



## City of Southport

### BOARD OF ALDERMEN REGULAR MEETING AGENDA

223 E. Bay Street

June 11, 2020

6:00 p.m.

Meetings are now open. Facial covering required, 50 people capacity with adherence to Social Distancing. Public comments can be made in person.

- A) Call to Order
- B) Invocation
- C) Pledge of Allegiance
- D) Public Comment
- E) APPROVAL OF AGENDA
- F) Special Recognition: Juneteenth Proclamation (tan, Hatem)  
Doshier Memorial Hospital 90<sup>th</sup> Anniversary (pink, Hatem)  
Chris May

**ETHICS STATEMENT** *"If any members know of any conflict of interest or the appearance of a conflict of interest with respect to matters on the agenda please so state at this time."*

### CONSENT AGENDA

1. Approval of Minutes for Special Work Session – Manager Interviews May 6 & May 8, 2020 (white); Approval of Minutes for May 14, 2020 Regular Meeting (purple, Windham)
2. Cape Fear Council of Governments Service Agreement Term Extension (gray, Lloyd)
3. Resolution Appointing Gordon Hargrove as Southport City Manager (green, Isenberg)

### AGENDA

4. Public Hearing: FY 2020-2021 Operating Budget (gold, Trexler)

5. Presentation of DRAFT Unified Development Ordinance (purple, Lloyd & MacLeod)
6. Annexation; Resolution Directing the Clerk to Investigate A Petition Received Under G.S. 160A-31 (white, Lloyd)
7. Discussion; Amending Southport Code of Ordinance Article # 19 Load Management (yellow, Sharkey & Pittenger)
8. Reappointment to Bald Head Island Transportation Authority (blue, Jim Powell)
9. Appointment(s) to Forestry Committee (green, Davis)
10. Discussion; State of Emergency (Spencer)

**COMMITTEE REPORTS**

**MANAGER'S REPORT**

**STAFF REPORTS – provided in Agenda packet**

**MAYOR'S COMMENTS**

**BOARD COMMENTS**

**ADJOURN**

**AGENDA SUMMARY**  
**JUNE 11, 2020**

1. Approval of Minutes for Special Work Session – Manager Interviews May 6 & May 8, 2020 (white); Approval of Minutes for May 14, 2020 Regular Meeting (purple, Windham)
2. Cape Fear Council of Governments Service Agreement Term Extension (gray, Lloyd)  
The 2018 contract with the Cape Fear Council of Governments for the Water Asset Inventory & Assessment Plan was originally scheduled to be finished in July 2020. The COVID-19 Pandemic halted the process. Staff was able to get an extension from NCDEQ for completion of the project. Staff is recommending extension of the service agreement to January 31, 2021.
3. Resolution Appointing Gordon Hargrove as Southport City Manager (green, Isenberg)
4. Public Hearing: FY 2020-2021 Operating Budget (gold, Trexler)  
The proposed FY 2020-2021 Operating Budget has been presented to the Board of Aldermen. The Board has held a budget workshop and a Public Hearing has been advertised for June 11, 2020.
5. Presentation of DRAFT Unified Development Ordinance (UDO) (purple, Lloyd & MacLeod)  
A Final DRAFT of the UDO will be presented to the Board of Aldermen at their June 11, 2020 meeting by Mr. Wes MacLeod of Cape Fear COG, and the City Planner.
6. Annexation; Resolution Directing the Clerk to Investigate A Petition Received Under G.S. 160A-31 (white, Lloyd)  
A voluntary annexation petition has been submitted by 32 property owners on Forest Oaks Drive. The first step of annexation is for the Board to recognize the receipt of the petition and to request the City Clerk to verify the sufficiency of the petition.
7. Discussion; Amending Southport Code of Ordinance Article#19 Load Management (yellow, Sharkey & Pittenger)  
Aldermen Sharkey has requested discussion and consideration of an amendment to Code of Ordinance Article #19 to include requirement of load management switch installation on residential properties when change of ownership occurs. Proposed language to modify ordinance is provided for discussion.
8. Reappointment to Bald Head Island Transportation Authority (blue, Jim Powell)  
The Board of Aldermen appointed Mr. Jim Powell as Southport representative to the Bald Head Island Transportation Authority in 2017 for a three-year term. Mr. Powell has asked for reappointment to the Authority.
9. Appointment(s) to Forestry Committee (green, Davis)  
The Forestry Committee has multiple seats due for re-appointment and two vacancies. Applications for reappointment by Scott Len and Fred Fiss are included in the Agenda packet. Three (3) additional applications have been submitted for consideration of appointment to the Forestry Committee.
10. Discussion; State of Emergency (Spencer)

## **CITY OF SOUTHPORT PROCLAMATION**

**WHEREAS**, President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, formally abolishing slavery in the United States of America; and

**WHEREAS**, word about the signing of the Emancipation Proclamation was delayed some two- and one-half years, to June 19, 1865, in reaching authorities and African Americans in the South and Southwestern United States; and

**WHEREAS**, Emancipation Day observations are held on different days in different states in the South and Southwest, and in other parts of the nation; and

**WHEREAS**, June 19th has a special meaning to African Americans, and is called "JUNETEENTH" combining the words June and Nineteenth, and has been celebrated by the African American community for over 150 years; and

**NOW, THEREFORE**, I, Joseph P. Hatem, Mayor together with the Board of Aldermen of the City of Southport, North Carolina, do hereby declare June 19, 2020, as

### ***JUNETEENTH***

in the City of Southport, North Carolina, and urge all citizens to become more aware of the significance of this celebration in African American History and in the heritage of our nation and City.

**IN WITNESS WHEREOF**, we have hereunto set our hand and caused the seal of the City of Southport, North Carolina to be affixed this 11th day of June 2020.

