



City of Southport

BOARD OF ALDERMEN REGULAR MEETING AGENDA

223 E. Bay Street

March 12, 2020

6:00 p.m.

- A) Call To Order
- B) Invocation
- C) Pledge of Allegiance
- D) Public Comment
- E) APPROVAL OF AGENDA - Rules of Procedure Regarding two (2) weeks submittal of agenda items. Clerk recommends the Wednesday one week prior to the meeting, minimum (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."*

- F) Special Recognition – Musette Steck (pink, Davis)

CONSENT AGENDA

- 1. Approval of Minutes for February 1, 2020 Retreat, Priorities Portion (white); Minutes for February 10, 2020 Special Meeting WWTP (purple); Minutes for February 13, 2020 Regular Meeting (orange, Windham)

AGENDA

- 2. Presentation/Discussion; Chipseal (gray, Lombardi)
- 3. Consideration of Beautification Project; Boat Display at Caswell Avenue and Bay Street (green, Lombardi)
- 4. Presentation; Fire Department FY 2020-2021 Budget (Drew)
- 5. Purchase of 1st Out Engine for Caswell Beach Fire Substation (Drew)
- 6. Grease Control Ordinance Violations (tan, Fox & Spicer)
- 7. Police Department Security Improvements (Coring)
- 8. Appointment(s) to Board of Adjustment (gray, Lombardi)
- 9. ETJ Appointment to Planning Board (purple, Mosteller)
- 10. Appointment to ABC Board (orange, Spencer)

11. Discussion: FEMA 101 Training Seminar & Disaster Management Services Control Consultant; Johnson Environmental (yellow, Fox)

COMMITTEE REPORTS

MANAGER'S REPORT

STAFF REPORTS – provided in Agenda packet

MAYOR'S COMMENTS

BOARD COMMENTS

ADJOURN

Agenda Summary

March 12, 2020

1. Approval of Minutes for February 1, 2020 Retreat; Priorities Portion (white)
Approval of Minutes for February 10, 2020 Special Meeting WWTP (purple)
Approval of Minutes for February 13, 2020 Regular Meeting (orange, Windham)
The BEMC and Departmental portion of the February 1, 2020 Board Retreat was not available at time of Agenda preparation. That portion will be submitted for approval in the April agenda.
2. Presentation/Discussion; Chipseal (gray, Lombardi)
Alderman Lombardi is proposing consideration of Chipseal as a pavement treatment in lieu of asphalt for Southport streets. A brief overview of Chipseal is attached. Mr. Sid Witmer of Hammaker East will be available to answer any questions.
3. Consideration of Beautification Project; Boat Display at Caswell Avenue and Bay Street (green, Lombardi)
The Beautification Committee has received a donation of a 24' x 7' lifeboat and requests permission of the Board to place the boat on the corner of Caswell Avenue and Bay Streets. A rendering of the proposed placement is attached.
4. Presentation: Fire Department FY 2020-2021 Budget (Drew)
Fire Department Budget was not available at time of Agenda preparation. Budget to be provided prior to the Board meeting.
5. Purchase of 1st Out Engine for Caswell Beach Fire Substation (Drew)
The Fire Department is requesting authorization from the Board of Aldermen to solicit formal bids for purchase of a new 1st Out Engine for the Caswell Beach Substation. Estimate for purchase is \$300,000 and funds are available for outright purchase. Financing not needed.
6. Grease Control Ordinance Violations (tan, Fox & Spicer)
The Public Works Department has provided copies of a first and second notice of violation of the Grease Control Ordinance Section 19-100-g and a listing of those restaurants in violation. Staff requests authorization to send violation letters to the restaurants listed.
7. Police Department Security Improvements (Coring)
Proposed Improvements were not available at time of Agenda preparation. Item to be provided prior to the meeting.
8. Appointment(s) to Board of Adjustment (gray, Lombardi)
The Board of Adjustment has two (2) in city full member seats open. The openings have been advertised, applications received and interviews held. The member currently holding a seat has requested reappointment and it is past practice to appoint the alternate member to a full seat. Alderman Lombardi, Board of Adjustment liaison, will provide recommendations for appointment(s).
9. ETJ Appointment to Planning Board (purple, Mosteller)
The Planning Board has an alternate Extra Territorial Jurisdiction (ETJ) vacancy. The vacancy has been advertised and one (1) application was received. Authorizing an appointment will be made by the Brunswick County Board of Commissioners per a recommendation by the Board of Aldermen. Alderman Mosteller, Planning Board liaison, will provide a recommendation for appointment.

10. Appointment to ABC Board (orange, Spencer)
A vacancy on the Southport ABC Board exists. The vacancy has been advertised and five (5) applications have been received. Alderman Spencer, ABC Board liaison, will provide a recommendation for appointment.

11. Discussion: FEMA 101 Training Seminar & Disaster Management Services Control Consultant; Johnson Environmental (yellow, May & Fox)
Johnson Environmental & Disaster Consulting Services has provided a proposal for conducting a FEMA training seminar for the Board of Aldermen and staff. Johnson Environmental has also provided a proposal for disaster management services (as needed) to satisfy the documentation requirements of FEMA.

