

SHALLOTTE BOARD OF ALDERMEN

REGULAR MEETING

October 3, 2023

5:15 P.M.

The Shallotte Board of Aldermen met for a regular meeting on October 3, 2023 at 5:15 p.m. in the meeting chambers located at 110 Cheers Street with Mayor Walt Eccard presiding.

Aldermen present: Larry Harrelson, Jimmy Bellamy, Carson Durham, Gene Vasile and Bobby Williamson.

Staff present: Mimi Gaither, Robert Waring, Natalie Goins, Isaac Norris, Justin Ward, Adam Stanley, Dan Formyduval, Brandon Eaton, and Attorney Laura Thompson.

I. **CALL TO ORDER**

Mayor Eccard called the meeting to order. A motion was made by Carson Durham seconded by Jimmy Bellamy to open the meeting. Motion carried 5 yes 0 no.

II. **INVOCATION & PLEDGE**

Rev. Joe Needham gave the Invocation followed by the Board and audience reciting the Pledge of Allegiance.

III. **CONFLICT OF INTEREST**

Mayor Eccard asked if any member of the Board had a conflict of interest or the appearance of a conflict of interest with regard to any item on the agenda. None stated.

IV. **AGENDA AMENDMENTS & APPROVAL OF AGENDA**

A motion was made by Carson Durham seconded by Gene Vasile to add the following items under 7. Administration, and to approve the amended agenda.

- A. Appraisals – Ingram & Company
- B. McGill SDF Proposal
- C. Creech & Associates Proposal

Motion carried 5 yes 0 no.

V. **PUBLIC COMMENTS**

No public comments.

VI. **DEPARTMENT REPORTS**

1. Police

A. Advance Certification Presentation

Police Chief Adam Stanley presented Sergeant Garrett Baker with the NC Advanced Law Enforcement Certificate.

B. Promotions

- Officer Don Fisher received the Oath of Offices as he was sworn in as Detective for the Town

of Shallotte Police Department.

- Sergeant Woody Dunn received the Oath of Offices as he was sworn in as Lieutenant for the Town of Shallotte Police Department.

2. Fire

3. Planning

A. El Coqui's Request for Refund

A motion was made by Gene Vasile seconded by Carson Durham to approve the request for refund in the amount of \$962.55 (\$1069.50 - 10%). Motion carried 5 yes 0 no.

B. Road Closures (*previously tabled item from September 5th meeting*)

A motion was made by Carson Durham seconded by Gene Vasile to remove Road Closures agenda item until the applicant is prepared to move forward. Motion carried 5 yes 0 no.

4. Public Utilities

5. Finance

Finance Director Isaac Norris stated DMV property tax and the first installment of Powell Bill funds were received after completion of his finance report.

6. Media & Events

7. Administration

A. Appraisals – Ingram & Company

A motion was made by Carson Durham seconded by Larry Harrelson to approve Ingram & Company's proposal of \$15,000 for appraisal of Town properties. Motion carried 5 yes 0 no.

B. McGill SDF Proposal

A motion was made by Gene Vasile seconded by Carson Durham to approve McGill Associates System Development Fees (SDF) study proposal of \$19,700. Motion carried 5 yes 0 no.

C. Creech & Associates Proposal (FYI)

Town Manager Mimi Gaither presented the Board with Creech & Associates' contract options, Construction Manager at Risk or Design-Bid-Build, and asked that they be prepared to vote on this item at the October 17, 2023 Work Session meeting.

8. Mayors Monthly Activities

Mayor Eccard stated the Town is receiving \$2.5 million for the Price Landing project, bringing the total received from the State for this project to \$3.5 million.

Mayor Eccard expressed the desire to have an updated road study which would cost approximately \$7,000 - \$8,000 and asked for the Board's approval. A motion was made by Gene Vasile seconded by Carson Durham to authorize the Town entering into a renewal contract for an updated road study. Motion carried 5 yes 0 no.

