



Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Board of Commissioners
Regular Meeting
6:00 PM Monday, October 14, 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 saying the pledge of allegiance.

Roll Call

Elizabeth Lewis, Town Clerk, called the roll.

PRESENT:

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

ABSENT: None

Agenda Approval

Commissioner Cooper made a motion to approve the agenda.

The motion carried unanimously.

Items of Consent

1. Meeting Minutes- September 9th and 23rd
2. Event Application- Dia de los Muertos (Day of the Dead) Festival
3. Amendment to Ordinances, Section 71.07, "Parking Trailers on Public Streets Prohibited"
4. 2025 Board of Commissioners Meeting Schedule
5. Resolution Regarding Surplus Property- Beaufort Fire Department

Commissioner Cooper made a motion to approve the Items of Consent.

The motion carried unanimously.

Old Business

1. Food Truck Ordinance Amendments, Chapter 113. Itinerant Merchants

Michelle Eitner, Town Planner, provided an overview of proposed amendments to the Town's Code of Ordinances, Chapter 113 Itinerant Merchants. She explained this was following an ongoing conversation with the Board regarding desired regulations. She went over the draft language in the ordinance, as well as proposed prohibitions.

Commissioner Oliver asked how the proposed regulations would affect people in canteen trucks, who go to different job sites selling to workers.

Ms. Eitner explained they would be subject to the provisions in the ordinance.

Commissioner Oliver asked if sales tax on a food truck was attributed to the location of the sale or the business address.

Arey Grady, Town Attorney, said the sales tax should be attributed to the point of sale. He suggested contacting the Department of Revenue to ask further questions regarding the matter.

Commissioner Oliver explained he did not believe there had been adequate vetting of the proposed ordinance in the business community. He suggested reaching out to the community, particularly the Beaufort Business Association (BBA), for comments and feedback regarding the proposed changes.

Commissioner Gillikin agreed input from food truck providers and others in the community would be helpful. She asked for clarity on the verbiage which would allow food trucks during emergency situations such as a natural disaster.

Mr. Grady explained that the Mayor, on behalf of the Board of Commissioners, has the authority to deem food trucks acceptable in those situations through ordinances and proclamations.

Commissioner LoPiccolo also suggested incorporating business owners throughout Town in the next draft of the ordinance. He questioned whether or not the Beaufort Farmers Market should be called out in the ordinances. He noted the importance of being consistent throughout the document and suggested a yearly permit for the farmers market might be appropriate. He shared concerns related to the 100ft setback requirements.

Ms. Eitner shared the farmers market language could be changed, noting it was the discretion of the Board as to what events have exemption.

Commissioner LoPiccolo noted the way it was proposed, food trucks would not be allowed on public property.

Ms. Eitner confirmed that was correct, explaining that was the Board's direction at the prior meeting. She noted that exemptions would allow food trucks to be on the public right of way through approval of special events.

Commissioner Oliver suggested public owned property should be better identified, whether it is town or county owned.

Mayor Harker thanked Ms. Eitner and confirmed another draft would be brought before the Board after feedback was received from the community.

2. Amendment of Ordinances to Include, Section 90.12, "Living or Sleeping on Streets, Highways or Town Property Prohibited"

Chief Burdette reviewed a draft ordinance that includes, Section 90.12, "Living or Sleeping on Streets, Highways or Town Property Prohibited". He noted that Town Staff and attorneys reviewed the draft language and feel it suffices for the intended purpose of the regulation.

The Board discussed the penalty amount for violation of the section. The consensus deemed \$250 an appropriate amount, as presented in the draft ordinance.

Commissioner Cooper made a motion to approve the draft ordinance, Section 90.12, "Living or Sleeping on Streets, Highways or Town Property Prohibited" as presented.

The motion carried unanimously.

Public Comment

Susan Schmidt, 1527 Ann Street in Beaufort, requested paint on several crosswalks in Town. She noted orange paint was needed on the crosswalks in front of the Maritime Museum, in front of the Beaufort Housing Authority on Turner Street, and by the playground on Yaupon Street. She also requested free parking for locals on weekdays after Labor Day. She made comments on the UDO, specifically noting she was sorry that short-term rentals were not expected to change, and she was glad to see plant natives, pesticides, enhanced dark sky, control drainage of fill on adjacent lots, support of bikes and pedestrians and that the Planning Board can request an Environmental Impact Statement (EIS).

New Business

1. Draft UDO Code Assessment Discussion

Tyson Smith and Kelly Cousino from White and Smith presented the draft UDO Code Assessment, outlining the scope of work and the public review process. The assessment includes modules aligned with the UDO, addressing topics such as growth trends, public facility capacity, and resiliency in the non-intensification zone.

The Board of Commissioners provided feedback on each section of the draft assessment. They emphasized the need for a clear articulation of the Town's vision for growth and the importance of balancing public and private interests. There was discussion on the importance of environmental protection, equity, and balancing public and private interests, with suggestions for broadening terminology and considering nature-based solutions.

Mr. Smith and Ms. Cousino made notes on all the comments provided by the Board and shared they would be bringing a final version of the assessment to the November 12th Regular Meeting. It was suggested the revised document have indicate redline revisions to better track the feedback and changes.

2. 2025 Board of Commissioners Annual Retreat

Mayor Harker went over tentative plans regarding the proposed 2025 Board of Commissioners Retreat.

The Board had no objections to the proposed dates of February 6-7, 2025, the venue on Carteret Community College campus, or the facilitator choice of Fountainworks.

3. Beaufort Waterfront Operations and Finance Committee Update

Several committee members provided an update from the September 26th meeting. Commissioner Gillikin shared updated objectives for the dock improvement and operations. Vic Fasolino shared a presentation of potential construction goals related to the docks. Dexter Matthews shared a finance update with the group, discussing the formation of a 501(c) (3) organization to manage donations, potential grant funding and appropriations. *Copies of each presentation are on file in the clerk's office.*

Commissioner LoPiccolo asked for further clarity on grant funding.

Mr. Matthews explained there was typically a match to grant funds that the Town would be responsible for providing. He discussed the potential of appropriations, noting if everything was in place at the beginning of the year, they should know the state budget by September 2025 which will determine if funding will be available for the project.

Manager Report

Charlie Burgess, Interim Town Manager, shared the Town has received the draft Professional Park drive Area Stormwater Inventory and Flood Study document and staff would be reviewing it in the coming weeks. He noted the final version should be available by the end of November.

Mayor/Commissioner Comments

Commissioner Spiegler thanked everyone in attendance and online.

Commissioner Oliver requested as much data as possible from the parking company. He spoke of the importance of the UDO outreach and update process, noting what a great priority it is for the Town of Beaufort.

Commissioner Cooper reminded everyone to vote.

Commissioner LoPiccolo shared it was great to see the Crystal Coast Skydiving event in the area as well as other events happening around Town.

Mayor Harker thanked the Commissioners and Town Staff for their hard work as well as the citizens who participated in the meeting.

Recess

Mayor Harker asked for a motion to recess the meeting to October 15, 2024, at the Beaufort Train Depot to discuss personnel matters in closed session.

Commissioner Cooper made a motion to recess the meeting to October 15, 2024, at 5:00 p.m.

The motion carried unanimously.

Sharon E. Harker, Mayor

Elizabeth Lewis, Town Clerk