**CITY OF SOUTHPORT RESOLUTION
OF APPRECIATION TO
MUSETTE STECK**

WHEREAS, the Mayor and Board of Aldermen of the City of Southport, North Carolina recognize with great appreciation the contributions of Musette Steck to the city and its citizens throughout the last 24 years, and

WHEREAS, Musette is a life member and leader of the Southport Historical Society and over the years she increased many residents' appreciation of the city's history by teaching classes at Burlington Community College and Harper Library and by writing articles for the State Port Pilot, and

WHEREAS, Musette spearheaded the restoration of Southport's Old Smithville Burying Ground in 2006, and she encouraged the ongoing beautification of the cemetery, thereby preserving a treasured part of Southport's history and providing a valuable resource for historians, and

WHEREAS, as an enhancement for visitors to the cemetery, Musette created the "Living Voices" program in which local residents dress in the character of people who were buried there long ago and tell the stories of those people's lives, and

WHEREAS, she has been a benefactor to a number of black churches in Southport, and her dedication to unity and equality was honored by the Martin Luther King Jr. Roundtable, which presented her with the prestigious Walter Welch Award, and

WHEREAS, by her generosity in sharing her knowledge and love of history Musette has been a constant friend to the City of Southport and to the people who live and visit in this community for nearly a quarter of a century, and

NOW, THEREFORE, BE IT RESOLVED, that Mayor Joseph P. Hatem and the Southport Board of Aldermen present Musette Steck with this Resolution of Appreciation on this 12th day of March 2020.

Joseph P. Hatem, Mayor

Alderman Lowe Davis

Alderman Lora Sharkey

Alderman John Allen

Alderman Tom Lombardi

Alderman Marc Spencer

Alderman, Karen Mosteller

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

**RETREAT MINUTES
FEBRUARY 1, 2020
SOUTHPORT, N.C.**

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

STAFF PRESENT: Bruce Oakley, City Manager
Michele Windham, City Clerk
Melanie Trexler, Finance Director
David Fox, Public Works Director
Tom Stanley, Asst. Public Works Director
Randy Jones, Tourism Director

Call to Order - 9:00 a.m.

Mayor Hatem called the meeting to order.

Invocation

A moment of silence in honor of Ms. Sylvia Butterworth, a 25-year Southport City employee, was held.

Pledge of Allegiance

Mayor Hatem led the assemblage in the Pledge of Allegiance.

Public Comment

Mr. Thomas Caudill, 419 Stuart Avenue, spoke about the flooding that occurs on Stuart Avenue and he provided an 8-page pictorial handout. Additionally, Mr. Caudill spoke about the conditions of a new business locating at the corner of Stuart Avenue and N. Howe Street. He urged the City to investigate a vehicle that has been parked and not moved in many months at the Thai Restaurant/Apartments.

Ms. Kelly Evans, 415 Stuart Avenue, expressed concerns about traffic safety when Stuart Avenue is covered with water. She suggested the City contact engineering students with a college to do an intern project on the matter.

Mr. Richard Noeckeri, 412 Stuart Avenue, spoke about the challenges when water floods his front yard and vehicles speed through the water covered roadway.

Mr. Woodrow Taylor, 103 Highland, agreed with his neighbors about the conditions of Stuart Avenue when it becomes covered with water.

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Mayor Hatem introduced Mr. Chris May, facilitator of the Retreat, and Interim City Manager.

Local Government Primer

Mr. May gave a brief history of the 100 municipalities chartered by the NC General Assembly, the role of municipalities, and resources available to a governing board.

Mr. May spoke about instances of a quorum, of the members, attending Board appointed committee meetings, functions, events, etc., and traveling together. He noted that in a small community there would be occasions when a quorum of the Board would be in attendance and he pointed out what the public may perceive. He stressed that the Board try to avoid a majority of members at functions.

Roles of Mayor, Aldermen, City Manager

Mr. May asked Board members for attributes of a Mayor, Aldermen and City Manager.

Mayor

Objectivity
Strong Leader
Good Listener/Communicator
Delegation
Promoter
Positive Attitude
Well Organized
Transparent
Levelheaded – Calm

Aldermen

- Respect Others' Opinions
- Work Together/Teamwork
- Informed/See Both Sides
- Honesty – Transparent
- Trust Employees
- Good Listener
- Patient
- Open Minded

City Manager

- Honest/Integrity
- Good Listener
- Ability/Affability/Availability
- Plugged into Community
- Strong Leader
- Loyal & Supportive
- Objectivity
- Strong Background in Municipal Government

Paul Fisher – North Carolina Eastern Municipal Power Agency (NCEMPA)

Mr. Fisher, Southport Commissioner to the NCEMPA, presented recommendations for making the Southport electric system cheaper, greener, and more reliable:

- Continue an aggressive program of Load Management to increase citizen participation
- Strive to have all electric underground by 2024
- Consider electric vehicles for the city fleet; battery storage and charging stations

- Work with Piedmont Gas to develop a time phased program to offer natural gas to all sections of the city by 2021
- Work with Brunswick Electric Membership Corp. (BEMC) to develop a 5-year plan

Mr. Fisher explained the one-hour demand peak that represents 58% of the monthly electric fee.

Review of Last Year's Goals

City Manager Oakley reviewed the status of the 2019 Bucket List and Top 6 Priorities.

Waterfront Stabilization:	In process, soon to submit for permit
Small Boat Harbor/City Dock:	In process, has funding, ready to go to bid, waiting on resolution with CAMA Attorney
Taylor Field:	In process, fully grant funded
Clean Creeks & Waterways	In process
Update Storm Water Program	in process, have met with McGill Associates to do a stormwater assessment plan
Performance Evaluations; Recognition, Enhancements, Incentives	Completed & on-going
Traffic Calming Devices	In process, being tested
Create Media Policy and Designate Public Information Officer (PIO)	Completed, Tourism Director PIO

Prioritization of Issues Exercise

Mr. May guided the Board through an exercise creating a bucket list of issues and projects for consideration. He then guided them through a voting process for prioritizing the items.