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Joseph P. Hatem, Mayor

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Karen Mosteller, Mayor Pro Tem

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Lore Sharkey, Alderman

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Lowe Davis, Alderman

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Marc Spencer, Alderman

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Thomas Lombardi, Alderman

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John Allen, Alderman

## **CITY OF SOUTHPORT PROCLAMATION**

**WHEREAS**, Doshier Memorial Hospital began serving the Southport community as Brunswick County Hospital on June 2, 1930; and

**WHEREAS**, Doshier Memorial Hospital is a full accredited, comprehensive healthcare facility providing diagnosis, treatment, acute care, skilled care, wellness and education in hospital, outpatient, and community settings; and

**WHEREAS**, Doshier Memorial Hospital's mission is to improve the health and well-being of the entire community; and

**WHEREAS**, Doshier Memorial Hospital serves more than 13,000 outpatient visits each year; and

**WHEREAS**, Doshier Memorial Hospital employs more than 300 North Carolinians in high quality, professional jobs; and

**WHEREAS**, Doshier Memorial Hospital is the only critical access hospital in North Carolina that is owned by a township, Smithville Township, and to support their beloved hospital, voted for a Hospital Tax, in the 1970s and most recently in 2000; and

**WHEREAS**, Doshier Memorial Hospital will celebrate its 90<sup>th</sup> Anniversary on June 2, 2020.

**NOW, THEREFORE**, I, Joseph P. Hatem, Mayor together with the Board of Aldermen of the City of Southport, North Carolina, do hereby proclaim June 2, 2020, as

### **DOSHER MEMORIAL HOSPITAL 90<sup>TH</sup> ANNIVERSARY DAY**

in the City of Southport, North Carolina, and encourage all citizens to join me in this worthy observance.

**IN WITNESS WHEREOF**, we have hereunto set our hand and caused the seal of the City of Southport, North Carolina to be affixed this 11th day of June, 2020.

\_\_\_\_\_  
Joseph P. Hatem, Mayor

\_\_\_\_\_  
Karen Mosteller, Mayor Pro Tem

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Lora Sharkey, Alderman

\_\_\_\_\_  
Lowe Davis, Alderman

\_\_\_\_\_  
John Allen, Alderman

\_\_\_\_\_  
Marc Spencer, Alderman

\_\_\_\_\_  
Thomas Lombardi, Alderman



City of Southport  
Special Work Session-Manager Interviews

The Mayor and Southport Board of Aldermen met Wednesday May 6, 2020 at the Southport Community Center to interview candidates for the position of City Manager. Mayor Joe Pat Hatem presided. Mayor ProTem Mosteller, Aldermen Spencer, Sharkey, Davis, Lombardi, and Interim Manager May attended. Alderman Allen was excused due to illness. Interim Manager May recorded the minutes. The meeting as called to order at 9:15 AM by Mayor Hatem who called for a motion to enter Executive Session to consider qualifications and interview candidates for Southport City Manager. Mayor ProTem Mosteller so moved, seconded by Alderman Davis, and the motion carried unanimously.

Following interviews and subsequent consideration of qualifications, Mayor ProTem moved to come out of Executive Session at 4:50 PM, seconded by Alderman Allen. The motion carried unanimously. With all in agreement that they needed an opportunity to consider all they heard; Mayor Hatem called for a motion to recess until Friday May 8th at 10:00 AM at the Indian Trail Meeting Hall. Alderman Lowe so moved, seconded by Alderman Lombardi. The motion carried unanimously. The meeting recessed at 5:05 PM.

The Mayor and Southport Board of Aldermen reconvened in special work session on Friday May 8, 2020 at 10:00 AM at the Indian Trail Meeting Hall to continue review and consideration of qualifications of City Manager candidates. Mayor Hatem presided. Mayor ProTem Mosteller, Aldermen Spencer, Sharkey, Davis, Lombardi, Allen, and Interim Manager May attended. Interim Manager May recorded the minutes. Mayor Hatem called the meeting to order at 10:05 AM and called for a motion to enter executive session to consider qualifications for manager candidates. Alderman Davis so moved, and Alderman Spencer seconded. The motion carried unanimously.

Following robust and extensive discussion, the Mayor entertained a motion to close the executive session at 12:50. Mayor ProTem Mosteller so moved and Alderman Davis seconded. The motion passed unanimously.

Mayor ProTem Mosteller moved to direct the Mayor and the Interim Manager to contact the top candidate with an offer of employment. Alderman Allen seconded. The motion carried unanimously. Alderman Lowe moved to adjourn at 12:55. The motion carried unanimously.

MAYOR: \_\_\_\_\_ Date: \_\_\_\_\_  
Joseph P. Hatem

ATTEST: \_\_\_\_\_ Date: \_\_\_\_\_  
Chris May, Interim Manager

**BOARD OF ALDERMEN  
COMMUNITY BUILDING  
223 E. BAY STREET**

**REGULAR SESSION MINUTES  
MAY 14, 2020  
SOUTHPORT, N.C.**

**PRESENT:** Mayor Joseph P. Hatem  
Aldermen Karen Mosteller, Lora Sharkey, Lowe Davis,  
Marc Spencer, John Allen, Tom Lombardi

**STAFF PRESENT:** Chris May, Interim City Manager  
Michele Windham, City Clerk  
Mike Isenberg, City Attorney  
Melanie Trexler, Finance Director  
Todd Coring, Police Chief  
David Fox, Public Works Director  
Tom Stanley, Assistant Public Works Director  
Randy Jones, Tourism Director  
Heather Hemphill, Parks & Recreation Director  
Lisa Anderson, Videographer

**A) Call to Order – 6:00 p.m.**

Mayor Hatem called the meeting to order at 6:00 p.m.

