



Board of Commissioners Agenda

Town of Swansboro

Monday, September 11, 2023

Board Members

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

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.](#) April 10, 2023, Regular Meeting Minutes
- [b.](#) April 24, 2023, Regular Meeting Minutes

IV. Appointments/Recognitions/Presentations

a. Employee Introductions

*Presenters: Anna Stanley – Parks & Recreation Director
Gerald Bates – Public Works Director*

V. Public Hearing – none

VI. Business Non-Consent

[a.](#) Text Amendment to 152.016 Definitions of Basic Terms

Presenter: Rebecca Brehmer – Projects/Planning Coordinator

A text amendment to section 152.016 Definitions of Basic Terms is needed to add a definition of "Marina". The text amendment was first brought to the board and a public hearing was held on August 28, 2023. The item was tabled to the next meeting, and staff was directed to consult with the Town Attorney to revise the wording related to the types of uses that could fall under a marina facility.

Recommended Action: Motion to approve or deny Ordinance 2023-012 amending the Unified Development Ordinance to update Section 152.016 to include the definition for "Marina".

b. Budget Ordinance Amendment #2024-3

Presenters: Sonia Johnson – Finance Director/Jacob Randall – Fire Chief

The Budget needs to be amended for acceptance of the 3% fire tax from Onslow County.

*Recommended Action: 1) Approve Budget Amendment #2024-3 totaling \$92,842.77; and
2) Appropriation of Additional Funds as provided below.*

Item 1 - Assistant Fire Chief – Training: \$51,400.99

(Initial Start of November 11 to FY End 23/24 including benefits)

Item 2 - Overtime: \$11,441.78

Item 3 - Part-Time Salary: \$30,000

Total: \$92,842.77

c. 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

X. Board Comments

XI. Closed Session – none

XII. Adjournment

Town of Swansboro
Board of Commissioners
April 10, 2023, Regular Meeting Minutes

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner PJ Pugliese, Commissioner Larry Philpott, Mayor Pro Tem Tursi, Commissioner Pat Turner, and Commissioner Jeffrey Conaway.

Call to Order/Opening Prayer/Pledge

The meeting was called to order at 5:30 pm. Mayor Davis led the Pledge of Allegiance.

Public Comment

Junior Freeman of 714 W Corbett Avenue shared that he felt Townhomes in the Table of Permitted uses should be reconsidered as a use in the O/I district.

Adoption of Agenda and Consent Items

On a motion by Commissioner Philpott, seconded by Commissioner Turner, the agenda and the below consent items were approved unanimously.

- December 12, 2023, Regular Meeting Minutes
- Budget Ordinance Amendment #2023-5

Appointments/Recognitions/Presentations

Board Appointments

Town Clerk Fender reviewed that due to resignations, relocations, and reassignment of board members, there are several board appointments needed. A list of vacancies was provided as well as a Talent Bank Sheet of those citizens with an interest in serving.

On a motion by Commissioner Conaway, seconded by Commissioner Philpott, Eric Young was unanimously appointed to the vacant alternate seat on the Historic Preservation Commission.

On a motion by Commissioner Turner, seconded by Commissioner Conaway, Elena Messenger was unanimously appointed to the Parks & Recreation board.

Business Non-Consent

Joint meeting with the Planning Board

The joint meeting between the Planning board and the Board of Commissioners was called to order. Planning Board members in attendance were Scott Chadwick, Edward McHale, Laurent Meilleur, and Michael Favata. Edward Binanay and Sherrie Hancock were absent.

On February 13, 2023, at the joint meeting of the Board of Commissioner and Planning Board, a subcommittee was appointed, along with staff, to review the Table of Permitted/Special Uses and pertinent sections. The committee met once a week since its creation and developed a draft text amendment for review.

Planning Board Chair, Scott Chadwick thanked those on the committee for their time and efforts in reviewing and proposing amendments to the table of permitted uses. He reviewed that Planner Correll had met with all members of the Planning Board and reviewed the amendment with them individually.

On a motion by Mr. Chadwick seconded by Mr. McHale, the planning board recommended approval of the proposed amendments to the Board of Commissioners. The motion passed 5:1.

