



Town of Beaufort, NC
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Board of Commissioners
Regular Meeting Minutes
6:00 PM Monday, April 08, 2024
Train Depot, 614 Broad Street

Call to Order/Pledge of Allegiance

Mayor Harker called the meeting to order at 6:00 p.m. and invited all to join in reciting the Pledge of Allegiance.

Roll Call

Rachel Johnson, Deputy Clerk, called the role.

PRESENT:

Mayor Harker
Mayor Pro Tem Cooper
Commissioner Gillikin
Commissioner LoPiccolo
Commissioner Oliver
Commissioner Spiegler

ABSENT: None

Agenda Approval

Mayor Harker asked for a motion to amend the agenda to remove the Pivot Parking Contract from Items of Consent, and place it under New Business as item number one. She also asked to add a closed session, pursuant to NCGS 143-318.11 (a) (3) and NCGS 143-318.11 (a) (4).

Commissioner Cooper made a motion to approve the agenda as amended.

The motion carried unanimously.

Items of Consent

1. Meeting Minutes- March 11 & 25, 2024

2. 2024 Parks & Recreation Comprehensive Plan
3. Capital Project Budget Amendment #3 – Street Rehabilitation and Pedestrian Improvements (Fund 61)
4. Personnel Policy Amendment (Article III. The Pay Plan; Section 17. Career Development)

Commissioner Cooper made a motion to adopt the items of consent as amended, removing the Pivot Parking Contract (Item 5) to be placed under New Business (Item 1).

The motion carried unanimously.

Public Hearing

1. Case # 24-07 Zoning Text Amendment - Taverns & Bars with Outside Operation in CS-MU as Special Use

Mayor Harker asked for a motion to open a public hearing for Case #24-07, Zoning Text Amendment.

Commissioner Cooper made a motion to open the public hearing.

The motion carried unanimously.

Kyle Garner, Planning Director, introduced the item, explaining it was a zoning text amendment request to modify Section 8D and Table 8-8 of the Land Development Ordinance (LDO) to allow Tavern/Bar/Pub(s) with outdoor operation as a Special Use in the CS-MU District. He noted this would be similar to other commercial use districts and provided background on those established districts. He shared at their March 18th meeting, the Planning Board unanimously recommended the Zoning Text Amendment with several recommendations, referenced on page 162 of the meeting packet.

Commissioner Oliver asked if there was a definitive definition of the words indoor and outdoor.

Mr. Garner said he did not believe that the words indoor or outdoor were specifically defined in the Town's LDO.

Commissioner Speigler confirmed that when placing conditions on a Special Use, the Board could consider each application separately.

Commissioner LoPiccolo spoke about implementing other restricted uses moving forward.

Mr. Garner explained that uses evolve over time.

Commissioner LoPiccolo asked if approved, how would the proposed amendment affect the Town both negatively and positively.

Mr. Garner explained the Special Use Permit provides an extra level of protection for those who enforce the rules as well as the business owners.

Commissioner Gillikin asked how the proposed text amendment would affect existing businesses within the district, with areas both indoor and outdoor.

Mr. Garner explained those owners would also have to come before the Board requesting Special Use Permits, which would allow conditions be added. He shared there were not typically any restrictions on those conditions, as long as they were reasonable.

Mayor Harker asked if anyone from the public wished to speak on the case.

There were no comments.

Commissioner LoPiccolo made a motion to close the public hearing.

The motion carried unanimously.

Commissioner Gillikin commented on the importance of developing the conditions, if approved, to protect adjacent neighbors from unwanted noise.

Mr. Garner added that noise levels were measured in decibels, noting the Town's Police Department had the capability of doing that.

Commissioner Cooper suggested that an appropriate noise level might differ throughout Town and noted staff should look at that as a separate issue.

Commissioner Oliver expressed concerns regarding noise issues for nearby residential properties. He suggested the Town have a better understanding of what acceptable noise levels were before approving the zoning text amendment.

Commissioner Speigler discussed the Cedar Street transition area, noting the importance encouraging redevelopment and small business opportunities, while also respecting the residential properties.

Commissioner LoPiccolo recommended they take a deeper dive in the Town's noise ordinance, agreeing it was an issue for nearby residential areas.

Commissioner Gillikin asked what would happen if they did not pass the text amendment and businesses continued to operate with outside activities such as music.

Mr. Garner explained the alternatives, discussing the notice of violation process. He noted that sound was a different issue than land use.

Commissioner Speigler made a motion to approve the proposed Zoning Text Amendment, Case #24-07, including the recommendations from the Planning Board outlined on page 162 of the meeting packet.

Voting Yea: Commissioner LoPiccolo, Commissioner Gillikin, Commissioner Speigler

Voting Nay: Commissioner Cooper, Commissioner Oliver

The motion was carried with a (3-2) vote.

Motion carried unanimously.

Old Business

1. Fire Pumper Truck Purchase

Mr. Clark provided background on the approved purchase of a pumper fire truck, with the adoption of the FY24 budget. He explained the pumper fire truck was ordered following the adoption of the Resolution of Intent to Reimburse, which is a financial instrument that allows the Board to pledge cash for a purchase while also seeking commercial financing

He noted staff recently released an RFP for bids on the truck and associated equipment which is valued at \$732,000. Although two financial institutions responded to the solicitation for bids, Truist provided the only proposal that met the requirements outlined in the RFP. It was noted that the financing proposal from Truist, included a finance rate of 5.49% for a term of 10 years; the total amount of interest would be \$238,662.

Mr. Clark advised the Board that a budget amendment appropriating \$732,000 from the General Fund- Fund Balance was still an option if they desired to purchase the truck with cash in lieu of financing the purchase.

After discussion, the Board agreed the financing option was best.