Bucket List

1. Resolution of Wastewater Issues
 - a. Brunswick County Agreement
 - b. Infrastructure maintenance/repair, replace
 - c. Review system development fees
2. Stormwater Master Plan
3. Waterfront Stabilization
 - a. City Dock
 - b. Shoreline
 - c. Yacht Basin
 - d. Sidewalks
 - e. Parking
 - f. Pedestrian Safety
4. Parks & Recreation
 - a. Taylor Field Connectivity
 - b. City Gym
 - c. Recreation Center
5. Planning Issues

- a. Reasonable Strategic Enforcement Plan, R-O-W
 - b. Overlay Entry Corridor
 - c. Short Term Rentals
 - d. Code Enforcement Policy
 - d. UDE Update Completed
 - e. Control Growth
 - f. Preserve Historic Character While Accommodating Economic Growth
6. Item incorporated in Planning Issues
 7. Creative Taxation to Address Tourism
 8. Parking
 9. Acquire 106 Acres on Ferry Road for Nature Park
 10. Bike/Pedestrian Enhancements
 11. Environmental Stewardship Sustainability
 12. Establish Good External rapport with County and State
 13. 4th of July Festival
 - a. Event Planner
 - b. Heritage of Community
 - c. Funding Support from State
 14. Support Strategic Plan for C.I.P. All Departments
 15. Underground Power Lines
 16. Street Improvements
 - a. Review Policy
 - b. Paving Alternatives
 17. Facility Assessment
 - a. Schedule Repairs Priority
 18. Improve & Strengthen Coordination of Public Safety with Doshier Hospital
 19. Support Local Public Schools
 - a. ABC Money
 - b. Shadowing
 - c. Enrichment
 - d. Critical Thinking Skills
 20. Seek Resource Development from External Partners

The Board voted for their top six (6) priorities:

TOP 6 PRIORITIES

Resolution of Wastewater Issues
 Waterfront Stabilization
 Planning Issues
 Support Strategic Plan for C.I.P. All Departments
 Stormwater Master Plan
 Creative Taxation to Address Tourism

Top Voted Projects Champions:

- #1 Sharkey & Davis
- #2 Sharkey
- #3 Lombardi & Allen

- #5 Allen & Mosteller
- #7 Davis & Spencer
- #14 Mosteller & Lombardi

Lunch Recess – 12:14 P.M.

Joseph P. Hatem, Mayor

ATTEST: _____

Michele Windham, Clerk

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

**SPECIAL MEETING MINUTES
FEBRUARY 10, 2020
SOUTHPORT, N.C.**

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

STAFF PRESENT: Bruce Oakley, City Manager
Michele Windham, City Clerk
David Fox, Public Works Director
Melanie Trexler, Finance Director
B. Wayne Strickland, Building Inspector

A) Call to Order – 6:00 p.m.

Mayor Hatem called the meeting to order at 6:00 p.m. and stated that the purpose of the meeting was for discussion of the wastewater treatment agreement with Brunswick County.

B) Invocation

Alderman Davis gave the invocation.

C) Pledge of Allegiance

Mayor Hatem led the assemblage in the Pledge of Allegiance.

D) Approval of Agenda

Alderman Allen motioned, second by Alderman Lombardi to approve the Agenda.
Unanimous vote; motion carried.

E) Public Comment

No one from the public spoke.

ETHICS STATEMENT *“If any members 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

AGENDA

Discussion of Wastewater Treatment Agreement with Brunswick County

Mayor Hatem stated that the purpose of the meeting was to ask questions of the engineers and County officials, and for citizens to hear the discussion relating to wastewater treatment. He pointed

out that the Board needs to decide whether to seek 750,000 gallons per day sewer allocation or 1 million gallons per day allocation. He added that it is a very important issue for the city and citizens, it has been a complex issue, has to do with hard equations, has an intuitive aspect that has to do with existing flow and growth, and a \$26M loan to the City is in place.

City Manager Oakley reported that staff had been working with the County in negotiating and discussing issues relating to expanding the County's plant. He stated that the County had been good to work with and the City contracted engineers, Hazen and Sawyer, had been working well with the County also. He indicated that staff needs direction from the Board to continue negotiations and to give the County a level of confidence that the City is committed. He added that the County is working on an agreement for city staff to review and for Board approval. City Manager Oakley reported that the City must submit a letter to the North Carolina Department of Environmental Quality (NCDEQ) by February 17 based on the revolving fund loan with date specific milestones.

City Manager Oakley noted that engineers Collin Beck and Tim Devine from Hazen Sawyer were in attendance along with Carter Hubbard of W. K. Dickson who worked on the original design of the county plant expansion, and John Nichols, Brunswick County Utility Director.

Responding to a query by Alderman Mosteller about the economy of scale and if the cost is \$18M to do 750,000 gallons capacity, and adding another 250,000 gallon capacity would add \$6M, Mr. Beck stated the rule of thumb to calculate the cost of a wastewater treatment facility would be cost per gallon, anywhere from \$10 - \$12 per gallon.

Alderman Sharkey pointed out that the initial cost estimate for 1M gallons per day capacity, was \$34M. She questioned if that estimate was still viable. Mr. Nichols recapped the original estimate made many years prior based on a 500,000 gallon a day expansion and purchasing 250,000 gallons of existing capacity. He stated that when the County determined the cost for 750,000 gallons there was a lot of interpolation from the original estimate and those same numbers were used to get a linear interpolation up to 1M. He pointed out that the estimates were provided in a quick timeframe and that currently the numbers may be different and need updated. Mr. Hubbard added that the cost estimate was within budget, the key to the cost is the disposal and to answer the disposal question would require additional study. He did say that he felt there was adequate land available at the facility that has been selected for the new plant and disposal.

