

Town of Cape Carteret
Board of Commissioners MINUTES
7:00 PM January 21, 2013

CALL TO ORDER

The Cape Carteret Board of Commissioner's meeting came to order at 7:00 p.m. in the Debbie E. Stanley Board of Commissioners Room.

STUDENT OF THE MONTH: Matthew Rush is a 3rd grader at White Oak Elementary. His teacher is Ms. Mary Weiss. The Mayor read the teacher's comments about Matthew.

PLEDGE OF ALLEGIANCE led by Matthew Rush

ROLL CALL

Present: Mayor David Fowler
Commissioners Seegers, King, Hunt, Patterson and Saunders
Attorney Curtis, Carteret News Times, and 6 citizens

ANY CHANGES TO THE AGENDA? Yes, add SRO Resolution under Old Business.

Commissioner Hunt motioned to approve the amended agenda, seconded by Commissioner King. Vote approved 5-0

CONSENT AGENDA

Minutes of December 17, 2012

Commissioner King motioned to approve the consent agenda item, seconded by Commissioner Hunt. Vote approved 5-0

PUBLIC HEARING: Specialty Market Vendor: Brandon gave an update.

Commissioner King motioned to enter into the public hearing, seconded by Commissioner Seegers.
Vote approved 5-0

Brandon: The town was presented with a request from Frank's Franks about opening his business in the town. We do not allow itinerant merchants, so the issue went to the planning board for review. The planning board developed the Specialty Market Vendor Ordinance. A Specialty Market Vendor rents space from a business location. (Frank's Franks rents space in front of Lowe's Home Improvement) **Main points:**

- This would become a part of the ordinance and permitted-use chart.
- There is a privilege license fee
- Food Service Truck Vendors are Peddlers and are not permitted in the town
- Food Service Vendors would require a health permit from the County
- The Fireworks vendor is grandfathered
- Itinerant merchants and peddlers are prohibited in the town
- There is an exemption for vendors that sell farm, fresh products and seafood
- The town is not liable for any kind of health outbreak they may cause
- The ordinance requires they provide proof of liability insurance and a \$5,000 surety bond
- Yes, we could end up with ten or twelve Specialty Market Vendors in town
- The ordinance presented is more restrictive than other surrounding towns

Commissioner Patterson motioned to close the public hearing, seconded by Commissioner Seegers. Vote approved 5-0

Any Board or Committee Updates?

Commissioner King asked Mr. Daniels of Marine Fisheries for an update on the hearing. Mr. Daniels said he would make a recommendation to his board, at the February meeting, but he did not say what the recommendation would be.

Commissioner Saunders: Starting January, commissioners will be given a copy of their budgeted department expenses for the month. (Year to date expenses paid)

Commissioner Seegers: The public works men are about 50% through the leaf pick-up. It will probably take three weeks. As of 11:30 this morning they have had 27 dump loads. Commissioner Hunt asked if the task reports would still be provided. Yes, and they are filling out a daily log sheet. Alex is also giving Mr. Seegers weekly reports of the loads dumped at Russells. Commissioner Hunt asked if Mr. Seegers was considering not selling the leaf vacuum. Mr. Seegers and Mr. King have been talking about keeping it. It takes a strong person to use it, but they are using it. The nozzle needs to be retro-fitted with a hydraulic cylinder arm. Commissioner Patterson stated that we are not getting many offers for the leaf vac on Gov Deals, and we don't plan to give it away. Mr. King suggested we take it off the bid list, until we have time to investigate retro-fitting it. Mr. Hunt said the public works supervisor told him they were not using it because it was difficult to work especially when the leaves were wet. The clerk suggested that the schedule go back to doing the north side of the town one week, and the south side two weeks later. Mr. Seegers said that people put their debris out two weeks before the pick-up. The clerk suggested, we remind those folks that it may be on their front yard but not the right-of-way.

Mayor's Report:

Sandy Hook Donation: Brandon said the town has collected \$656.61 from the citizens. Brandon would like the board, on behalf of the town, to make a donation. Commissioner King said, given the atrocity, if we sent a \$1000 it would not be out of line. Commissioner King motioned to donate a \$1000. The motion dies for lack of a second. Mr. Hunt said he provided Brandon with an article that advised people to make donations, in name of Sandy Hook, to an organization within their community that supports the youth. Commissioner Saunders is a little concerned about a room full of citizens asking us to fund an SRO, last week, and we state we don't have the funds. I don't think we are not talking to what we need to talk too, fully, if we do that. We will send what we have collected.

Baptist Pond: The Mayor has been talking to several different agencies about the problem with the ponds. Brandon has a meeting with DWQ tomorrow, and a meeting has been set up with the Corp of Engineers on January 30th. Brandon will not be able to attend the January 30th meetig, so a commissioner needs to make an appearance. Commissioner Seegers is trying to get hold of Ricky Taylor, who is aware of the pond situation. Commissioner King said we could fix that thing in one day and then decide what to do with it if it was not for all the new codes and everyone involved. Commissioner Hunt said Mr. King is exactly right, because the overflow that is leaking could be sealed; and, off to the right is actually built into the wall, an overflow that could then be used. Commissioner Seegers stated there is a problem with the pipes under Hwy 24 discharging into the first pond.