**B) Invocation**

A moment of silence was observed for Fire Chief Drew and his family for the passing of his father, Fire Captain Charles Drew.

**C) Pledge of Allegiance**

Mayor Hatem led the assemblage in the Pledge of Allegiance.

**D) Public Comment**

Mayor Hatem read the following Public Comments into the record:

To the Aldermen of Southport,

It is with serious deep concern that I type this email. I look forward to the opportunity to join with others who would like to physically be present and speak on behalf of the concerns of Osprey Landing development planning further progressing. This meeting being held without residents being able to physically voice concerns is quite frustrating given we have numerous residents who are lacking in the social media availability to see or hear the meeting conducted.

My name is Lauren Broadwell, I am a lifelong resident of the Southport-Oak Island Area a current resident in the Smithville Woods neighborhood. Given the circumstances an email is required as I personally would prefer to stand before you and speak to all who hold the decisions of the development of Osprey Landing and its effects in their hands. I will do my best to keep this email brief and to the point, many have shared their frustrations and concerns with me but I would like to specifically take a moment to highlight just a couple of the many effects that will most certainly be felt should development be allowed to follow. My family resides at

2007 Robert Ruark Dr., just across the street from that would POSSIBLY be the Egress/Ingress of Osprey Landing. I was informed that the DOT conducted their traffic study and an estimated 914 trips...., yes 914 trips would be made up and down this narrow road. My husband and I have 2 young boys. We along with a large number of our fellow friends and neighbors bike, walk, run and walk their dogs with us in this same stretch of road. If 914 trips are being made with trucks, cars etc, this will no longer be safe to anyone, drivers and pedestrians alike. Southport promotes a small friendly quiet town, this volume of traffic does not seem to echo that sentiment. If an estimate of 914 trips will be made daily I shudder to think what number it would possibly reach, upwards of 1,000? I urge that Bill Clark homes (the developer) place an entrance off of 211 as I understand they can do. It is my understanding that this was in the original plan, that the residents' access via this avenue.

In the event of any emergency for those in that neighborhood, be it hurricane evacuation or emergency vehicles reaching someone in distress hwy 211 will be a much more direct route. A direct entrance off hwy 211 seems much more fitting specifically for the number of people who are expected to access Osprey Landing, which is expected to be much larger than Smithville Woods, and would be safer for all who will be traveling these areas. In closing I must question that if development of Osprey Landing and its Ingress/Egress do connect directly to Robert Ruark Dr. does this align with the Mission Statement set forth of Southport and its goal of "controlled" development? I look forward to the opportunity to speak with you in person and it is my hope that further development access on Robert Ruark Dr is not permitted until adequate meeting and awareness is made of what is to come. Given the current status of the town and following guidance and advisement from our Mayor and governing bodies to remain at distance and not gather I hope you view the wise decision the planning board members saw, in line with what Bill Clark previously stated to use Hwy 211 for their access to their development of property. I look forward to a proper meeting to address with subject at a later date.

Thank you for your time.

Blessings to each of the Alderman at this difficult time.

Lauren Broadwell

910-367-2863

"Work like you don't need the money, love like you've never been hurt and dance like nobody's watching."

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Good afternoon,

I understand tomorrow night the Southport City Aldermen Committee will hold a virtual meeting to discuss the future plans of development Osprey Landing. While I completely understand the meeting being virtual due to the current global pandemic, it is extremely unfortunate that concerned citizens cannot be physically present to have our faces seen and voices heard. I sincerely hope that no major decisions will be finalized at this time due to the uncertain nature of our country and community.

That being said, I would ask that each of you read and digest the words in this email. Please read them as if your children and grandchildren live in this neighborhood.

My husband and I have 2 boys, ages 10 and 7. We were drawn to this neighborhood for many reasons. It's tranquil nature, well-established estates, safe streets, and loving neighbors. It's close proximity to the downtown area and waterfront is only accentuated by the richness added by being able to ride bikes together as a family to these treasured places. When the weather is nice, I cannot keep my boys inside! They love playing basketball, climbing trees, walking the dogs, and especially love riding bikes to the waterfront. We do this almost every single day. If this development's plans continue as they are at this time, the daily lives of my family and each of the 160+ residents of Smithville Woods will change. The traffic study completed by the NC DOT and reviewed by consulting firm, Kittleson & Associates, predicted 914 daily weekday trips coming from Osprey Landing. Let that sink in... 914 more trips.

I so appreciate your commitment to advocating for our sweet town, which is articulated so perfectly in the City of Southport Mission Statement:



*"To strive for excellence in our government, project a positive attitude, involve our community and protect our citizens by ensuring a safe, secure and tranquil quality of life with controlled and orderly growth."*

The development of Osprey Landing does not feel like controlled and orderly growth and it certainly does not preserve the safe, secure, and tranquil life of residents of Smithville Woods. Please advocate for us! Please require Bill Clark Homes to create a second, full-functioning ingress/egress access to connect to NC 211 north of Robert Ruark Drive, as suggested by Kittleson & Associates.