Ayes: Chadwick, McHale, Ramsey, Binanay, Favata

No: Meilleur

In response to inquiries Planner Correll clarified the following:

- Uses in the table identified as Minor Special Use would be reviewed by the Board of Adjustments.
- The Minor Special Use and Use Standards designations would require addressing specification requirements for lighting, buffers, sights, and noise.
- Future amendments could be made to the document as needed.
- Next process would be for the Board of Commissioners to hold a public hearing prior to adoption of an ordinance amendment for this recommendation.
- In review, there were many uses discovered as already existing in several zoning districts. Therefore, those uses were recommended to be permitted to eliminate those already existing businesses from being/becoming non-conforming.

Comments were made by the following board members.

Mr. Meilleur felt that the amendment should be reviewed by the Planning Board at an official meeting of the board.

Mr. Binanay shared that Mrs. Correll did a wonderful job reviewing the amendment with the board members and supported the review made by the committee. He felt returning it to the planning board for review again was unnecessary.

Mr. Chadwick shared that the planning board does not need to review the amendment again, as the members appointed to complete the review of the table have completed their task and provided a recommended amendment. The Board of Commissioners need to move forward and make a decision from there.

Mayor Pro Tem Tursi agreed that the appointed committee did as they were tasked, however he had concerns with Tire Sales now being permitted in the B1 zoning district.

Commissioner Turner shared that as a part of the committee she agreed that the planning board should not have to review the amendment again and that future amendments can be made to address any uses that become a concern or issue.

With a consensus from the majority of the Board, the amendment would be scheduled for a public hearing at a future meeting.

The joint meeting ended, and the Planning Board adjourned at 6:24 pm.

EOC/PSB Project Update

Commissioner Larry Philpott provided an update on the EOC/PSB Committee's progress. See timeline attached herein as *Attachment A*.

Commissioner Philpott shared that since the funds of \$6 million was awarded to the Town, construction cost has increased drastically and most likely would not cover the project cost in full. Future consideration for obtainment of funds will need to be given by the board. The consultant, Becker Morgan, was working to finalize the feasibility study which would provide further details of cost.

Future Agenda Topics

Future agenda items were 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. No additional items were introduced and/or added.

Mayor Davis shared that he had met with High School Principal, Dr. Gross as agreed the month prior, and she stood by her recommendation that the board provide a recommendation document to be submitted by teacher for selection of students to be recognized. The board agreed for Mayor Davis to work with Dr. Gross to draft the form and share it with the board for approval.

Public Comment

Junior Freeman of 714 W Corbett Avenue urged the board again to reconsider making Townhomes a use in the O/I district. The only area in Swansboro that was zoned O/I was surrounded by B1 and townhomes were permitted in that district.

Manager's Comments

Manager Webb shared that in addition to her report provided, another firm had been scheduled to be interviewed for consideration on the Emerton School project.

Board Comments

Commissioner Conway shared that he understood the concerns and comments made regarding the Table of Permitted Uses amendment but there was a large amount of time spent already reviewing the table and it was time to make a final decision. Future amendments would be made as needed to the document.

Commissioner Philpott shared that he would continue to keep the board updated on the EOC/PSB project. He also shared his appreciation to the committee for their hard work on reviewing the Table of Permitted uses.

Commissioner Turner shared that agreed with Commissioner Conaway's comments and that she had faith in the Board of Adjustment handling the Minor Special Uses.

Mayor Davis commented that he thought the amendment should have still been reviewed by the Planning Board and asked that consideration be provided for Mr. Freemans request for Townhomes to be allowed in the O/I district. He also shared that there would be a National Day of Prayer event on May 4th at the soccer fields as well as an evening event at the Carteret County Speedway.

Adjournment

On a motion by Commissioner Philpott, seconded by Commissioner Turner, the meeting adjourned at 7:05 pm.

Emergency Operating/Public Safety Facility Committee Timeline

April 10, 2023

BOC Action Plan directive to the committee was on June 27

An RFQ was developed and approved by the EOC Committee on July 27

Immediately following, RFQ's were distributed to consultants with a due date of September 9

On September 14, the EOC Committee members were asked to submit their choice of 3 consultants to be interviewed (by September 21).

Given time to prepare, consultant interviews were conducted on October 18.

On October 27, the EOC committee recommended the town contract with Becker-Morgan.

On November 8, pending contract negotiation, the BOC approved contracting with Becker-Morgan.

On December 6, staff and the committee chair and vice-chair met with Becker-Morgan representatives to review the project and required action plan. The consultant was given time to assess the plan and develop a contract proposal.

On January 9, the BOC reviewed and approved a consulting services agreement with Becker-Morgan. It was estimated a feasibility study would take up to 60 days.

Since January 9, the committee and staff have met on multiple occasions to guide and assist Becker-Morgan in performing a needs assessment and establishing space requirements.