Commissioner Oliver made a motion to approve the financing Resolution with Truist Bank, as presented in the meeting packet.

The motion carried unanimously.

New Business

1. Pivot Parking Contract

Christi Wood, Finance Director, shared the parking highlights discussed over the past few Board meetings. She noted the Board voted to accept a contract from Pivot to provide parking management services to the Town for a period of three years beginning with the 2024 parking season. She shared the Board contemplated the length of the parking season, daily hours, and rates through an exhibit to the contract, which was currently for the before the Board for consideration and approval. She also discussed the continuation of annual parking passes as provided in the Town's schedule of fees and charges.

Commissioner Oliver stated he was happy with the plan, reconfigured numbers, and impressed with Pivot Parking. He suggested that the primary goal was to create turnover in areas of Town, and expressed concerns with the number of parking passes that might be sold.

The Board agreed they wanted to have the authority to change the exhibit to the contract that listed details related to rates, hours, season, and/or parking passes.

Arey Grady, Town Attorney, confirmed the contract read that way.

Commissioner Oliver asked clarifying questions regarding when and where parking passes were valid.

Ms. Wood and Ms. Johnson explained the existing pass structure as referenced online at: www.beaufortnc.org/parking.

Ms. Wood also provided a breakdown of parking passes sold in the 2023 season.

Commissioner Speigler suggested before making any changes to the parking pass structure, the Town should get feedback from the majority of the downtown businesses.

Mayor Harker noted there would be data received from Pivot that would help navigate some of the decisions moving forward.

Commissioner Gillikin agreed that modifying the pass structure would be more appropriate after data was collected and review for a few months, as well as having conversations with the downtown businesses.

Commissioner Gillikin made a motion to adopt Exhibit 1 from the Pivot Parking Contract, as presented and referenced in the meeting packet.

The motion carried unanimously.

2. Case # 24-05 - Preliminary/Final Plat – Airport Subdivision (624 Hwy 101)

Michele Eitner, Town Planner, presented Case #24-05 and explained it was a subdivision request from the Airport Authority. She noted the request proposed to carve out 25 acres of a 32.7-acre parcel for the airport to purchase for their additional runway protection zone and to supplement the runway extension project. She shared the remaining 7.7-acre parcel will remain with the current owner, the Wright family. She highlighted several key points as listed below:

Commissioner Cooper made a motion to approve the request outlined in Case #24-05.

The motion carried unanimously.

3. Volunteer Board Appointments

Commissioner Cooper made a motion to open the floor for nominations for the Board of Adjustment alternate member, three-year term.

Commissioner Oliver made a motion to nominate Charles Harrell for the position. The motion carried unanimously.

Commissioner Cooper made a motion to close the nomination floor. The motion carried unanimously.

Mayor Harker deemed a unanimous vote to appoint Charles Harrell to the Board of Adjustment.

Commissioner Cooper made a motion to open the floor for nominations for the Historic Preservation Commission, the member to fulfill the term ending January 31, 2025.

The motion carried unanimously.

Commissioner LoPiccolo nominated Jonathan Haas to serve the partial Historic Preservation Commission term.

Commissioner Oliver made a motion to close the nomination floor. The motion carried unanimously.

Mayor Harker deemed a unanimous vote to appoint Jonathan Haas to the Historic Preservation Commission.

Commissioner Gillikin made a motion to open the floor for nominations for the Historic Preservation Commission member, three-year term.

The motion carried unanimously.

Commissioner Gillikin nominated Jessica Sabiston to serve the full three-year term on the Historic Preservation Commission.

Commissioner Oliver made a motion to close the nomination floor. The motion carried unanimously.

Mayor Harker deemed a unanimous vote to appoint Jessica Sabiston to serve on the Historic Preservation Commission.

Public Comment

No public comments were made.

Manager Report

Mr. Clark reviewed the Manager's Report that is available online at www.beaufortnc.org, under the Mayor's Corner. Highlights of the report include: the Harbor and Waterways Public Charrette on Monday, May 6th at the Beaufort Fire Station #1; Oceanview Cemetery Cleanup; and USDA Funded Projects.

Mr. Clark provided an update on the Compass Hotel project. He informed the group of the Leonda Drive Sewer Effluent Abandonment. He also noted the progress of the Town's new Engine 1 along with the success of the Historic Preservation's 50th Year Celebration, earlier in April.

Mayor/Commissioner Comments

Commissioner Spiegler thanked staff for all their hard work and encouraged the public to attend the Harbor and Waterways Public Charrette on May 6th. She also recognized the Parks and Recreation Board for their great work on the Parks Comprehensive Plan; she noted the importance of implementing an operational parks and recreational budget for the Town in the future.

Commissioner Gillikin thanked the Town Manager for his work program/monthly report and recognized the efforts being made by the Town to update and inform people. She also recognized the special nature of the recent Historic Preservation Celebration and commended those who made it possible.

Commissioner Cooper also noted the Parks and Recreation Comprehensive Plan and spoke on some goals listed in the plan. He discussed a recent county budgeting meeting he attended in North River and applauded the way the materials were presented.

Mayor Harker thanked everyone in attendance, both in person and virtual. She mentioned the Farmers Market is opening in April and spoke on other upcoming events in the area. She also gave a special thank you to everyone who applied to serve on a volunteer board.

Closed Session

Commissioner Cooper made a motion to enter closed session pursuant to NCGS 143-318.11 (a) (3) and NCGS 143-318.11 (a) (4).

The motion carried unanimously.

Adjourn

Commissioner Cooper made a motion to adjourn the meeting at 8:45 p.m.

The motion carried unanimously.

Sharon E. Harker, Mayor

Elizabeth Lewis, Town Clerk