Please see the documents attached to this email. The following Smithville Woods residents have signed these documents to let you all know they are in opposition to Osprey Landing, especially the main entrance being located on Robert Ruark Drive:

Scott & Kate Seigler- [7000 Robert Ruark Drive](#)  
Jarlyn P. Gannon- [1015 Captain Adkins Drive](#)  
Pat & Jennifer McIntyre- [4008 Robert Ruark Drive](#)  
David Morgan- 1006 Pilot Circle  
George Gullede- [3007 Robert Ruark Drive](#)  
Gail Ballard- [1060 Robert Ruark Drive](#)  
Patti Hitt- 1000 Newton Drive  
Joselyn Corzine- [3006 Robert Ruark Drive](#)  
Ben P. Richardson- 1006 Newton Drive  
Francis Nolan- [1000 Barristers Court](#)  
John and Ruby Campbell- [4007 Robert Ruark Drive](#)  
Kevin and Jean Turney- [1016 Captain Adkins Drive](#)  
Gerald Heller- 1008 Newton Drive  
Sandra Huntley- [105 Live Oak Turn](#)  
Margaret Dula- [6004 Robert Ruark Drive](#)  
David Canady- [7003 Robert Ruark Drive](#)  
James and Teresa Kennedy- [1000 Bussells Turn](#)  
Donald and Cynthia Sellers- [1009 Captain Adkins Drive](#)  
Michael and Susan Barutis- [5011 Robert Ruark Drive](#)  
Tom Reedy- [6009 Robert Ruark Drive](#)  
David and Maranda Register- [6007 Robert Ruark Drive](#)  
James Hules- [6000 Robert Ruark Drive](#)  
Craig and Danae Blanks- [5012 Robert Ruark Drive](#)  
Linda Pasulka- [1014 Captain Adkins Drive](#)  
Brian and Eileen Hennessey- [103 Live Oak Turn](#)  
George S. Jones III- [1010 Captain Adkins Drive](#)  
Donn and Nancy Eaton- [2006 Pete's Camp Drive](#)  
Teresa Lancaster- [2002 Robert Ruark Drive](#)  
Stuart Callari- [2000 Robert Ruark Drive](#)  
Sharon Helms- [1058 Robert Ruark Drive](#)  
Gerald and Debora Mann- [4014 Robert Ruark Drive](#)  
Ashley Kincaide- [4000 Robert Ruark Drive](#)  
Michelle Noble- [3004 Robert Ruark Drive](#)  
James Richard Evans- [3001 Robert Ruark Drive](#)  
Penney B. Kronenwetter- [1003 Barristers Court](#)  
William Pipkins- [2015 Robert Ruark Drive](#)  
Jeremy Truett- [2016 Robert Ruark Drive](#)

We all believe you all will do your due diligence to sustain our current quality of life.

Thank you!!

Jennifer Lucas

**Jennifer Lucas, BSN, RN, NCSN  
School Nurse**

**Southport Elementary School  
South Brunswick High School**

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My name is Jennifer Skadeland, I live at 1131 N. Atlantic Ave. Unit B in Southport. I am writing this email with regard to the business, All In Bloom that is located right across the street from my home. I would like this to be included in the board meeting that is going to be held tonight, May 14th at 6 P.M. I understand that the meeting is closed to the public due to Covid-19, but I would still like my voice as a citizen of Southport heard. I'm hoping that all of you can give myself and my neighbors, some solutions, resolution and/or guidance with the following issues we are having in our neighborhood.

I have lived at my address for 7 years and have never had issues with any of my neighbors, until All In Bloom moved in across the street. I do support local business and was very excited that they were moving in next door. I went over and introduced myself when they started preparing the lot and let them know how happy I was that there would finally be something beautiful next door to look at instead of an empty lot. Once they moved in everything about our peaceful little neighborhood has changed. It is no longer peaceful and quiet. I can no longer sleep in or enjoy a few moments of tranquility, whether it's in my home or on my balcony.

The music starts at 6:30 A.M., every morning, the backpack blowers start at 7:00 A.M, they are both every day occurrences. Their business hours are 9:00 A.M Monday thru Saturday and 10:00 A.M on Sunday. I have an app on my phone that can tell me the name of a song and the artists who sings the song just by tapping a button. I can use it in my bedroom, bathroom, kitchen and patio and pick up the music they are blaring from their business generally any time of the day. This occurs on a daily basis. I have been documenting every day for the past week what time they start the music, which has been 6:30 A.M. consistently and the music is on all day long and sometimes goes on for an hour or more after they close. I have the names of the songs and who sings them throughout the day as well. I have also documented when the blowers start which is 7:00 A.M consistently and the blowers last anywhere from half an hour to an hour on some days, this is also on a daily basis. I have called the Southport Police department and one officer told me to put a box fan on in my house so I couldn't hear it. He did ask them eventually to turn it down after I told him he wasn't addressing my concern. They did not turn it down. He did tell me to call 911 if I was having an issue with them. I did call 911 on May 12th. Two officers arrived and went over and spoke with the owner, this was after their business closed and the music was still blaring. She did turn the music down initially and when she thought the officers left, she cranked it back up even louder. The officers went back over and said it was up to them if they were going to issue her a citation. The officers were Mayner and Jeffrie, reference # 20-057878. On May 13th I called Police Chief Coring because the music was once again blaring at 7:00 A.M from their business. I left him a message and he called me back at 1:43 P.M. he said he would stop over to their business and talk to them regarding the music, but the music continued.

All in Bloom has a very small parking lot, maybe 15 spaces. They have placed no parking signs all along the outside of their lot. The customers park all over my lawn and in my parking lot as well as my neighbor's lawns and sometimes just in the street. The traffic is terrible and it's an accident waiting to happen. The delivery trucks come in sometimes very early in the morning and sit idling in the street all night. Which means we get no sleep that night. When they do have deliveries, the trucks are parked on the street usually blocking traffic and it's almost impassable.

I initially spoke with them asking them to please not use the blowers so early in the morning because it wakes me every morning to which I was told no. I asked them to maybe blow the leaves at closing time to which I was told no. I feel as if I have made attempts to come to an agreement and let them know how I feel and have come to the conclusion that they don't care about their neighbors or being good neighbors. I don't know why they feel they can do whatever they want and I have no rights. I do not feel as if the police have taken my concerns as a tax paying citizen seriously and they don't want to deal with it. I don't care that they have music, but I don't want to hear it every minute of my day in my home. Do they even have a permit to play outside music and what are the limits and restrictions they have to abide by? Why is their parking lot so small for such a large business? Where are our rights as citizens who have lived in this neighborhood peacefully before All In Bloom arrived.

