

**TOWN OF CAPE CARTERET
BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
DEBBIE E. STANLEY BOARDROOM
AUGUST 21, 2017 | 7:00 P.M.**

I. Meeting Called to Order | Moment of Silence | Invocation

Mayor Fowler called the meeting to order at 7:02 pm in the Debbie E. Stanley Boardroom.

Mayor Fowler, Commissioner Truax, Commissioner Miller, Commissioner Evans, Commissioner Phillips were present along with three citizens. Commissioner Saunders had an excused absence. Staff present included Zachary Steffey, Heather Leffingwell, Chief Rivera, Chaplain Michael Caldwell, and Danny Taylor. Attorney Michael Curtis and Brad Rich of the Carteret News Times were also in attendance.

Chaplain Michael Caldwell led the invocation.

Mayor Fowler said the Chaplain has some plans for us around Christmas time that we are going to discuss later. He also told me that every day he blesses this board and we certainly appreciate that and we need it. Keep it up. Thank you very much.

Mayor Fowler asked for those present to participate in a moment of silence for one property owner, Patti Cila, and a longtime resident, J.B. Cottle, that passed away

Mayor Fowler reminded everyone that we are live streaming the meeting. **Mr. Steffey** stated that we had over 300 views on our first broadcasting.

Mayor Fowler congratulated our Town Clerk, Ashleigh Huffman and her husband, Eddie, on the birth of their daughter, Emma Rose.

II. Pledge of Allegiance

Commissioner Miller led the Pledge of Allegiance.

III. Conflict of Interest | Cell Phone Statement

Mayor Fowler called for conflicts of interest. Hearing none he asked all those present to turn off their cell phones.

IV. Adoption of the Agenda

Commissioner Phillips moved to amend the agenda to add a closed session to discuss §143.318.11(a)(6): personnel. The motion was seconded by Commissioner Evans. Motion carried 4-0.

V. Consent Agenda

- a. Approval of Minutes of 6/12/17, 6/19/17, and 7/10/17
- b. Statement of Mutual Understanding- Town Administrator and Chief of Police

Commissioner Miller moved to approve the consent agenda as presented. The motion was seconded by Commissioner Truax. Motion carried 4-0.

VI. Public Comment (3 Minute Time Limit)- None.

VII. Public Hearing for Text Amendment to Appendix B: Table of Permitted Uses (Veterinary Office)

Mayor Fowler opened the public hearing for the Text Amendment to Appendix B: Table of Permitted Uses (Veterinary Office)

Mr. Steffey read the attached memo. (Please see memo below.)

Mayor David Fowler
Mayor Pro-tem George Phillips
Commissioner Doreen Saunders
Commissioner Charlie Evans



Town of Cape Carteret
102 Dolphin Street
Cape Carteret, NC 28584

Commissioner Minnie Truax
Commissioner Don Miller
Town Administrator Zachary Steffey
Attorney Mike Curtis

Memorandum

To: Mayor Fowler and Board of Commissioners
From: Zachary Steffey, Town Administrator
Re: Text Amendment to Appendix B
Date: August 21, 2017

Discussion:

In an effort to encourage commercial growth and redevelopment within the Town the following changes are recommended to Appendix B of the Code of Ordinances:

APPENDIX B: TABLE OF PERMITTED USES AND PARKING SPACES REQUIREMENTS

Add the following as a permitted use in the B-20 Commercial Zoning District:

Veterinary Offices without interior or exterior boarding facilities and without outdoor pens or runs.

Planning Board Action:

The Planning Board voted unanimously at their July 5, 2017 meeting to forward a favorable recommendation of the proposed text amendment to the Board of Commissioners.

Requested Action:

The Board of Commissioners are asked to consider approving the proposed Text Amendment to Appendix B to allow for Veterinary Offices as a permitted use within the B-20 Commercial Zoning District.

Attachments:

1. Ordinance No. 2017-08-03

Mayor Fowler opened the floor to the public.

Paxon Holz said it was the unanimous recommendation from the Planning Board to pass it to the Board of Commissioners for approval. Paxon also mentioned the Planning Board voted specifically no long-term boarding except incidental to necessary overnight stays due to surgery. The Planning Board thinks the veterinary office would be a good addition.

Commissioner Miller moved to close the public hearing. The motion was seconded by Commissioner Truax. Motion carried 4-0.

VIII. Approval of Ordinance No. 2017-08-03

Commissioner Miller moved to approve Ordinance No. 2017-08-03 as presented. The motion was seconded by Commissioner Phillips.