Responding to a query from Alderman Allen, Mr. Hubbard explained that the County wastewater treatment plant (WWTP) at Shallotte would be the site for a new facility to be added and the existing plant has spray irrigation. He pointed out that all regulatory and environmental comments have been addressed.

Alderman Allen asked if the County and W. K. Dickson were comfortable with an estimated \$26M for 750,000 gallons per day of capacity. Mr. Nichols pointed out that the estimate was from 2018 and he would have Mr. Hubbard review the numbers and see if the \$26M would still apply. Mr. Nichols stated his hope that an estimate would not be significantly higher.

Responding to a query from Alderman Mosteller, Mr. Nichols stated that the transmission lines were included in the original quotation.

Alderman Allen asked what would happen if in five years the City needed another 250,000 gallons of capacity. Mr. Nichols spoke about the benefits of being a participant in a regional system:

- If capacity is available, a participant would not have to fund an expansion just because they were at their capacity.
- The County looks at the plant as a whole and once it reaches 80% capacity is when the design process would begin.
- The County has five (5) wastewater treatment plants interconnected for greater flexibility in how the flows are managed.

Alderman Allen speculated that the City is probably better off not over purchasing capacity.

Responding to a query from Alderman Allen, Public Works Director Fox reported that the current average daily flow is 500,000 gallons per day in FY 2018 which included significant storm events.

Alderman Mosteller pointed out that a subdivision is before the Planning Board that would bump the average daily flow to 630,000 gallons per day.

Alderman Lombardi asked if the City would have to bear the entire cost of expansion or would an expansion be distributed amongst the members if the City now went with 750,000 gallons and needed more in five years. Mr. Nichols stated that typically the County would look at what the needs were for a planning horizon for all participants in the system and any participant that needed more capacity to meet their future needs would be part of any expansion. He stated the County has determined the growth rates for a 15- 20 year planning horizon in the northeast part of the County and he estimated that in the next 5 -10 years the County would also need additional flow and the expansion cost would be shared depending on the percentage of flow that each participant needed.

Alderman Lombardi questioned why the City is required now to pay for the entire planned expansion. Mr. Nichols pointed out that the City of Southport is the only current participant requesting additional flow.

Alderman Mosteller shared her concerns that in years past the West Brunswick WWTP had exceeded the 80% capacity. Mr. Nichols noted that there had been particularly high flow years. He referenced the City's 2016 peak average daily flow of 846,000 and he pointed out that flows fluctuate depending on the weather and the amount of inflow & Infiltration (I & I) in the system. He noted that communities can take measures to reduce the I & I and Southport is doing that.

Alderman Spencer asked how large the West Brunswick plant could be expanded and which participants were drawing on that plant. Mr. Nichols stated there was ample space at the West Brunswick plant location and Holden Beach, some Shallotte, and Southport would use that facility. Alderman Spencer questioned the sizes of the W. Brunswick and Shallotte plants. Mr. Nichols stated that the West Brunswick Plant is 6M gallons per day and the Shallotte plant is 500,000 gallons per day.

Alderman Davis confirmed with Mr. Nichol that in order for the City to become a participant in the regional system, there has to be an expansion and the choice for the Board is the number of gallon capacity, 750,000 or 1M per day and the City cannot continue as is. City Manager Oakley stated that per the current agreement with the County, the City would have to remove it flows from the County system at a date certain.

Alderman Mosteller revisited the sewer district agreement and areas adjacent to Southport that would be developed, and to which the City has been able to grow by providing sewer service. She added that Southport is a regional hub with less than 4 square miles of taxpayers, and it is important for the City long term to be able to grow and provide sewer service. She expressed her hopes that the County would work with Southport towards that end. Mr. Nichols assured the Board that the comments by the Aldermen would be put forth to the County Board of Commissioners.

Responding to a question by Alderman Davis, City Manager Oakley reported that DEQ is administering the loan and certain milestones have to be met with determined dates, which includes how many gallons per day. He stated that DEQ has requested a response from the City within 30 days of January 17th.

Alderman Spencer verified with Mr. Nichols that the W. Brunswick plant is at half its capacity.

Alderman Mosteller commented that Oak Island was not currently using their total capacity and she questioned how their shift from the Fish Factory Road could affect the City's allocation. Mr. Nichols stated he had not heard anything from Oak Island recently and the Fish Factory Road has 400,000 gallons capacity, treating on average 150,000 per day and there would be minimal impact on the 6M gallons a day plant at West Brunswick if Oak Island shifted its flow.

Alderman Allen asked if at some time in the future the City needed 100,000 gallons of additional capacity, could the City purchase that without expansion? Mr. Nichols responded that if a participant was willing to sell capacity; however typically there is not a need to purchase additional capacity unless the plant is at its 80% capacity and in need of an expansion. He emphasized that the capacity of the entire system provides room to grow.

Alderman Allen and Lombardi expressed their support for pursuing 750,000 gallons per day capacity.

Public Comment

A Maple Leaf Drive resident asked about the history of the issue, options, if the County would at some point take over the City's water and sewer systems, if services would be cheaper for residents and how the cost for the expansion would be spread out to customers. City Manager Oakley gave an overview of the history to date, pointed out that new developments pay allocation fees and speculated that the County may, when Southport's utility infrastructure is in better shape, want to take over the City's systems.

Mr. Bruce Hacker, 15-year resident of The Landing Subdivision, asked if the Board had shelved the idea of building a city plant. Mayor Hatem advised Mr. Hacker that the City is moving forward with the County and will not be building a city plant. Mr. Hacker asked if impact fees would offset some of the cost. City Manager Oakley stated that new development fees do offset some of the cost.

