

SHALLOTTE BOARD OF ALDERMEN

REGULAR MEETING

December 6, 2022

5:15 P.M.

The Shallotte Board of Aldermen met for a regular meeting on December 6, 2022 at 5:15 p.m. in the meeting chambers located at 110 Cheers Street with Mayor Walt Eccard presiding.

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

Staff present: Mimi Gaither, Robert Waring, Natalie Goins, Isaac Norris, Paul Dunwell, Adam Stanley, Dan Formyduval and Attorney Laura Thompson.

I. CALL TO ORDER

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

II. INVOCATION & PLEDGE

Rev. George W. Chapman III of Shallotte Presbyterian Church 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 Larry Harrelson to approve the agenda as submitted. Motion carried 5 yes 0 no.

V. PUBLIC COMMENTS

- Pastor and Mrs. Bobby Causey, 3846 Church St., Shallotte, both addressed the Board, expressing their disapproval of one of the Christmas parade entrants. They also stated the Eastside Fellowship Church sign was vandalized, and the police department was notified, with no satisfactory outcome.
- Ms. Singerline feels the Christmas parade participant was lewd and inappropriate in front of children.
- Mayor Eccard responded that there is an upcoming committee meeting following the parade, as there is each year, to review any issues and their concerns would be noted.
- Chief Stanley responded that he would find out which detective was assigned to the sign vandalism case and look into it further.

VI. DEPARTMENT REPORTS

1. Police

2. Fire

3. Planning

A. Sewer Allocation and Rezoning

It was the consensus of the Board to expedite right of way acquisition to speed along the process for the new sewer line and to advise potential applicants that it would be best to wait six months.

B. Town's Performance Guarantee Regulations

Following discussion between the Board, Staff, and D.R. Horton Developer, John Heter, it was the consensus of the Board not to consider the text amendment allowing the Town to accept guarantees covering the final lift of asphalt on public streets at this time.

4. Public Utilities

A. Water Bill Adjustment: Susan Singerline (30 Fairway Drive)

The customer is requesting a second adjustment within a 12 month period, which is against Town policy. In keeping with policy, the Board was in agreement to deny the adjustment application. The applicant was advised to contact the billing department to set up a payment plan for the balance.

B. Resolution 22-17: Heartsease Dedication of Utilities

A motion was made by Larry Harrelson seconded by Carson Durham to approve Resolution 22- 17 accepting the Dedication of Heartsease utilities. Motion carried 5 yes 0 no.

5. Finance

A. Nonprofits Donations Contracts

A motion was made by Gene Vasile seconded by Carson Durham to approve the donation contracts for three local non-profits:

- Brunswick Family Assistance \$25,000
- South Brunswick Interchurch Council \$2,500
- Brunswick Homeless Coalition \$2,500

Motion carried 5 yes 0 no.

B. Amended Audit Contract

The Local Government Commission requires an audit contract amendment if not completed by December 1st of each year. Due to Auditor's sickness, there will be a delay in submission, requiring an amendment. A motion was made by Jimmy Bellamy seconded by Carson Durham to approve the amended audit contract for the audit of the Town's financial records for the year ended June 30, 2022. Motion carried 5 yes 0 no.

6. Media & Events

7. Administration

A. CFCOG Delegate and Alternate Representative

A motion was made by Larry Harrelson seconded by Jimmy Bellamy to appoint Gene Vasile as the CFCOG Alternate Representative. Motion carried 5 yes 0 no.

B. BOA Approval of the committee selection for Space/Needs study.

A motion was made by Carson Durham seconded by Larry Harrelson to approve the committee's selection of Creech and Associates to perform the space needs study for the new Town Hall. Motion carried 5 yes 0 no.

Town Manager, Mimi Gaither, asked the Board for final approval authorizing the Mayor to execute closing documents on the Sweatt property.

A motion was made by Carson Durham seconded by Gene Vasile to approve the Mayor signing the Sweatt property offer to purchase contract for \$205,000. Motion carried 5 yes 0 no.

8. Mayors Monthly Activities

A. Proposed Brunswick Transit Project

Mayor Eccard provided some background on the proposed transit project that would, on a daily basis, provide a shuttle service in Shallotte. There have been preliminary conversations between Brunswick Transit and the Town of Shallotte about the possibility of a one year pilot project to test the viability of the concept. The Board was in agreement for the Mayor to proceed with discussions to obtain more information.

VII. CONSENT AGENDA

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

1. November 1, 2022 Regular Meeting Minutes
2. Budget Adjustments
 - BA-22-23-7 (Police Dept. Donations \$500.00)

Motion carried 5 yes 0 no.