Based on the action plan, Becker-Morgan plans to give an updated report to the EOC committee within the next 10 to 14 days.

Given until August 2023 to submit recommendations, at this time, the committee is well ahead of the target completion date.

Note:

- In June of 2021, Wooten estimated a 21,000-sf facility would cost about \$238 sf to construct. (\$4,998,000)**
- In January of 2022, based on information provided by Becker-Morgan, construction costs had increased to between \$400-\$450 sf. (\$8,400,000 - \$9,450,000)**
- In January 2023, again based on Becker-Morgan information, estimated cost had increased to \$600 plus per sf. (\$12,600,000)**

Town of Swansboro
Board of Commissioners
April 24, 2023, Regular Meeting Minutes

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner PJ Pugliese, Commissioner Larry Philpott, Commissioner Pat Turner, and Commissioner Jeffrey Conaway.

Call to Order/Opening Prayer/Pledge

The meeting was called to order at 5:30 pm. Mayor Davis led the Pledge of Allegiance.

Public Comment

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

Adoption of Agenda and Consent Items

On a motion by Commissioner Philpott, seconded by Commissioner Conaway, the agenda and the below consent item was approved unanimously.

- January 9, 2023, Regular Meeting Minutes

Appointments/Recognitions/Presentations

Employees of the Quarter

Fire Chief Randall shared that Ethan Polk was selected at the Fire Departments employee of the quarter. Mr. Polk had been a part time member of the department since 2018 and had over 400 hours of duty. Additionally, he most recently received a lifesaving award.

Police Chief Taylor shared that Teresa Stanley was selected as the Police Departments employee of the quarter. She started with the department in 2020 and has been very valuable at answering the phones and greeting the public.

Proclamations

Mayor Davis acknowledged *Administrative Professionals Week* April 23-29th, *Municipal Clerks Week* April 30-May 5th, and *International Firefighters Day* May 4th. Board members shared their appreciation for Admin staff, Clerks, and firefighters.

Board Appointments

Town Clerk Fender reviewed that due to a recent resignation that affected two boards, appointments for an in-town vacancy on the Planning Board and in-town ALT vacancy on the Board of Adjustment was needed. A Talent Bank Sheet was provided for those citizens with an interest in serving.

On a motion by Commissioner Philpott, seconded by Commissioner Conaway, John Fitzgerald was unanimously appointed to the in-town alternate seat on the Board of Adjustment.

On a motion by Commissioner Conaway, seconded by Commissioner Philpot, Clara Abalos was unanimously appointed to the in-town seat on the Planning Board.

Business Non-Consent

GFL Q&A and Discussion

Daniel Berry with GFL addressed the board regarding recent issues that had arisen with garbage collection and the quality of service. He shared that over the past weeks the company has put several procedures in place and felt confident that these would alleviate issues and poor quality. Those procedures included:

- Addressed vehicles that were causing debris to fall out of the truck.
- Any issues were to be reported to him and copied to 3 other employees to ensure handled.
- Spoke with drivers about the situations.

Community Meetings Discussion

At its February 13, 2023, meeting, Board members expressed desire to add discussion on facilitation of community meetings such as those currently being held monthly by Mayor John Davis. It was suggested that the board sponsor such meetings and discuss how they would be structured and ways to connect with the community.

Board members provided the following suggestions:

- Hold the meeting monthly, in the evening and serve refreshments.
- Target certain communities throughout town at different times.
- Location considerations could be the Recreation Center or at a local restaurant.
- Specify a certain topic for each meeting.

Attorney Parsons shared that the City of Havelock held a similar meeting in an area restaurant and attendees were responsible for their own food and/or drinks. The meeting is treated like a special meeting and notice was given.

The direction provided was for staff to research the cost of providing refreshments and locations where these meetings could be facilitated.

Future Agenda Topics

Future agenda items were 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. The following items were added to the agenda by consensus.

- Revisit the Wayfinding signs project.
- Budget Workshop tentatively scheduled for May 17, 2023, from 8 am to noon.

Mayor Pro Tem Tursi suggested that the Planning Board begin working on creating a Wetlands policy which was one of the items identified in the Land Use Plan update.

Regarding High School recognitions, the board agreed that once the form was distributed to the school for nominations the cut off for submission would be two weeks.

Public Comment

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

Board Comments

Mayor Davis requested that Chief Randall provide an update on the Fire Department Community meetings he had scheduled.