Mr. Hacker questioned if NC 211 development would impact the City's capacity. Alderman Sharkey spoke about the current 2.5M gallons per day availability, needed expansion when the plant reaches 80% capacity, all participants would pay if near their allotted amounts, and a formula would be worked out for each participant.

Alderman Sharkey talked about rates. She noted that the City's rate structure had been reviewed by Hazen Sawyer and the rates were set and adopted so that the rates would cover the cost of going with the County for sewer service or building a city plant. Alderman Sharkey pointed out that the Board could consider raising new development fees to cover more of the debt. Responding to a query from Alderman Davis, Alderman Sharkey emphasized that the current customer rates would fully cover the \$27M debt and would provide money for repairs to reduce infiltration. She expressed concerns about opting for the 1M gallons per day allocation which would require additional borrowing that the current rates would not cover.

Alderman Davis asked if there were any options for reducing the current sewer rates. Alderman Mosteller stated it was unlikely the rates could be lowered as they were calculated over the 20-year debt service.

Mayor Hatem praised the role of engineers in the lives of all.

Alderman Sharkey motioned, second by Alderman Spencer that the City of Southport staff work with the County towards an agreement to become a partner in the regional wastewater treatment system of Brunswick County and in this agreement the City pays the cost of the 750,000 gallons per day expansion to the Shallotte Wastewater Treatment Plant so that the system will be able to provide long term service for Southport residents. In addition, the City of Southport seeks an agreement with Brunswick County to preserve the Southport sewer district and to have a fair cost sharing formula for any future expansions of the wastewater system.

Discussion

Alderman Davis suggested multiple motions.

Aldermen Sharkey and Mosteller spoke about the importance of retaining the Southport sewer district to facilitate growth.

Alderman Davis expressed concerns about the sewer district concept, adding sewer customers, and potential growth.

Alderman Spencer pointed out that the city needs to grow in order to continue to pay for the infrastructure.

Alderman Allen noted that wastewater treatment is a fixed expense and a way to keep the rates low is to have a larger base of customers paying for it.

Alderman Mosteller pointed out that a currently proposed development of 196 homes would add a 7% increase in the ad valorem taxes. David Fox, Public Services Director, noted that development build out does not happen all at once and the current proposed developments will put the wastewater flow at approximately 630,000 gallons per day.

Unanimous Vote; motion carried.

ADJOURN

Alderman Sharkey motioned, second by Alderman Mosteller to adjourn the Special Meeting at 7:12 p.m.

Joseph P. Hatem, Mayor

Attest: _____
Michele Windham, City Clerk

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

**REGULAR SESSION MINUTES
FEBRUARY 13, 2020
SOUTHPORT, N.C.**

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

STAFF PRESENT: Bruce Oakley, City Manager
Michele Windham, City Clerk
Todd Coring, Police Chief
Charles Drew, Fire Chief
David Fox, Public Works Director
Randy Jones, Tourism Director
B. Wayne Strickland, Building Inspector
John Micheletto, Codes Administrator
Thomas Lloyd, Planner

A) Call to Order – 6:00 p.m.

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

B) Invocation

With respect to Black History Month, Mayor Hatem quoted from a September 12, 1962 speech by Reverend Martin Luther King Jr., the 15th Amendment to the Constitution and “*A Prayer Answered.*” Mayor Hatem read the 15th Amendment. A moment of silent prayer for the City, citizens, nation, the world and a moment of reflection for a “Prayer Answered” was observed.

C) Pledge of Allegiance

Mayor Hatem led the assemblage in the Pledge of Allegiance.

D) Approval of Agenda

Mayor Hatem asked for addition of the following to the Agenda:

Proclamation, Black History Month
Resolution, Appreciation of Bruce Oakley
Resolution, Recognition of Fire Department

Alderman Sharkey asked for addition of a discussion relating to the Southport Weather Tower.

Alderman Allen motioned, second by Alderman Mosteller to approve the Agenda as amended.

Unanimous vote; motion carried.

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.

E) Public Comment

Ms. Joanne Mayer, 710 N. Atlantic Avenue, spoke about damages made to her driveway during the repair of collapsed sewer lines. She indicated that she had contacted city staff and was still waiting for repair of her driveway.

Mr. John Keiffer & Spence Hayden, representing *Up Your Arts*, A non-profit 501c3 entity, updated the Board on the feasibility study to renovate the old city hall. Noting that the group is making steady progress, Mr. Keiffer reported that a mold remediation company is being contracted. Mr. Keiffer spoke about the efforts to salvage wood from two large diseased oak trees removed from the front of the old city hall. He presented Mayor Hatem and City Manager Oakley with certificates of appreciation and candlestick holders made from the wood and crafted by Spencer Hayden, Brunswick Community College professor and initial founder of *Up Your Arts*. Mr. Keiffer pointed out that commemorative items would be made out of the salvaged wood and sold for fundraising.

Mr. Donnie Joyner, speaking on behalf of Ms. Pat Galloway, 818 W. 11th Street, thanked city staff for promptly alleviating her problem getting to her residence.

Mr. Donnie Joyner, expressed appreciation to the Mayor, Board and all citizens for supporting Black History Month events. He stated that the funds raised would be presented to the Food Pantry.

Mr. Brayton Willis, Acting Chairman for the Environmental and Climate Justice Committee of the Brunswick County Branch NAACP spoke to the Board. He reported that the Branch had recently held its monthly meeting in Southport and members spoke about area transportation concerns; i.e. accuracy of the emergency evacuation routes and other alternatives to cross over the Cape Fear River south of Town Creek. He talked about a request made to the Director of the Wilmington Metropolitan Planning Organization (WMPO), to expand the transportation planning area to include all communities south along the Cape Fear River, including Southport. He noted that an interconnected transportation system and link to the 3,000-mile East Coast Greenway would be beneficial to the area.