Commissioner Evans asked if the Petsense is different from the Veterinary Office. Mr. Steffey said yes, one is a retail pet store and one is a veterinary office.

Motion carried 4-0

Ordinance No. 2017-08-03 referenced herein is incorporated in these minutes by reference and available for inspection in the Town Clerk's office.

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TOWN OF CAPE CARTERET

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF CAPE CARTERET THAT THE CODE OF ORDINANCES OF THE TOWN OF CAPE CARTERET (THE CODE) TITLE XV: LAND USAGE APPENDIX B: TABLE OF PERMITTED USES AND PARKING SPACES REQUIREMENTS IS HEREBY AMENDED AS FOLLOWS:

SEC. 1 - TITLE XV: LAND USAGE SECTION APPENDIX B: TABLE OF PERMITTED USES AND PARKING SPACES REQUIREMENTS is amended as follows:

Add the following as a permitted use in the B-20 Commercial Zoning District:

Veterinary Offices without interior or exterior boarding facilities and without outdoor pens or runs.

SEC. 2- The following provisions, numbered as indicated herein is amended to the Code.

SEC. 3- This section shall become effective upon passage.

SEC. 4- If this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.

SEC. 5- Any ordinance or any part thereof in conflict with this Ordinance, to the extent of such conflict, is hereby repealed.

SEC. 6- The Town Clerk is hereby ordered to place this amendment in the Code of Ordinances of the Town of Cape Carteret and is authorized to re-number said amendments in order to maintain consistency within said Code.

Adopted this the 21st day of August 2017.

Motion by Commissioner _____, with a second by Commissioner _____.

Vote Approved: ___ For ___ Against ___ Absent/Excused

Attest:

David M. Fowler
Mayor
(OFFICIAL TOWN SEAL)

Ashleigh J. Huffman
Town Clerk

**IX. Public Hearing for Text Amendment to Section 156.124
(Commercial Site Plan Requirements)**

Mayor Fowler opened the public hearing for the Text Amendment to Section 156.124
(Commercial Site Plan Requirements)

Mr. Steffey read the text amendment to Section 156.124 (Commercial Site Plan
Requirements)

Mayor Fowler opened to the public for any comments. Hearing none he called for a
motion to close the public hearing.

*Commissioner Evans moved to close the public hearing. The motion was seconded by
Commissioner Miller. Motion carried 4-0.*

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Mayor David Fowler
Mayor Pro-tem George Phillips
Commissioner Doreen Saunders
Commissioner Charlie Evans



Town of Cape Carteret
102 Dolphin Street
Cape Carteret, NC 28584

Commissioner Minnie Truax
Commissioner Don Miller
Town Administrator Zachary Steffey
Attorney Mike Curtis

Memorandum

To: Mayor Fowler and Board of Commissioners
From: Zachary Steffey, Town Administrator
Re: Text Amendment to Section 156.124
Date: August 21, 2017

Discussion:

In order to facilitate commercial growth and redevelopment within the Town the following changes are recommended to Section 156.124 of the Code of Ordinances:

§ 156.124 COMMERCIAL BUILDINGS AND OTHER PERMITTED USES.

(A) Site plan required. Prior to any ground-disturbing activity on any vacant lot, tract or other parcel of land; or prior to the expansion or enlargement of the conditioned space of an existing building or commercial development, the owner, general contractor, or authorized agent shall submit, for review by the Planning Board and approval by the Board of Commissioners, a site plan in accordance with the terms of this section; provided, however, that this section shall not apply to development of residential property with one single-family dwelling, or one primary building containing not more than two single-family dwelling units.

Planning Board:

The Cape Carteret Planning Board voted unanimously to forward a favorable recommendation of the proposed text amendment to the Board of Commissioners.

Requested Action:

The Board of Commissioners are asked to consider approving the text amendment to Section 156.124 of the Cape Carteret Code of Ordinances as written in Ordinance No. 2017-08-04.

Approval of Ordinance No. 2017-8-04

Commissioner Evans moved to approve Ordinance No. 2017-08-04 as presented. The motion was seconded by Commissioner Phillips.

Commissioner Truax asked Mr. Steffey if this was going to help future businesses coming into the town. Mr. Steffey stated that it should make the process easier and less time consuming. The way it is written now is even if it is just a minor change inside, it will automatically prompt a commercial site review which would have to be reviewed by the planning board and the Board of Commissioners. Sometimes that can be a 2-3-month long process and that might inhibit some businesses ability to be able to hire someone to represent them to go through this process and to prepare all those plans. Commissioner Truax believed this would also be a good update for our town.

