		PUD
	Light Industrial / Employment		R-10SF
	Low Density / Suburban Neighborhood		R-20SF
	Rural / Agricultural Area		R-40SF
	Suburban Town Center		R-6
	Traditional Town Center		R-6SF
	Gateway Corridor		R-8SF
			RA
			M-1
			MHS
			MHS-15SF



1 inch = 125 feet

Suburban Town Center Landuse & Zoning Map

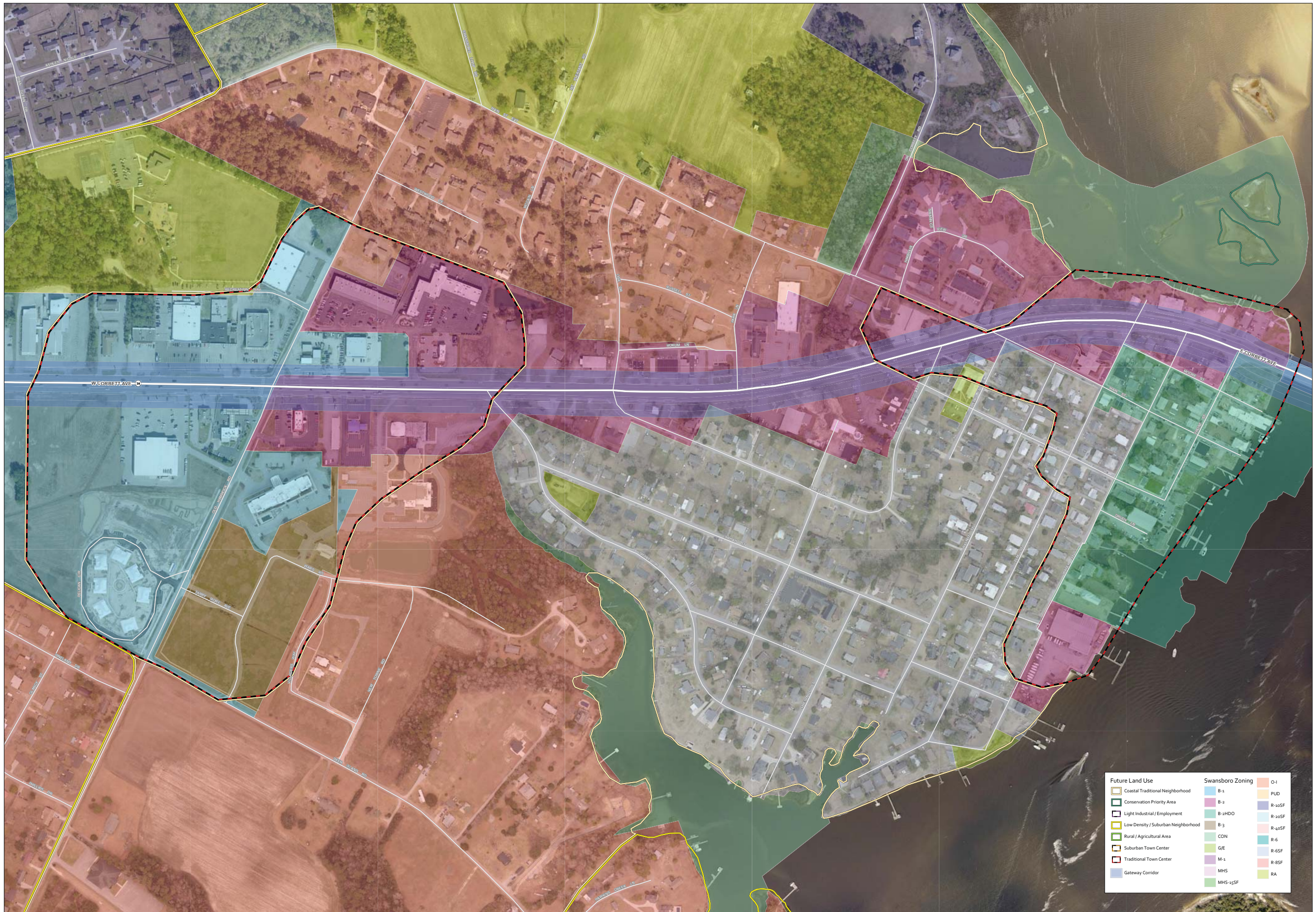
Produced by Onslow County GIS

Aerial Flown February 2018

Date Printed: 10/3/2020 11:40 AM

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Future Land Use		Swansboro Zoning	
	Coastal Traditional Neighborhood		B-1
	Conservation Priority Area		B-2
	Light Industrial / Employment		B-HDO
	Low Density / Suburban Neighborhood		B-3
	Rural / Agricultural Area		CON
	Suburban Town Center		G/E
	Traditional Town Center		M-1
	Gateway Corridor		MHS
			MHS-15SF
			O-1
			PUD
			R-10SF
			R-20SF
			R-40SF
			R-6
			R-6SF
			R-8SF
			RA



1 inch = 125 feet

Traditional Town Center Landuse & Zoning Map

Produced by Onslow County GIS

Aerial Flown February 2018

Date Printed: 10/12/2020 11:40 AM

This map is intended for reference only. All dimensions are approximate. As per NCOS 132-10, this map is not to be relied on otherwise used for commercial purposes.