Ms. Susan Rabon, 306 River Drive, expressed appreciation to City Manager Oakley for his service to the City.

Referring to a recent article in the State Port Pilot, Ms. Lin Baker, 4359 Frying Pan Road, expressed her opinion about the Board adopting a Resolution to NCDEQ pertaining to CPI's discharge permits.

CONSENT AGENDA

Alderman Davis motioned, second by Alderman Mosteller to approve the Consent Agenda.
Unanimous vote; motion carried.

1. Approval of Minutes for January 9, 2020 Regular Meeting; Minutes for January 27, 2020 Special Meeting – Interim City Manager; Minutes for January 27, 2020 Special Meeting – Short Term Rentals – *approved*
2. Agreement for Professional Services, Hazen and Sawyer – *approved* (agreement on file in the Clerk’s office)
3. Resolution: To NCDOT Requesting a Beautification Enhancement Project on NC 211 at Moore and Davis Streets – *approved*
4. Approval; Electric Infrastructure, N. Lord Street between 11th and 12th Streets – *approved* (plan on file in the Clerk’s office)

**A RESOLUTION REQUESTING THE NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION UNDERTAKE A BEAUTIFICATION ENHANCEMENT PROJECT ON
NC 211**

WHEREAS, the safe use of roads and highways is of utmost importance to not only the citizens of Southport, but also to our visitors from this great State and other states and countries; and

WHEREAS, the City of Southport desires safety and beautification improvements along the NC 211 corridor inside the municipal boundaries; and

WHEREAS, the City of Southport desires to work in concert with the North Carolina Department of Transportation to develop a vision for enhancements to Moore and Davis Streets, including a crosswalk, for the state-maintained road; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Southport, North Carolina, that the City of Southport commits to support the pursuit of design and implementation of beautification enhancements along the NC Highway 211 corridor, and commits to maintain the project and enforce any no parking areas associated with it.

Adopted by the Southport Board of Aldermen in regular session, February 13, 2020.

/s/ Joseph P. Hatem, Mayor

Attest: /s/ Michele Windham, Clerk

Mayor Hatem read into the record A Proclamation proclaiming February as Black History Month in the City of Southport and presented the Proclamation to Mr. Donnie Joyner.

**CITY OF SOUTHPORT
PROCLAMATION**

WHEREAS, February has been designated as Black History Month and will be observed in our community with a series of special presentations and exhibits; and

WHEREAS, this observance affords special opportunity to become more knowledgeable about black heritage, and to honor the many black leaders who have contributed to the progress of our nation; and

WHEREAS, such knowledge can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the

barriers of equality for minority groups, and the continuing struggle against racial discrimination and poverty;

NOW, THEREFORE, BE IT RESOLVED, that I, Joseph P. Hatem, Mayor for the City of Southport, N.C. do hereby proclaim the month of February 2020 as:

BLACK HISTORY MONTH

in the City of Southport and express special commendation to the dedicated volunteers who have labored so diligently to make this observance a reality in our area; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that I urge all residents to make special note of the various exhibits displayed in public buildings, attend scheduled activities, and join together in making this a period of rededication to the principles of justice and equality for all people.

This the 13th day of February 2020.

/s/ Joseph P. Hatem, Mayor

Mayor Hatem read into the record a Resolution recognizing the Southport Fire Department and he presented the Resolution to Fire Chief Drew.

**CITY OF SOUTHPORT
RESOLUTION**

WHEREAS, Laudations and Praises are extended to Southport first responders for providing life saving actions on the evening of January 15, 2020 on N. Caswell Avenue, and

WHEREAS, Southport Fire/Rescue responded within 2 minutes to a structure fire and found the first floor fully engulfed in heavy smoke and flames, and

WHEREAS, Two months prior to the fire, the smoke alarms were installed in this residence and those early warning devices alerted the resident, allowing her to fight through the fire to safety, and

WHEREAS, the resident sustained burns on the face, neck, hands and arms, and

WHEREAS, the resident was stabilized on scene, transported to New Hanover Regional Medical Center and then later moved to the Jaycee Burn Center in Chapel Hill, NC, and

WHEREAS, Fire departments from Oak Island, Boiling Spring Lakes, St. James, Sunny Point, and Ocean Isle Beach assisted as well as Brunswick County EMS, and

WHEREAS, a life was saved because of the skilled training and quick response of the Southport Fire Department, and

WHEREAS, this action averted what could have been a tragic loss to our community, family and friends, and

WHEREAS, this act deserves special recognition by the governing body of the City of Southport.

NOW, THEREFORE, BE IT RESOLVED, that the Southport Board of Aldermen and the citizens of this community extend sincere appreciation and special thanks to the Southport Fire Department for their actions of January 15, 2020.

Adopted by the Southport Board of Aldermen this the 13th day of February 2020.

/s/ Joseph P. Hatem, Mayor

ATTEST: /s/ Michele Windham, Clerk

Mayor Hatem read into the record a Resolution of Appreciation to City Manager Bruce Oakley and he presented the Resolution to Mr. Oakley.