ZIP LINE: A committee on behalf of the county wants to make Cape Carteret part of the new zip line. They are proposing on Friday, Saturday, and Sundays to run the CCAT buses to promote business and tourism. We need a representative on the committee and we need to determine where the stops should be. (Shopping Center and Mac Daddy's) The next meeting is Jan 24th, 9 a.m. at the new Morehead City town hall.

CITIZENS TO SPEAK: none

OLD ITEMS: none

NEW ITEMS

Approval of the new ordinance: Specialty Market Vendor: Commissioner Hunt motioned to approve the ordinance, seconded by Commissioner Patterson. ***Vote approved 5-0***

New Town Welcome Sign: Commissioner King: This started with an agreement with Yardworks moving the Crepe Myrtles, at no cost to the town, in return for a small sign under a welcome sign. Mr. King met with four property owners about placement of the sign. Culligan Water agreed to allow us to place it on their property. The sign would be made out of laminate. Coastal Signs has an engineer on contract that can verify the wind strength. The sign has to withstand 130 mph winds. Their price is \$1800 for a completed sign. Mr. King then went to Coastal Press and their cost is \$650 and an additional \$350-\$550 to get it certified by an engineer. Mr. King spoke to a local engineer that will review his installation design, and make any corrections for a cost of \$350-\$550. ***Commissioner King motioned to approve a welcome sign for no more than \$1200 and for it to be installed by the public works employees, seconded by Commissioner Seegers.***

From the discussion, these were the main points:

- The design of the sign, is it two-sided? Is it a lighted sign? It is one-sided and is lit.
- Location of the sign: will be placed on the west property line of Culligan Water.
- It is not in the current budget? No.
- If the board does not approve this, will it affect our agreement with Yardworks to remove the 13 Crepe Myrtles for free? The agreement was made with Mrs. Linden when she was working on the sidewalks about a year and a half-ago.
- Why don't we just allow Yardworks put a sign in the town for their removal of the trees?
- Will the sign be on the right-of-way? No, it will be as close to the ROW as we can get it.
- Have we seen a written agreement with Culligan? Eric Leiblein, representative for Culligan Water, said they will put it in writing.
- Would the posts be covered or treated wood posts? They will be treated, but they can be wrapped for an additional cost.
- Who will maintain the sign? Yardworks agreed to keep it maintained.
- Will we see a proof of the sign? Yes. A copy of the approved engineer's approval.

Vote approved 5-0

SRO Resolution: The Sandy Hook incident has created conversations all over the world. New Hanover and Onslow County Board of Commissioners have made some movement on this issue. We had a large crowd of parents here last week asking what we are going to do about it. In response to their question the board put together a resolution. The Mayor read the resolution.

Commissioner Seegers motioned to approve the resolution, seconded by Commissioner Saunders.

Commissioner Hunt: if every other town pitched in, equally with the county, it would only cost each municipality \$6200 for a full time police officer to be placed in the school. The Mayor said, for the record, a breakdown sheet will be included in the minutes. Only 22.5% of students are from Cape Carteret. Emerald Isle has the second highest and Cedar Point is third. A large amount comes from the outlining county portions, like Newport and Swansboro. If you want equality and funding of an SRO, the lion's share of the funding would be from the county. Cape Carteret does not mind doing its part, as it has done all the parts in the past. But this time around, because all children are going to be at risk in a school unguarded, all stakeholders have a responsibility to fund the position. Commissioner King has a problem with this. Do we have to become an arms state to protect us in a democracy? It is not that he is insensitive, he has grandchildren and he is compassionate to the voice of the people last week. He did not support the SRO four years ago because of the obvious imbalance. Mrs. Linden went to each town, but we only received \$2000. The County is responsible for the schools. "I can change my point of view and support this, if the county and others are involved."

Mayor: In Carteret County we are only talking about nine schools. The state funds the SRO's in the high schools. We spend millions of dollars to transport students to schools, but we are not going to spend a dime to protect them? If every municipality would give the percentage of money that correlates with the students they send to White Oak, it would be a done deal. The resolution will be sent to the county. The resolution shows the teachers, principal and parents that were here last week that we heard what they said. **Vote approved 5-0.**

CITIZENS GENERAL COMMENTS: none

ANNOUNCEMENTS: none

ADJOURNMENT:

With no further business, the meeting adjourned at 8:10 p.m. on a motion by Commissioner Patterson, seconded by Commissioner King. **Vote approved 5-0**

These are the minutes of January 21, 2013.

Respectfully submitted,

Karen M. Zornes, NCCMC
Town Clerk