Chief Randall shared that citizens were invited to an informational session and community workgroup to assist in developing the 2023-2028 Fire Department Strategic Plan. Input will help build and reinforce organizational goals, objectives, and priorities. There were 3 sessions scheduled.

- Tuesday, May 9, 2023, at 10:30 a.m. Swansboro Town Hall Board Room
- Wednesday, May 17, 2023, at 1:30 p.m. Swansboro Town Hall Board Room
- Tuesday, May 23, 2023, at 6:00 p.m. Swansboro Town Hall Board Room

Adjournment

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Turner, the meeting adjourned at 6:47 pm.



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Text Amendment to 152.016 Definitions of Basic Terms**

Board Meeting Date: **September 11, 2023**

Prepared By: **Rebecca Brehmer – Projects/Planning Coordinator**

Overview: A text amendment to section 152.016 Definitions of Basic Terms is needed to add a definition of “Marina”. The text amendment was first brought to the board and a public hearing was held on August 28, 2023. The item was tabled to the next meeting, and staff was directed to consult with the Town Attorney to revise the wording related to the types of uses that could fall under a marina facility.

It was discovered that the definition of “Marina” was left out during the 2018 update during which the definition of “Docks” was added. The purpose of this amendment is to clearly differentiate the definition of commercial docks from marinas in our ordinance.

At the August 1, 2023, regular meeting of the Planning Board, the amendment was reviewed and recommended for approval to the Board of Commissioners.

Original definition considered on August 28, 2023:

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

Revised definition:

MARINA. A facility for the docking, mooring, berthing, or storage of marine vessels. Such uses include, but are not limited to, a wide variety of accessory uses such as boat fuel sales, sales of boating supplies and equipment, boating related services, laundries, boat repair and rental, storage racks and dry storage of boats.

Background Attachment(s):

- 1. Comprehensive Plan Consistency Statement
- 2. Ordinance 2023-O12

Recommended Action:

- 1. Motion to approve or deny Ordinance 2023-O12 amending the Unified Development Ordinance to update Section 152.016 to include the definition for “Marina”.

Action: _____

**TOWN OF SWANSBORO PLANNING AND ZONING BOARD
STATEMENT OF CONSISTENCY**

On August 1, 2023, the Planning Board heard the requested text amendment to differentiate the definition of commercial docks from marinas in our ordinance by defining marinas and recommended unanimous approval of the text amendment to the Town Unified Development Ordinance as followed: § 152.016 Definitions of Basic Terms.

The Town's Planning Board finds that the proposed text amendment is consistent with the current Comprehensive Plan and other applicable plans and policies and considers the action taken to be reasonable and in the public interest because it provides the structure, for Town staff to proactively address issues related to impacts caused by development in order to protect the health, safety, and welfare of the Town's residents.



Planning Board Chair



Town Planner

ORDINANCE 2023-012
AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE
§ 152.016 DEFINITIONS OF BASIC TERMS

WHEREAS North Carolina General Statute 160D-605 and 160D-701 requires that zoning regulations shall be made in accordance with a Comprehensive Plan; and

WHEREAS the Board of Commissioners finds that the proposed text amendments to the Unified Development Ordinance regarding referenced above to be consistent with the Town of Swansboro CAMA LAND USE Plan updated January 22, 2019.

NOW BE IT ORDAINED by the Town of Swansboro Board of Commissioners that the Town Unified Development Ordinance be amended.

TITLE XV: LAND USAGE
CHAPTER 152: UNIFIED DEVELOPMENT ORDINANCE
§ 152.016 DEFINITIONS OF BASIC TERMS.

MARINA. *A facility for the docking, mooring, berthing, or storage of marine vessels. Such uses include, but are not limited to, a wide variety of accessory uses such as boat fuel sales, sales of boating supplies and equipment, boating related services, laundries, boat repair and rental, storage racks and dry storage of boats.*

This Ordinance shall be effective upon adoption.

Adopted by the Board of Commissioners in regular session, September 11, 2023.

John Davis, Mayor

Attest:

Alissa Fender, Town Clerk



Board of Commissioners Meeting Agenda Item Submittal

Item To Be Considered: **Budget Ordinance Amendment #2024-3**

Board Meeting Date: **September 11, 2023**

Prepared By: **Sonia Johnson – Finance Director/Jacob Randall – Fire Chief**

Overview: The Budget needs to be amended for acceptance of the 3% fire tax from Onslow County.