**RESOLUTION
of APPRECIATION
BRUCE OAKLEY**

WHEREAS, Bruce Oakley has served as City Manager for the City of Southport since 2017, and

WHEREAS, Bruce Oakley has announced his plans to accept a position in a neighboring community, and

WHEREAS, his years of service as City Manager has been exemplary through his dedication and commitment, and

WHEREAS, City Manager Oakley focused on moving opportunities forward, and

WHEREAS, City Manager Oakley was instrumental in the recovery process of the worst natural disaster to hit Southport since Hurricane Hazel; and

WHEREAS, City Manager Oakley took his fiduciary responsibility earnestly and aided in raising the Fund Balance to nearly 40%, and

WHEREAS, City Manager Oakley was an inspiration and greatly bolstered employee morale during his tenure, and

WHEREAS, City Manager Oakley has fostered stronger and more respectful relationships with Brunswick County and surrounding Communities, and

NOW, THEREFORE BE IT RESOLVED, that Mayor Joseph P. Hatem and the Southport Board of Aldermen express its sincere appreciation for Mr. Oakley's loyal and dedicated service to the community and wish Mr. Oakley continued success in all future endeavors.

Presented this 13th day of February 2020.

/s/ Joseph P. Hatem, Mayor

Attest: /s/ Michele Windham, City Clerk

AGENDA

- 5. Resolution: To NCDEQ Requesting Modelling, Monitoring Data, Risk Assessments and Additional Public Hearings Pertaining to CPI Pollutant Discharge Permits**

Mayor Hatem read the Resolution into the record.

**CITY OF SOUTHPORT
RESOLUTION**

WHEREAS, the City of Southport, NC is a community located in Brunswick County; and

WHEREAS, the City of Southport is located at the confluence of the Cape Fear river, Intracoastal Waterway and Atlantic Ocean; and

WHEREAS, CPI USA North Carolina LLC (CPI), a cogeneration power plant located at 1281 Powerhouse Drive, Southport, NC, burns a mixture of coal, wood, creosote-treated railroad ties, and used tires to generate steam and electricity for sale; and

WHEREAS, all wastewater and stormwater discharge from CPI goes to the effluent channel used by Duke Energy Progress at the Southport power station, which discharges into the Atlantic Ocean approximately 2000 feet offshore of Caswell Beach; and

WHEREAS, CPI has applied to North Carolina Department of Environmental Quality (NCDEQ) for a renewal of its National Pollutant Discharge Elimination System (NPDES) permits for wastewater (Draft Permit NC0065099) and stormwater (Draft Permit NCS000348); and

WHEREAS, NCDEQ has issued draft permits with conditions that would allow increased volume of permitted discharges from the site.

FURTHERMORE, LET IT BE KNOWN THAT:

WHEREAS, given the uncertain makeup of the CPI burn mixture, a consistent waste stream is difficult to envision; and

WHEREAS, bottom ash transport water and stormwater have been added to the allowed discharge; and

WHEREAS, a bill has been introduced in the Georgia Legislature to ban the burning of creosote-treated railroad ties as a fuel source due to the negative health effects; and

WHEREAS, longer term historical data on the specific components and their concentrations in various CPI discharges does not appear readily available on the NCDEQ website for the permit applications; and

WHEREAS, NCDEQ states that “compliance with the limitations for 126 Priority Pollutants shall be determined by engineering calculations which demonstrated that the regulated pollutants are not detectable in the final discharge by analytical methods in 40 CFR part 136 (in accord with 40 CFR 423.23 (d)(3))”; and

WHEREAS, given the uncertainties, monitoring frequency of once per permit cycle, i.e., once in 5 years, for Priority Pollutants of concern does not appear adequate; and

WHEREAS, given the uncertainties, quarterly monitoring frequency of pollutants of concern, which include copper and chromium, does not appear adequate; and

WHEREAS, said proposed CPI discharges have the potential to adversely impact ocean water and on shore and offshore sand quality, with potential safety ramifications for local and migratory marine species as well as humans; and

WHEREAS, the City of Southport relies on its reputation as a safe waterfront community to attract tourism, the main economic driver for the City.

NOW, THEREFORE, BE IT RESOLVED by the Southport Board of Aldermen that, in the best interest of environmental and public safety for the City of Southport and other Brunswick County communities, the NCDEQ, before issuing a final permit, shall make available to the public all modelling, existing individual component historical monitoring data, and risk assessments, whether provided by CPI or performed by NCDEQ or other scientifically qualified entities, which can be used to understand the level of risk associated with the proposed discharge streams.

BE IT ALSO RESOLVED that before any decision is taken by NCDEQ on granting the two permits in question to CPI, additional public hearings shall be held and an additional period of public comment on the applications and proposed/draft permits shall be offered.

This the 13th day of February 2020.

/s/ Joseph P. Hatem, Mayor

Attested: /s/ Michele Windham, City Clerk

Alderman Lombardi motioned, second by Alderman Davis to adopt the Resolution.

Discussion

Referencing emails with NCDEQ, Alderman Sharkey noted that the agency indicated there would be increased monitoring and more stringency. She stated her opinion that it would be inappropriate to ask for more public hearings as the review process has been ongoing since July with a public hearing held in November. She emphasized that NCDEQ is taking the issue seriously and are concerned about the well-being of residents.

Mayor Hatem disagreed and stated it is an environmental disaster “for people to be breathing what they’re wiping off their porches and car and what’s going into the water and to the fish, the shrimp that we eat.”

Vote: Aye: Aldermen Lombardi, Davis, Allen, Mosteller, Spencer
Nay: Alderman Sharkey

Motion carried 5-1

6. Discussion: Holly Drive Address Duplication

City Planner Lloyd explained that the street name *Holly Drive* is duplicated in Southport and Boiling Spring Lakes. He stated that there had been occasions when first responders had arrived at the wrong address due to the duplication. He pointed out that records show Boiling Spring Lakes platted its street earlier than Southport and Southport has just eight (8) residences on Holly Drive. He recommended that the city change the street name and that staff meet with residents.