VIII. PUBLIC HEARING *(Quasi-judicial)*

SPECIAL USE PERMIT PARCEL ID # 18200139 (4507 Main Street). Durban Development, LLC., has submitted a request for consideration of a Special Use Permit (SUP) so as to develop a vehicle oil change facility, at the parcel/address listed above. The property is zoned Highway Business (HB) and such use is a special use within the HB zoning district.

1. A motion was made by Jimmy Bellamy seconded by Carson Durham to open the Public Hearing. Motion carried 5 yes 0 no.
 - a. Swear in parties – Town Clerk, Natalie Goins, administered the Oath to those that wished to speak during the public hearing. A record of those who were sworn in will be added to the minutes.

- Robert Waring - Town of Shallotte Planning Director
- Drew Gaertner - Project Manager, Durban Development
- Kerry Cox Craig – Property Owner, Cox Investments Inc.

2. Public Comments/Questions

- Mr. Waring gave an overview of the proposed 3-bay automobile oil change and lubrication shop at 4507 Main Street, which is currently vacant. The site plans include five foot wide sidewalks that will connect to existing sidewalks. The property will be served by Town water and sewer.
- Drew Gaertner also gave a brief project overview. The concept offers a drive-thru, stay in your car, five minute oil change. Access will be off of Main Street and will be aligned with the cross street, as requested by DOT.
- Findings of Fact were introduced as evidence for the hearing by the property owner.

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

- Alderman Durham felt the 5 ft. side buffer seemed narrow. Robert Waring stated that buffering wasn't typically required between light uses.
- Mayor Eccard asked about waste oil disposal arrangements. Mr. Gaertner indicated there would be an arrangement with a recycling company.
- Mayor Eccard read aloud the Specific Findings of Fact:

- 1) That the use will not materially endanger the public health and safety.
- 2) That the use will not substantially injure the value of adjoining or abutting property (or alternatively, that it be a public necessity).
- 3) That the use will be in harmony with the area in which it is to be located.
- 4) That the use will be in general conformity with the Land Use Plan, Thoroughfare Plan, or other plans officially adopted by the Board of Aldermen.
- 5) That the use will have adequate facilities to provide ingress and egress designed to minimize traffic congestion on public streets and also to have adequate utilities, access roads, drainage, sanitation or other necessary infrastructure.
- 6) That the use meets all required conditions and specifications established by the Board of Aldermen.

5. A motion was made by Carson Durham seconded by Gene Vasile to approve Special Use Permit 22-29. The following special conditions, as read aloud by Robert Waring, are also imposed:

- 1) A Town of Shallotte stormwater permit application shall be completed prior to final approval; and
- 2) Water utility plans be provided to Brunswick County for review; and
- 3) Sewer utility plans be provided to the Town for review; and
- 4) All required fees, to include System Development fees shall be paid prior to final zoning approval; and
- 5) Per Sec. 12-12, site improvements shall commence within 12 months of SUP approval date or applicant shall request an extension of up to six month from the Shallotte Board of Aldermen; and
- 6) All required local, state, and federal permits shall be obtained and copies provided prior to final zoning approval; and
- 7) The applicant shall sign the SUP.

Motion carried 5 yes 0 no.

IX. DISCUSSION ITEMS

1. Expiring Board Appointments

A motion was made by Jimmy Bellamy seconded by Carson Durham to approve the following Board Re-Appointment:

- ABC Board – January 2023

1. Roy Mintz

Motion carried 5 yes 0 no.

A motion was made by Larry Harrelson seconded by Carson Durham to approve the following Board Re-Appointments:

- Fireman’s Relief Fund – January 2023

1. Paul Dunwell
2. David Moore

Motion carried 5 yes 0 no.

A motion was made by Carson Durham seconded by Jimmy Bellamy to approve the following Board Re-Appointment and Alternate Appointment:

- Cape Fear Council of Governments (COG) – January 2023

1. Carson Durham
2. Gene Vasile (Alternate)

Motion carried 5 yes 0 no.

A motion was made by Gene Vasile seconded by Bobby Williamson to approve the following Board Re-Appointments:

- Shallotte Tourism Development Authority

1. Brian McCall – January 2023
2. Susan Freeman – January 2023
3. Rhonda Shook – January 2023
4. Vimal Patel – January 2023

Motion carried 5 yes 0 no.

X. **ADJOURN**

A motion was made by Carson Durham seconded by Bobby Williamson to adjourn the meeting at 6:53 p.m.
Motion carried 5 yes 0 no.

Respectfully submitted,

Natalie Goins
Town Clerk