Fire- In accordance with the *Interlocal Agreement – Fire Protection Services* adopted on December 12, 2022; the Town is in receipt of the County 3% Fire Tax for FY ending 22/23 in the amount of \$197,844.77. The estimated amount included in the FY 23/24 Budget was \$105,002. A budget amendment is prepared to receive the additional \$92,842.77.

The terms of the agreement provide that the County is allocating \$0.03 of its ad valorem tax rate for fire protection services. In exchange for the services that the Town agrees to provide (mutual aid to the County when there is a need for assistance related to fire-fighting emergencies), the County agreed to pay the \$0.03 it collects from properties within the Town incorporated borders to the Town each fiscal year the agreement remains in effect. When the funds were received the following breakdown was gathered. Property Taxes \$189,371.90 and Motor Vehicles Tax \$8,472.88.

As a reminder these fees can ONLY be spent on fire-related expenditures. During FY 23/24 Budget discussions, Fire Chief Randall expressed interest in establishing a defined professional development program to encourage recruitment, growth, and personnel retention, when funds become available.

Fire Chief Randall has identified the following areas of need, aligning with the professional development and the Fire Department’s 5-year strategic plan.

- 1) Position Creation – Assistant Fire Chief of Training
 - a. Alternative Schedule than operational shifts (24/72)
 - i. Allowing for work on all shifts
 - ii. Cultivates consistent training across the organization
 - iii. Provides increased staff for ISO requirements
 - b. Develop and lead the Fire Training Division
 - i. Creates uniformity in teaching and delivery
 - ii. Expands the ability of service providers
 - iii. Standardization of training evaluation

- 2) Increase in Salaries-Overtime Line Item

Action: _____

- a. Account for Additional Position and Organizational Changes
- b. Ability to sponsor personnel at outside training events

Item VI - b.

- 3) Increase to Part-Time Salaries
 - a. Adjust Part-Time Pay Rates and Aligning with Professional Development Ladder
 - i. Firefighter I (\$11.00)
 - ii. Firefighter II (\$13.00)
 - iii. Senior Firefighter (\$15.00)
 - iv. Fire Engineer (\$17.00)
 - b. Increase available on-duty personnel for ISO

Background Attachment(s): Budget Amendment #2024-3

Recommended Action: 1) Approve Budget Amendment #2024-3 totaling \$92,842.77; and
2) Appropriation of Additional Funds as provided below.

Item 1 - Assistant Fire Chief – Training: \$51,400.99

(Initial Start of November 11 to FY End 23/24 including benefits)

Item 2 - Overtime: \$11,441.78

Item 3 - Part-Time Salary: \$30,000

Total: \$92,842.77

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FY 23/24

BUDGET ORDINANCE AMENDMENT #2024-3

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, 2024:

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

<u>Appropriations</u>	<u>Increase</u>
Fire Department	\$92,842.77

<u>Revenues</u>	<u>Increase</u>
County Funding-3% Fire Tax	\$92,842.77

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, September 11, 2023.

John Davis, Mayor

Attest:

Alissa Fender, Town Clerk



Board of Commissioners Meeting Agenda Item Submittal

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

Board Meeting Date: **September 11, 2023**

Prepared By: **Alissa Fender – Town Clerk**

Overview: 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 an 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.

September 25th

There are no items designated for this meeting.

October Meeting Date
Regular – 23rd

Future Agenda Items

- * American Rescue Plan Funding Recommendations (updates)
- * Further LUP Review/Amendments – Comprehensive Transportation Plan Revisions
- * Text Amendments – R/A Zoning Uses – *referred back to Planning Board*
- * Sub-committee designations for Strategic Plan Implementation (*Eco Dev Committee est. Oct 2020*)
- * Building Standards (*Concerns with tarps and homes in poor repair all around town brought up 2.14 meeting*)
- * Board Meeting Alternatives for Public viewing (*undergoing further research*)
- * Swimming Pool/Consideration for Establishing a Pool Committee (*on hold for P&R Master Plan*)
- * Wetlands Policy (*creation & review by planning board*)
- * Duke Energy Presentation
- * Major Subdivision Final Plat – Parrish Green
- * Onslow County Soil & Water Presentation
- * Wayfinding Signs
- * High School Recognitions – *revisit/revise*
- * Swansgate Street Acceptance
- * Text Amendment – Airbnb regulations
- * Highway 24 Superstreet Presentation – *rescheduled to later date*
- * Waterfront Access and Development Plan (*review/revision considerations*)
- * Town Code Amendment to Chapter 91: Fire Prevention