Alderman Mosteller motioned, second by Alderman Lombardi to direct staff to contact property owners and for residents to name the street. **Unanimous vote; motion carried.**

7. City Pier Solar Lighting Project

City Manager Oakley presented a City Pier light replacement project as initially discussed at the Board February 1 Retreat.

4 – 13 ft. Aluminum Poles	
4 – 45-Watt LED Lantern Light Fixtures	
4 - 320 Watt Solar Array Wraps	
4 – Batteries	
Software/Remote Control	
10 Year Warranty	\$ 29,500
Labor (retire existing poles/lights/circuit);	
Install 4 poles with concrete bolts, lights and wraps	16,300
Tax (State reimburses)	<u>3,070</u>
Total	\$ 48,570

Noting that the lights are programmable and can be dimmed down, Alderman Mosteller motioned, second by Alderman Sharkey to approve the project.

Unanimous vote; motion carried.

8. Appointment(s) to Parks & Recreation Advisory Board

Alderman Mosteller reported that Parks & Recreation Director Hemphill had reviewed the applications received for three (3) Ward 1 vacancies and had provided her recommendations.

Alderman Mosteller motioned, second by Alderman Spencer to appoint Ms. Stephanie Jackson, Ms. Renee Spencer, and Ms. Emma Thomas to the Parks & Recreation Advisory Board. **Unanimous vote; motion carried.**

9. Appointment(s) to Planning Board

Alderman Allen reported that 14 well qualified, talented applicants applied for the Planning Board. He noted that per Board Retreat discussions, establishing citizen committees to work on specific projects throughout the City to help carry out Board set priorities was discussed, and he was hopeful some of the applicants for the Planning Board would step up and help.

Alderman Allen motioned, second by Alderman Mosteller to appoint current alternate in city Planning Board member Mr. Will Hewett to a full in city position and to appoint Ms. Maureen “Mo” Meehan to the in city alternate seat. **Unanimous vote; motion carried.**

10. Traffic Impact Analysis (TIA)

Alderman Mosteller motioned, second by Alderman Allen to direct staff to engage a traffic engineer to review the traffic impact study, including a traffic diversion analysis, for Maple Leaf Drive not to exceed \$5,000.

Discussion

Responding to a query by Alderman Davis, City Manager Oakley explained that a diversion study looked at routes that were not included in the original study to determine what the traffic counts would be and what impact there would be on adjoining properties..

Unanimous vote; motion carried.

11. Weather Tower

Mayor Hatem reported that the city is waiting for a structural engineer's report on what can be done with the collapsed weather tower.

Noting that the land the tower sits on is governed by the Parks and Recreation Department, Alderman Sharkey motioned, second by Alderman Spencer to direct the Parks and Recreation Advisory Committee to spearhead the project and bring recommendations back to the Board of Aldermen.

Alderman Sharkey stated it was "awkward" to accept donations when it is unknown what the goal is and the cost to rebuild the tower.

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

Nay: Alderman Davis

Motion carried 5 - 1

Committee Reports - None

City Manager Report

City Manager Oakley thanked the Board that hired him and the current Board for their trust in him. He thanked the citizens for supporting him. He expressed pride and appreciation to the loyal, hardworking, dedicated staff and to his wife for her patience, support and defending him. He stated his intentions for he and his family to remain a part of the community for a long time.

Staff Reports – provided in Agenda packet

Mayor's Comments

Mayor Hatem stated appreciation to City Manager Oakley for helping him to make the transition to Mayor.

Mayor Hatem introduced Interim City Manager Chris May, former Executive Director of the Cape Fear Council of Governments.

Mayor Hatem stated that the process of establishing a non-profit group for the Weather Tower Historic Landmark would continue.

Mayor Hatem emphasized supporting and coordinating with Doshier Memorial Hospital for emergency preparedness.

Mayor Hatem thanked the State Port Pilot for the editorial regarding the City going to the County for wastewater service and allocation.

Mayor Hatem stated that 21 people attended “Meet With The Mayor.” He announced that the next Meet would be held on the first Wednesday of every month, 4:30 p.m. at the Indian Trail Meeting Hall, 113 W. Moore Street.

Board Comments

Alderman Spencer emphasized the Board being part of the discussion relating to an additional bridge to Wilmington.

Alderman Spencer stated appreciation for City Manager Oakley.

Alderman Sharkey reminded Board members to put topics of discussion on the Agenda in lieu of speaking on them during Board Comments, in the event that action needs to be taken.

Alderman Sharkey thanked City Manager Oakley for his skill, patience, good guidance and she wished him good luck.

Alderman Davis encouraged adoption of pets from the Brunswick County Animal Shelter.

Alderman Davis announced that an “Ashes to Go Blessing” would be observed on Ash Wednesday, February 26th by priests from St. Philips Episcopal Church at Waterfront Park for three (3) hours midday.

Alderman Lombardi announced that the Beautification Committee would be participating in the Southport Day of Service, March 28th. He pointed out that there are planting beds available at the Caswell Avenue Community Garden, there is a food share program, and there is no scheduled meeting for the Board of Adjustment.

Alderman Mosteller asked for future consideration of creating an ad-hoc committee to work on a strategic land use plan for the Yacht Basin.

Alderman Mosteller stated her hope that the Planning Board would shepherd the short term rental issue, place discussion on their agenda, and hold public meetings.

ADJOURN

Alderman Allen motioned, second by Alderman Mosteller to adjourn the February 13, 2020 Regular Board meeting at 7:25 p.m. **Unanimous vote; motion carried.**

Joseph P. Hatem, Mayor

Attest: _____
Michele Windham, City Clerk