The following are statements from a few of my neighbors. They have given me permission to include them with my email.

Thomas and Elizabeth Caudill  
419 Stuart Ave.  
Resident since October 2018

Our Concerns regarding All In Bloom

- (1) Street parking around this business is becoming a safety issue. Stuart Ave is not wide enough for parking and two-way traffic at the same time. Drivers are having difficulty maneuvering the street traffic and the parked cars. An accident waiting to happen.
- (2) The temporary storage unit "PODS" at the back of their lot looks like it is becoming a permanent structure. This storage unit is very unattractive and frankly an eye sore.
- (3) Why weren't the surrounding neighbors given an opportunity or a hearing prior to All In Bloom moving their business onto this lot? It appears Southport City has not.

Kelly Evans  
415 Stuart Ave

There is loud music coming from All In Bloom that I can hear in my backyard. This can be a nuisance to the enjoyment of my home. I would appreciate if the volume of music can be maintained at a reasonable level for the quality of the residential surrounding neighbors as our Stuart Ave has a HIGH VOLUME of traffic passing through that creates unruly sound already. Please note that I do support local businesses in Southport, and I do welcome All In Bloom.

Patricia McMillan  
Atlantic Ave Ext

To whom it may concern this neighborhood used to be a quiet and peaceful street but now it's a lot of disturbance, a lot of traffic coming and going. Trucks coming in early in the morning, they are going to tear up the road and who will fix it? We don't mind them being here but respect the people who live here. The music doesn't have to be loud.

Joe Stolz  
Southport Siam Thai Bistro (owner)  
1131 N. Atlantic Ave Unit C&D

I have concerns of parking being taken by All In Bloom's customers. Our space is very limited parking wise; they are for residents and restaurant customers only.

Tyler Johnson Maria Steenberg  
Atlantic Ave Ext.

Dear City of Southport,

This letter is to voice our disapproval of the new All In Bloom Gardening Center location. We feel as residents located next door to this business we were not informed or considered. It seems that the local residents within the proximity of the business are now second-class citizens and do not matter. We feel that their business should conduct their business on their property grounds and not the surrounding area/properties. The high volume of the business has caused multiple concerns and issues for us which include:



High volume traffic continuously up and down the street with speeding.

Parking of their service and delivery trucks up and down the street (N. Atlantic Ext) at times making the road unpassable.

Loud music throughout the day which can be heard in multiple rooms throughout our residence.

The use of leaf blowers and machinery every morning at 7:00 A.M. which makes for uncomfortable sleeping conditions on our days off.

The arrival of delivery trucks between 2:00 A.M. - 3:00 A.M. also provides uncomfortable sleeping conditions.

Excessive customer parking on property that is not part of the business which adds congestion on our side street. N. Atlantic Ext.

As residents of Southport for 25+ years and residents of this address for 10+ years we understand the growth of our community. We also understand that All in Bloom has a right to run their business but we feel they should operate their business on their business grounds during business hours and follow noise ordinances as respect to the nearby homes. We also feel our side street (N. Atlantic Ext) should not be a parking lot for their customers and service vehicles or to be an unloading dock for their delivery trucks.

We hope that you consider our issues and concerns and that changes will be made to address this. Thank You for your time.

The letters above were just a few of my neighbors that I could reach out to before I realized that the meeting was taking place today. I truly hope that I get a response from one or all of you regarding the concerns of our neighborhood and I hope we can come up with some solutions that work for everyone. Please reach out to me via email or by phone. I also saw a form I could fill out requesting a meeting with the city council which I will be taking advantage of as well. I'm hoping that this will be read as a part of the minutes of the city council meeting since it is closed to the public. I will be purchasing and putting up no parking signs along our property and parking lot for the restaurant. I feel as if every day is now the Fourth of July in my neighborhood due to the noise, parking issues and traffic volume. One day a year is enough to deal with all of the issues we are having now on a daily basis. Please consider how it would feel to be constantly listening to your neighbor's music inside or outside of your house every day up to 10 hours a day. How it feels to be woken up every morning by backpack blowers every morning even though you just want to sleep in a little. I just want to sleep in every once in a while and to have some peaceful quiet time without hearing their music.

Sincerely,  
A tired and frustrated resident of Southport

Jennifer Skadeland  
910-599-6405  
[jennifer27\\_68@yahoo.com](mailto:jennifer27_68@yahoo.com)

## **E) Approval of Agenda**

Alderman Allen moved, with a second by Alderman Mosteller, to remove Item 2, Fire Department Budget, from the Agenda, and add Item F Special Recognition; *Proclamation Recognizing Peace Officers' Memorial Day and National Police Week (May 10-16, 2020)*, and to approve the Agenda as amended. **Unanimous vote; motion carried.**



Alderman Spencer suggested adding a discussion pertaining to COVID-19 and a plan for moving forward. Mayor Hatem pointed out that the City is adhering to Phase 1 of the Governor's Order and a discussion could be held during Board Comments.

**F) Special Recognition**

Mayor Hatem read the Proclamation Recognizing Peace Officers' Memorial Day and National Police Week into the record.

***Proclamation***

**RECOGNIZING PEACE OFFICERS' MEMORIAL DAY AND  
NATIONAL POLICE WEEK (May 10-16, 2020)**

**WHEREAS**, the Congress and President of the United States have designated May 15th as Peace Officers' Memorial Day, and the week in which May 15th falls as National Police Week; and

**WHEREAS**, the members of the Southport Police Department play an essential role in safeguarding the rights and freedoms of our community; and

**WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

**WHEREAS**, the men and women of the Southport Police Department unceasingly provide a vital public service; and

**NOW, THEREFORE**, I, Joseph P. Hatem, Mayor of the City of Southport do hereby proclaim that the week of May 10-16, 2020, be recognized as "National Police Week". Citizens in the Southport area are encouraged to recognize National Police Week with appropriate ceremonies and observances in which all people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

Further, I call upon all citizens to observe Friday, May 15, 2020, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

This the 14<sup>th</sup> day of May 2020.

