



# Board of Commissioners Agenda

## Town of Swansboro

Tuesday, August 13, 2024

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### Board Members

John Davis, Mayor | William Justice, Mayor Pro Tem | Pat Turner, Commissioner  
Jeffrey Conaway, Commissioner | Douglas Eckendorf, Commissioner | Joseph Brown, Commissioner

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#### I. Call to Order/Opening Prayer/Pledge

#### 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

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.

##### III. Consent Items:

- a. March 26, 2024, Regular Meeting Minutes
- b. April 9, 2024, Regular Meeting Minutes
- c. April 9, 2024, Closed Session Minutes
- d. April 23, 2024, Regular Meeting Minutes
- e. May 7, 2024, Special Meeting Minutes
- f. Budget Ordinance Amendment #2025-1
- g. PEV Charging Station Proposed Fees & Fee Schedule Amendment
- h. Tax Refund Requests

The Onslow County Tax Collector recommends refunds of the below listed taxes totaling \$27.71.

##### Vehicle Tax

Davenport, Ronald Elton Jr	\$11.29	Tag Surrender
Swinney, William Daniel & Gail Lorraine	\$16.42	Situs Error

#### IV. Appointments/Recognitions/Presentations

- a. **Recognition of Swansboro High School Valedictorian, Caroline Lott**  
*Presenter: Mayor John Davis*

b. **Swansboro Swimming Pool Committee**

**Presenter: Jonathan Barlow – Town Manager**

At its June 11, 2024, meeting, the Board of Commissioners created a committee for the purpose of researching the addition of a Swimming Pool in Swansboro. Matthew Prane was appointed as chair and provided with the responsibility for recommending members.

*Recommended Action: Adopt Resolution 2024-R8 creating the Swansboro Swimming Pool Committee and appointing the members recommended.*

c. **Employee Introduction and Oath of Office**

**Presenter: Dwayne Taylor – Police Chief and Mayor John Davis**

d. **Board Appointments**

**Presenter: Alissa Fender – Town Clerk**

Due to a resignation, there is now a vacancy on the Historic Preservation Commission.

*Recommended Action: Consider appointment to the Historic Preservation Commission.*

**V. Public Hearing**

a. **UDO Text Amendment to Section 152.073 Moratoria**

**Presenter: Rebecca Brehmer, CFM, CZO – Town Planner,**

After a review of North Carolina General Statutes and UDO on Moratoria at a recent Board of Commissioners meeting, the Town Attorney has advised that the UDO Section 152.073, Moratoria, is not consistent with G.S. § 160D-107 Moratoria in that it is missing a portion of the first sentence under section (A) Authority.

*Recommended Action:*

- 1. Hold a public hearing*
- 2. Motion to approve Ordinance 2024-011 amending Section 152.073 Moratoria.*

b. **UDO Text Amendment to Section 152.196 Notes to the Table of Area, Yard, and Height Requirements**

**Presenter: Rebecca Brehmer, CFM, CZO – Town Planner**

A text amendment is purposed to UDO Section 152.196 Notes to the Table of Area, Yard, and Height Requirements, (F) Note 6, to outline when a zoning permit and building permit is needed for new accessory structures.

*Recommended Action:*

- 1. Hold a public hearing*
- 2. Motion to approve Ordinance 2024-012 amending Section 152.196 Notes to the Table of Area, Yard, and Height Requirements, (F) Note 6.*

c. **UDO Text Amendment to Section 152.445 Coastal High Hazard Areas (Zone VE)**

**Presenter: Rebecca Brehmer, CFM, CZO – Town Planner**

UDO Section 152.445 Coastal High Hazard Areas (Zone VE) (Q) in the Flood Damage Prevention Ordinance of the UDO is not feasible and needs to be deleted.

*Recommended Action:*

- 1. Hold a public hearing*
- 2. Motion to approve Ordinance 2024-013 amending Section 152.445 Coastal High Hazard Areas (Zone VE)*

## VI. Business Non-Consent

### a. **Town Code Amendment to Chapter 93: Streets and Sidewalks, Section 93.007 Playing Games in Streets**

**Presenter: Rebecca Brehmer, CFM, CZO – Town Planner**

After direction from the Board of Commissioners and Town Manager, due to enforcement capabilities, a text amendment has been proposed to remove Town Code Section 93.007 Playing Games in Street. Allowing this activity to take place in Town Limits.

*Recommended Action: Motion to approve Ordinance 2024-014 amending Town Code Chapter 93: Streets and Sidewalks, Section 93.007 Playing Games in Streets.*

### b. **Town Code Amendment to Section 150.45 Permits Required**

**Presenter: Rebecca Brehmer, CFM, CZO – Town Planner**

A text amendment is proposed to Town Code Section 150.45 Permits Required to have a zoning permit added to the list of permits required for any new development.

*Recommended Action: Motion to approve Ordinance 2024-015 amending Town Code Section 150.45 Permits Required.*

### c. **Special Event Applications – Fee Waiver Request**

**Presenter: Anna Stanley – Parks & Recreation Director**

Two special event applications have been submitted to Parks and Recreation requesting waiver of fees.

*Recommended Action:*

- 1: Approve or deny waiver of fees for Little Pink Houses of Hope event;*
- 2: Approve or deny waiver of fees for Swansboro Historical Association for use of the Assembly Room/Old Town Hall for community programs for the remainder of the year or until a lease agreement is signed.*

### d. **Development Agreement**

**Presenter: Jon Barlow – Town Manager**

The proposed Development Agreement is a joint effort between the Town of Swansboro and Jacksonville Onslow Economic Development Partnership (JOED). Specifically, the agreement seeks to describe the future acquisition and development of approximately 30 acres of undeveloped land located at 1476 W. Corbett Ave.

*Recommended Action: Motion to approve the Development Agreement as presented.*

### e. **Bicentennial Park Dockwalk Extension Project**

**Presenter: Jon Barlow – Town Manager**

An RFP was posted and advertised for construction of a fixed timber platform, floating dock, and new floating slips at the existing waterfront access for the Bicentennial Park Dockwalk Extension Project. Sealed bids were opened on August 6, 2024, and six contractors submitted bids. The lowest bid received was \$233,200, significantly over grant funds available. In an effort to keep this project moving, 3 options are proposed to proceed with the project.

*Recommended Action: Authorize the Town Manager to work with the project Engineer and the lowest responsible bidder, Carteret Marine, in an effort to modify the design in a manner that brings the project within budget with consideration given to the use of fund balance. Return to the Board as soon as possible with a revised construction cost.*

**f. Carpet Replacement in the Community Room and Assembly Room**

***Presenter: Jon Barlow – Town Manager***

The carpet in both the Community Room in Town Hall and the Assembly Room in Emmerton School are in dire need of replacement. The previous year's Budget (FY23/24) included \$9,000 for the replacement of the carpet in the Community Room. Since that project was not performed those funds rolled into Fund Balance.

*Recommended Action: Authorize the appropriation of up to \$20,000 of fund balance for the replacement of the flooring material in both facilities, a budget amendment will be provided for approval at the August 27, 2024, regular meeting.*

**g. Future Agenda Topics**

***Presenter: Alissa Fender – Town 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.

*Recommended Action: Discuss and provide any 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 Comments**

- a. Projects Report
- b. Department Reports

**X. Board Comments**

**XI. Closed Session**

- a. *Motion to enter closed session pursuant to NCGS 143-318.11 (a) (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.*

**XII. Adjournment**