Commissioner Evans stated that the way he read the text amendment was inside the existing footprint they can do whatever they want as long as they don't change anything outside. Is this correct? Mr. Steffey said yes, it would just require a change of use permit and to verify that is consistent with what's in the Table of Permitted uses.

Motion carried 4-0

Ordinance No. 2017-08-04 referenced herein is incorporated in these minutes by reference and available for inspection in the Town Clerk's office.

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TOWN OF CAPE CARTERET

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF CAPE CARTERET THAT THE CODE OF ORDINANCES OF THE TOWN OF CAPE CARTERET (THE CODE) TITLE VII: TRAFFIC CODE CHAPTER 150: GENERAL PROVISIONS SCHEDULE III. SPEED LIMITS IS HEREBY AMENDED AS FOLLOWS:

SEC. 1 - §156.124 COMMERCIAL BUILDINGS AND OTHER PERMITTED USES is amended as follows:

(A) Site plan required. Prior to any ground-disturbing activity on any vacant lot, tract or other parcel of land; or prior to the expansion or enlargement of the conditioned space of an existing building or commercial development, the owner, general contractor, or authorized agent shall submit, for review by the Planning Board and approval by the Board of Commissioners, a site plan in accordance with the terms of this section; provided, however, that this section shall not apply to development of residential property with one single-family dwelling, or one primary building containing not more than two single-family dwelling units.

SEC. 2- The following provisions, numbered as indicated herein is amended to the Code.

SEC. 3- This section shall become effective upon passage.

SEC. 4- If this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to that end the provisions of this ordinance are declared to be severable.

SEC. 5- Any ordinance or any part thereof in conflict with this Ordinance, to the extent of such conflict, is hereby repealed.

SEC. 6- The Town Clerk is hereby ordered to place this amendment in the Code of Ordinances of the Town of Cape Carteret and is authorized to re-number said amendments in order to maintain consistency within said Code.

Adopted this the 21st day of August 2017.

Motion by Commissioner _____, with a second by Commissioner _____.

Vote Approved: ___ For ___ Against ___ Absent/Excused

Attest: _____
Ashleigh J. Huffman, Town Clerk

David M. Fowler, Mayor
(OFFICIAL TOWN SEAL)

XI. Updates/Reports from Staff and Board

a. Town Administrator's Report

- **Mr. Steffey** said Thank you to White Oak Elementary & Carteret County Public Schools for the sidewalk. It's a nice addition to our Town.
- **Mr. Steffey** also said Congratulations to Ashleigh on the birth of Emma Rose.

b. Clerk's Report

No Report

c. Chief's Report

Chief Rivera said he will cover his report in closed session.

d. Commissioner Reports

No Commissioner Reports

e. Mayor's Report

- **Mayor Fowler** said congratulations to Ashleigh and Eddie. He said we are missing her, but nobody more than Heather.
- **Mayor Fowler** also wanted to thank White Oak Elementary School and Keith Maready for the work on the CC Trail. This opens the door to the rest of the Trail.

f. Attorney's Report

No Report

XV. Closed Session Pursuant to N.C.G.S. §143-318.11(a)(6): Personnel

Commissioner Miller moved at 7:25 p.m. to enter closed session pursuant to N.C.G.S. §143-318.11(a)(6) to discuss items pertaining to personnel. The motion was seconded by Commissioner Evans. Motion carried 4-0.

CLOSED SESSION

Commissioner Miller moved to enter open session. The motion was seconded by Commissioner Evans. Motion carried 4-0.

OPEN SESSION (8:44 p.m.)


Commissioner Phillips moved to reverse the previous decision of the hiring the MAPS Group for a consultation. **Commissioner Truax** seconded. **Motion carried 3-1, Commissioner Evans** casted a dissenting vote.

Mayor Fowler asked if there was interest in promoting **Mr. Steffey** to Town Manager. **Attorney Curtis** stated that needs to be addressed at another time since it was not on the agenda.

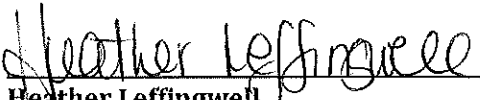
Attorney Curtis said he was meeting with PNC Bank about a grant for the CC Trail. He would like some guidance from Commissioners about requesting an amount.

XVI. Adjournment

Commissioner Miller moved to adjourn at 8:51 pm. The motion was seconded by Commissioner Phillips. Motion carried 4-0.



David M. Fowler
Mayor



Heather Leffingwell
Interim Town Clerk