/s/ Joseph P. Hatem, Mayor  
City of Southport

ATTEST: /s/ Michele Windham, Clerk

Mayor Hatem recognized National Nurses Week, May 6<sup>th</sup> through 12<sup>th</sup>.

“Southport and Doshier Hospital has a tradition of wonderful nurses; too many to list them all but I would like to mention Nurse/Midwife Mary Liza Murtha, beloved ER Nurse Julia Daniel, 4<sup>th</sup> floor nurses of the Old Hospital Miss Murray and Miss Campbell and two certified Nurse Anesthetist from Southport Mrs. Elenore Rogers who it as George Washington University Hospital and Jean Potter who served on staff at Duke Medical Center. *We salute all nurses for they were taking care of us long before the pandemic and have continued to serve fearlessly in the health of our Nation and our citizens. We thank them all as we celebrate their mentor, Florence Nightingale, who is known as the founder of modern nursing.*”

Alderman Spencer recognized Nurse Minnie Lee Spencer, his grandmother.

Mayor Hatem recognized the 2020 Southport Brunswick High School Graduating Class.

*“These graduates have had a major life interruption that those of us before them did not have to face. We salute them for their understanding, their sacrifice for the common good of all and we wish them great success in their future endeavors. We will be watching Friday their procession through Southport as they begin their lives next journey.”*

**ETHICS STATEMENT:** *If any member of the Board knows of any conflict of interest or the appearance of a conflict of interest with respect to matters on the agenda, to please so state it at this time.*

No Conflicts stated.

## **CONSENT AGENDA**

Alderman Sharkey moved, with a second by Alderman Spencer to approve the Consent Agenda. **Unanimous vote; motion carried.**

1. Minutes of April 9, 2020 Regular Meeting; Minutes for February 1, 2020 Retreat – Departmental Reports – *approved*

## **AGENDA**

2. **Fire Department Budget; Approval as Presented**

Item removed from Agenda.

3. **Ordinance Establishing a Capital Project Fund: Howe Street Sewer Replacement Project**

Alderman Mosteller moved, with a second by Alderman Lombardi to adopt the Ordinance Establishing a Capital Project Fund for the Howe Street Sewer Replacement Project. **Unanimous vote; motion carried.**

**ORDINANCE ESTABLISHING A CAPITAL PROJECT FUND:  
Howe St. Sewer Replacement Project**

**WHEREAS**, the City of Southport is committed to repairing the City's sewer infrastructure: and

**WHEREAS**, the City is committed to improving the sewer service in the most efficient, economical and environmentally appropriate manner practicable: and

**WHEREAS**, Golden Leaf is providing a disaster recovery grant to fund the replacement of the compromised sewer infrastructure located under Howe St: and

**WHEREAS**, a Capital Project Fund is hereby determined to be the most appropriate manner in which to account for revenues and expenditures associated with the project.

**NOW, THEREFORE, BE IT ORDAINED** by the City of Southport Board of Aldermen, that the capital project fund is hereby established and the capital project budget shall be as follows.

**Revenues**

City of Southport Budget Contribution	\$ 158,800.00
Golden Leaf Grant	<u>\$ 900,000.00</u>

<b>Total Revenue</b>	<b>\$ 1,148,550.00</b>
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**Expenditures**

Construction Cost	\$ 1,008,705.00
Engineering Design & Administration	<u>\$ 139,845.00</u>
<b>Total Expenditures</b>	<b>\$ 1,148,550.00</b>

4. The City Manager and Finance Officer are hereby authorized to make any Fund or accounting adjustments necessary to establish, implement and maintain this Capital Project Fund.
5. The City Manager and Finance Officer are hereby authorized and empowered to execute on behalf of the City of Southport all contracts, agreements, and other documents necessary to administer this ordinance.

Duly Adopted, this 14 day of May 2020.

/s/ Joseph P. Hatem, Mayor

Attest:/s// Michele Windham, City Clerk

**4. Planned Unit Development (PUD) Land Use Plan Application, Osprey Landing, Submitted by Bill Clark Homes**

City Planner Lloyd presented an overview of the Land Use Plan for a 196-unit PUD located off Robert Ruark Drive on 68 acres:

- Zoned for PUD in December 2018
- Land Use Plan submitted December 2, 2019
- Site is in the extra-territorial jurisdiction (ETJ)
- PUD can modify setbacks for additional flexibility
- Developer proposing 10' minimum front yard setbacks, 5' side yard setbacks, and 10' rear yard setbacks
- Minimum lot width is 50'

- 3 lot types of varying sizes; Type A – 50' x 120'; Type B – 52' x 130'; Type C – 65' x 140'
- PUD's are allowed up to 6 dwelling units per acre
- Proposed density, 2.88 dwelling per acre
- Project will have an amenity center and a pool
- 10.2 acres of open green space; equivalent to 15%
- 1,185,000 sq. ft. of tree canopy
- After development, there will be 320 oaks, 7 magnolias, 1 sweet gum, and 409 pines
- Traffic Impact Analysis approved by NCDOT (Robert Ruark a State road)
- Primary entrance off Robert Ruark Drive
- Secondary emergency only access on Maple Leaf Drive to comply with Fire Code
- City selected engineering firm reviewed the TIA and included a traffic diversion analysis of Maple Leaf Drive if it were opened
- Planning Board thoroughly reviewed the project for three (3) months
- Planning Board recommended that the Board of Aldermen approve the development plans with the condition that Bill Clark Homes include a secondary access that extends along their easement all the way to Highway 211
- Planning Board recommended amending the individual lot setback requirements to 10' in the front yard, 8' in the side yard, and 15' in the rear yard

Mr. Lloyd's complete, detailed project overview and corresponding exhibits, reports, etc. on file in the Planning Department.