VII. **CONSENT AGENDA**

A motion was made by Carson Durham seconded by Bobby Williamson to approve the following consent agenda items:

1. September 5, 2023 Regular Meeting Minutes
2. Budget Adjustment: BA-23-24-3 (PD Donations \$1228.00)
3. Instruct Clerk to Investigate the Sufficiency of the Petition for Annexation: 1656 Village Point Road (PID# 230JB01901).
4. Instruct Clerk to Investigate the Sufficiency of the Petition for Annexation: River's Edge Golf Club Fairway 13 (PID# 21400106).
Motion carried 5 yes 0 no.

VIII. PUBLIC HEARING (1)

UDO TEXT AMENDMENT, ORDINANCE 23-06: ARTICLE 10, SECTION 10-1

A staff initiated zoning text amendment to the Town's UDO which will further clarify the Town's conditional rezoning procedures.

1. A motion was made by Carson Durham seconded by Gene Vasile to open the public hearing. Motion carried 5 yes 0 no.
2. Public Comments/Questions. Planning Director Robert Waring briefly explained the request. The amendment would mean if a conditional rezoning was approved for a project, that project would not also require a special use permit.
3. A motion was made by Carson Durham seconded by Gene Vasile to close the public hearing. Motion carried 5 yes 0 no.
4. Board Comments/Questions
5. A motion was made Carson Durham seconded by Gene Vasile to approve the Board of Aldermen Statement of Consistency. Motion carried 5 yes 0 no.
6. A motion was made by Larry Harrelson seconded by Gene Vasile to approve Ordinance 23-06 amending the Town's UDO which will further clarify the Town's conditional rezoning procedures. Motion carried 5 yes 0 no.

IX. PUBLIC HEARING (2)

UDO TEXT AMENDMENT, ORDINANCE 23-05: ARTICLE 10, SECTIONS 10-2 & 10-3, ARTICLE 2, SECTION 2-2

A staff initiated a zoning text amendment to the Town's UDO, which collectively propose the addition of a zoning definition and permitted use regulations regarding tobacco and vapor retail establishments.

1. A motion was made by Larry Harrelson seconded by Bobby Williamson to open the public hearing. Motion carried 5 yes 0 no.
2. Public Comments/Questions. Planner/Code Enforcer Brandon Eaton briefly explained the request.
3. A motion was made by Larry Harrelson seconded by Gene Vasile to close the public hearing. Motion carried 5 yes 0 no.
4. Board Comments/Questions
5. A motion was made Carson Durham seconded by Gene Vasile to approve the Board of Aldermen Statement of Consistency. Motion carried 5 yes 0 no.

6. A motion was made by Larry Harrelson seconded by Bobby Williamson to approve Ordinance 23-05 amending the Town's UDO which collectively propose the addition of a zoning definition and permitted use regulations regarding tobacco and vapor retail establishments. Motion carried 5 yes 0 no.

X. **PUBLIC HEARING (3) Quasi-judicial**

SPECIAL USE PERMIT PARCEL ID # 1820005101 (103 Forest Dr.)

Oakland Plantation, Inc., has submitted a request for consideration of a Special Use Permit (SUP) so as to develop a Tire Dealer & Service Center, at the parcel/address listed above. The property is zoned Business-2 (B-2), such use is a special use within the B-2 zoning district.

1. A motion was made by Carson Durham seconded by Gene Vasile to open the public hearing. Motion carried 5 yes 0 no.
2. A motion was made by Carson Durham seconded by Gene Vasile to table the public hearing to the November 8, 2023 BOA meeting. Motion carried 5 yes 0 no.

XI. **CLOSED SESSION**

1. A motion was made by Carson Durham seconded by Gene Vasile pursuant to NCGS 143-318.11 (a) (6), to go into closed session at 6:06 p.m. to discuss a personnel matter. Motion carried 5 yes 0 no.
2. A motion was made by Jimmy Bellamy seconded by Gene Vasile to resume regular session. Motion carried 5 yes 0 no. There was no action taken in closed session.

XII. **ADJOURN**

A motion was made by Carson Durham seconded by Gene Vasile to adjourn the meeting at 6:12 p.m. Motion carried 5 yes 0 no.

Respectfully submitted,

Natalie Goins
Town Clerk