The following representatives of Bill Clark Homes, Paramount Engineering, Davenport Engineering, and Ward & Smith were in attendance:

- Landon Weaver, Bill Clark Homes
- Sam Franck, Ward & Smith
- Rob Balland, Paramount Engineering
- Mike Nichols, Paramount Engineering
- Robert Gey, Davenport Engineering

Attorney Sam Franck, Landon Weaver and Mike Nichols spoke about the proposed project, addressed specific requirements, and answered Board questions.

At 8:04 p.m., Alderman Allen moved, with a second by Alderman Mosteller to go into **Closed Session pursuant to N.C.G.S. 143-318.11(a)(3) to consult with the City attorney. Unanimous vote; motion carried.**

Open Session resumed at 8:31 p.m. by motion from Alderman Sharkey, with a second by Alderman Mosteller. **Unanimous vote; motion carried.**

Alderman Allen asked City Attorney Isenberg to provide the legal options pertaining to the Land Use Plan submittal.

Noting that the site was zoned to Planned Unit Development (PUD) in 2018, City Attorney Isenberg explained that the developer is entitled to approval of its application if the application and plans meet the criteria in the Unified Development Ordinance. He pointed out that, under state law and the current UDO, the Aldermen did not have the authority to require the developer to build a secondary access outside of their property as was recommended by the Planning Board.



Alderman Mosteller moved, with a second by Alderman Spencer to approve the Land Use Plan application as submitted by the applicant.

#### Discussion

Pointing out that the UDO was being updated, Alderman Mosteller stated that the City would not be in a similar situation in the future.

Alderman Allen stated his dismay that there was no legal basis to require the applicant to access NC 211 by building a new road outside their development.

Alderman Spencer stated his hope that the discussed second access from NC 211 could be installed at a future date.

Alderman Davis stated her reluctance to vote on the land use plan without first hearing from the Planning Board, Fire Chief and having the public present.

Alderman Lombardi shared his hesitancy, that he would prefer an access to NC 211, and he stated his hope that the revision of the UDO would assure the situation did not happen again.

Alderman Mosteller asked that the gated Maple Leaf Drive emergency access be landscaped to resemble a park setting.

Vote: Ayes: Aldermen Mosteller, Spencer, Sharkey, Allen, Lombardi

Nay: Alderman Davis

**Motion carried 5-1** ( Entire audio discussion on file in the Clerk's office.)

#### **5. Discussion, Reduce Speeding on Brunswick Street**

City Manager May reported that the Police Department would be installing speed monitoring devices, would do a study of traffic on Brunswick Street, and would report those findings to the Board.

#### **6. Discussion; Designate Shoulder of Brunswick Street as a No Parking Zone**

Alderman Davis shared her observations of a dangerous situation for pedestrians walking in the street because there is no place for them to get out of the way of traffic on Brunswick Street.

Public Works Director Fox pointed out that part of Brunswick Street is a prescriptive easement and the property along the sides of the street are privately owned.

City Planner Lloyd noted that to put in sidewalks, property owners would have to give the City an easement.

#### **7. Discussion; United Development Ordinance (UDO) Text Amendment, Building Height**

Mayor Hatem emphasized that the process of revising the UDO is ongoing.

Alderman Davis moved, with a second by Alderman Lombardi, to direct the Planning Board to consider a text amendment for the UDO, Article 11 Table of Area, Yard, Density and Height, setting a 40-foot height limit for all dry storage building applications.

Aye: Aldermen Davis, Lombardi, Allen & Mosteller

Nay: Aldermen Sharkey & Spencer

Motion Carried 4-2

#### **8. Appointment(s) to ABC Board**

Alderman Spencer moved, with a second by Alderman Mosteller to appoint Ms. Angela Wadsworth to the ABC Board. **Unanimous vote; motion carried.**

#### **Committee Reports**

Alderman Mosteller announced that the Southport Parks & Recreation Department was recognized by the Lorenzo Clemmons Outreach for joint participation in a summer camp with the Brunswick County Tennis Association. The camp was named the North Carolina National Junior Tennis & Learning 2019 Project of the Year.

Alderman Mosteller reported that the North Carolina University System has chosen Lowe-White Park and Waterfront Park to be Eco-Explorer Hot Spots and the parks will be participating in a statewide program promoting outdoor learning and science.

Alderman Lombardi announced that the Lifeboat project undertaken by the Beautification Committee had been completed and the boat has been located at the W. Bay Street & Caswell Avenue intersection.

Alderman Davis reported that applications have been received for appointment to the Forestry Committee, it is hoped interviews can take place soon, and recommendations for appointments can be made at the Board's June regular meeting.

Noting that historically a tree does not last long planted at the Whittler's Bench, Alderman Davis reported that the Forestry Committee would be planting a White Cedar in the Fall. Alderman Spencer speculated if some other item than a tree should be placed at the location.

Alderman Spencer noted that a 4<sup>th</sup> of July Committee teleconference meeting was held.

Alderman Spencer spoke about moving forward after the COVID-19 pandemic and a time frame for safely re-opening City facilities.

#### **Manager's Report**

City Manager May announced that Mr. Gordon Hargrove had accepted the position of City Manager and will assume the duties June 11, 2020.

City Manager May reported that a proposal was received from Brunswick County for sewer service and the City's engineering firm was reviewing it. He added that a meeting with the principals involved would be held to review the proposal.

City Manager May reported that a Preliminary FY 2020-2021 Budget had been completed and presented to the Board. He suggested recessing the meeting and reconvening Thursday, May 21<sup>st</sup> to hold a Budget Workshop.

Alderman Sharkey emphasized including the Parks & Recreation Director in all correspondence pertaining to the City Dock Project.

### **Staff Reports – provided in Agenda packet**

#### **Mayor's Comments**

Mayor Hatem spoke about the 18<sup>th</sup> Century Smallpox outbreak, that May 14 is the anniversary of the Smallpox vaccine discovery in 1796 and the hope for the same for COVID-19.

Mayor Hatem stated that he and staff are in contact with Hazen & Sawyer Engineering relating to wastewater treatment.

Mayor Hatem reported that the State Historic Preservation Office (SHPO) has approved the Weather Tower project and the engineer is preparing drawings which will go to the Parks & Recreation Advisory Board for a recommendation to the Board of Aldermen.

Mayor Hatem spoke about Phase II of the Governor's orders for re-opening North Carolina for business. He cautioned that the COVID-19 virus was still a threat.

Mayor Hatem announced that June 2, 2020 is the 90th Anniversary for J. Arthur Doshier Memorial Hospital.

#### **Board Comments**

Alderman Spencer expressed concerns about the State of Emergency and asked that there be further discussions regarding the plans moving forward. He spoke about the cancelling of events until Labor Day and the possibilities for small scale hometown events. He asked the Mayor to share guidelines and specifics with the public during his weekly Facebook videos.

Tourism Director Jones responded to a query by Alderman Spencer as to the status of an economic development study by Electricities which had been placed on hold due to the COVID-19 pandemic.

Alderman Sharkey stated her hope that the citizens would understand the vote for the Osprey Landing Land Use Plan.

Alderman Sharkey encouraged participation in the 2020 Census.

Alderman Davis commended Police Officer Stokes who responded to a 911 call about people on the old damaged city dock.

Alderman Davis stated that she had received calls pertaining to the N. Howe Street sidewalk project.

Alderman Mosteller reported that June 1 is the deadline for submittal to the statewide Homestead Act property tax relief program that provides for a 50% reduction in property taxes for those 65 years or older, owns their home, is a permanent resident, and with an income not over \$31,000. She stated that Deputy City Clerk Tanya Shannon would be available to assist in the application process.

**RECESS**

Alderman Allen moved, with a second by Alderman Mosteller to recess the May 14, 2020 regular Board meeting to Thursday, May 21, 2020 at 9:00 a.m.

**Unanimous vote; motion carried.**

**Recessed Session Meeting  
May 21, 2020, 9:00 a.m.**

Due to unexpected absences, Mayor Hatem further recessed the meeting until May 29, 2020, 9:00 a.m. and directed that proper notice be given.

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Joseph P. Hatem, Mayor

Attest:

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Michele Windham, City Clerk





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## **MEMORANDUM**

**To:** Mayor Hatem, Members of the Board of Aldermen  
**From:** Thomas Lloyd, City Planner  
**Re:** Water Distribution AIA Project Contract Amendment  
**Date:** June 4, 2020

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## **BACKGROUND**

This approval is for a services agreement amendment for the Cape Fear Council of Governments to finish the Water Asset Inventory & Assessment plan. This is for a grant that I received in June of 2018 that would allow us to assess and digitally map the City's water distribution system. The wastewater one is finished but the City is still working through the Water Distribution System AIA. The project was originally scheduled to be finished in July but when the Pandemic started in March the consultants were unable to meet with staff to do vital in person meetings and assessments of our water system. The original agreement was to end in July. The City was able to get an extension from NCDEQ and will have until January 31, 2021 to complete the project. We don't expect it to take this long, but we are amending the services agreement to that date just to be safe.

## **REQUEST**

A motion that the City of Southport Board of Aldermen approves the services agreement amendment.

### **AMENDMENT TO AGREEMENT**

This AMENDMENT is made to the SERVICES AGREEMENT (the "Agreement") between the Cape Fear Council of Governments, 1480 Harbour Dr, Wilmington, NC 28401 and the City of Southport, 1029 N Howe St, Southport, NC 28461 dated the 14<sup>th</sup> day of March, 2019.

The Agreement is amended as follows:

Section 4. **Term:** The term shall be extended to end on January 31, 2021.

This change shall be made valid as if it is included in the original Agreement. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this Amendment and the Agreement or any earlier amendment, the terms of this Amendment shall prevail.

EXECUTED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2020.

#### **CAPE FEAR COUNCIL OF GOVERNMENTS**

BY:

  
\_\_\_\_\_  
Allen Serkin, Executive Director

ATTEST:

  
\_\_\_\_\_  
April Radford, Clerk

#### **CITY OF SOUTHPORT**

BY:

\_\_\_\_\_  
Joseph Hatem, Mayor

ATTEST:

\_\_\_\_\_  
Michele Windham, City Clerk

#### **Preaudit Certification:**

This instrument has been preaudited in the manner required by the Local Government Fiscal Control Act.

\_\_\_\_\_  
Finance Officer

**RESOLUTION APPOINTING GORDON HARGROVE AS  
SOUTHPORT CITY MANAGER**

**WHEREAS**, the City of Southport has a Council-Manager form of government; and

**WHEREAS**, the City of Southport has publicly advertised this position; and

**WHEREAS**, the Board of Aldermen have evaluated 20 applicants; and

**WHEREAS**, the Board has chosen one application based on his qualifications and local government experience.

**NOW THEREFORE, BE IT RESOLVED**, that Mr. Gordon Hargrove is appointed the City Manager of Southport, NC effective June 11, 2020, and that the Employment Agreement between the City and Mr. Hargrove is hereby approved.

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Joseph P. Hatem, Mayor

Attest: \_\_\_\_\_

Michele Windham, Clerk