

**Town of Swansboro  
Board of Commissioners  
June 13, 2022, Regular Meeting**

In attendance: Mayor John Davis, Mayor Pro Tem Frank Tursi, Commissioner PJ Pugliese, Commissioner Larry Philpott, Mayor Pro Tem Tursi, Commissioner Pat Turner, and Commissioner Jeffrey Conaway.

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**Call to Order**

The meeting was called to order at 5:30 pm. Mayor Davis led the Pledge of Allegiance.

**Public Comment**

Citizens were offered an opportunity to address the Board regarding items listed on the agenda. No comments were given.

**Adoption of Agenda and Consent Items**

On a motion by Commissioner Philpott, seconded by Commissioner Conaway, the Agenda and below consent item were unanimously approved.

-Contract: ONWASA Administrative Services Agreement 22/23

**Appointments/Recognitions/Presentations**

*Municipal Finance Month*

The month of June was designed as Municipal Finance month and Finance Director Sonia Johnson and Finance Clerk Ashley Mastracco were recognized.

*Employee Introduction*

Fire Chief David Degnan introduced the new Assistant Fire Chief William Stanley. Mr. Stanley had worked in a part time capacity since 2015 and brought 15 years of experience to the department.

**Public Hearing**

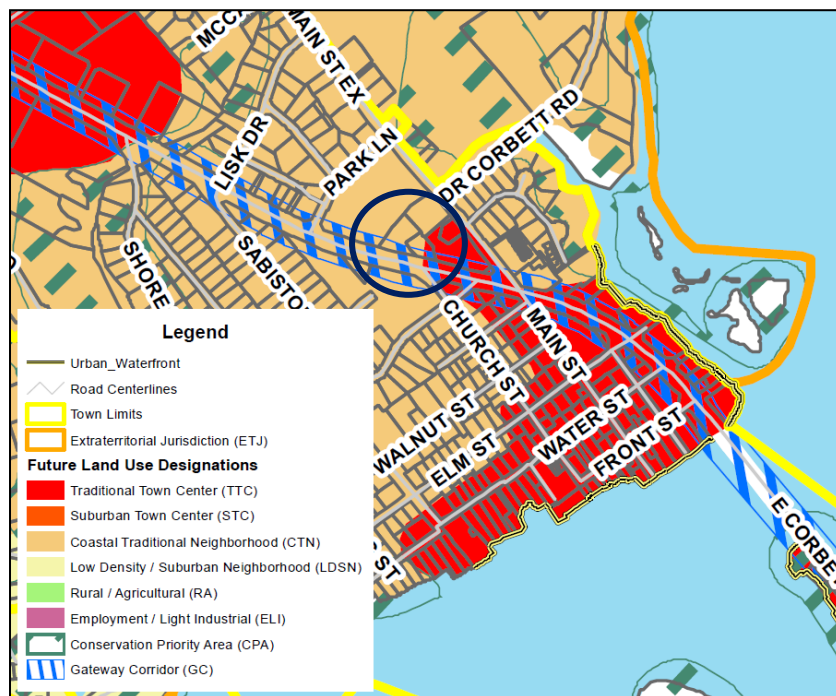
*Special Use Permit/522 W. Corbett Avenue*

Planner Jennifer Ansell reviewed that the property at 522 W. Corbett Ave was zoned B-2, General Business. Single-family Dwellings are allowed in the B-2 zone with a Special Use Permit. The dwelling at this location was constructed in 1948 and had been used as such until July 2020, when the water was disconnected due to a leak. Ms. Barnes is applying for a Special Use permit to allow the reinstatement of the dwelling use at this location.

The public hearing was opened at 5:44 pm and closed. No comments were offered.

In reviewing the special use permit, the Board gave due regard to the nature and state of all adjacent structures and uses, and the districts within which the proposed use was to be located and made the following findings of fact concerning the request.

- 1) The special use is allowed pursuant to § 152.210 and meets all the required conditions and specifications, including without limitation, those set out in § 152.211. *The special use, “Dwelling, single-family”, is allowed by the Table of Uses in the B-2 zoning district. There are no specific conditions required under Section 152.211.*
- 2) The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved. *The property has traditionally been used as a dwelling, since at least 1948 based on the tax record.*
- 3) The special use will not substantially injure the value of adjoining or abutting property, OR the special use is a public necessity. *The request is to reinstate the residential use, therefore there will be no effect on adjacent property values.*
- 4) The location and character of the special use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located. The special use shall demonstrate conformance to the Land Use Plan or other plan in effect at the time and address impacts of the project as required by G.S. §160A-382(b). *The CAMA Land Use Plan Update (2019) identifies the property as Coastal Traditional Neighborhood (CTN): The Coastal Traditional Neighborhood designation is defined as primarily single family residential, but with multi-family structures sprinkled throughout, this high-density district is walkable and its residents primarily support the businesses in the Traditional Town Center (TTC).*



*This community type is based on historical and existing densities found in the oldest residential sections of Swansboro. It is not uncommon to have a variety of residential products, including accessory dwellings or garage apartments, duplexes, quadplexes, patio or garden apartments, and small or context sensitive apartments.*

*This walkable district is the “old town” residential neighborhood that surrounds the historic central business district. It is walkable and dense, with small lots clustered on regular blocks that create a cozy and neighborly feel. While it is not uncommon for a non-residential use to occupy a previously residential structure, most non-residential uses occur in the nearby mixed use activity node, which is within a short walk. The historic development pattern has narrow streets and rights-of-way, with sidewalks generally only on one side of the street. Lots are narrow, but porches are wide.*

- 5) Upon the issuance of any special use permit, the Board of Commissioners shall consider whether it is necessary or appropriate to affix conditions thereto for the purposes of protecting neighboring properties and/or the public interest assuring that the use is harmonious with the area, and ensuring that the use is consistent with the spirit of the ordinance, and shall affix to such permit such reasonable and appropriate conditions as it finds are necessary for any of those purposes. If any conditions affixed to any special use permit or any part thereof is held invalid by any competent authority, then said special use permit shall be void. *No conditions were added.*

On a motion by Commissioner Philpott, seconded by Commissioner Conaway, the Special Use Permit for 522 W. Corbett Avenue to allow the reinstatement of the dwelling use at this location was approved unanimously based on the written findings above.

#### *FY 2022/2023 Budget Ordinance w/Tax Rate, Stormwater Ordinance, Fee Schedule, and Salary Schedule*

Town Manager Paula Webb reviewed that the FY 2022/2023 Annual Budget was originally submitted on May 27, 2022. The budget was prepared in accordance with N.C.G.S. Chapter 159, the North Carolina Local Government Budget and Fiscal Control Act. As required, all funds within the budget are balanced, and all revenues and expenditures were identified for FY 2022/2023.

The total budget was in the amount of \$5,562,883 which represents an increase of 2% from the FY 2021/2022 Amended Budget of \$5,463,305. The tax rate was proposed to remain unchanged at \$0.35 per \$100 valuation. The General Fund Budget for FY 2022/2023 is balanced with \$0 of fund balance.

The public hearing was opened at 5:54 pm.

Those who spoke were:

Roy Herrick of 109 Cormorant Drive commented that he felt the budget presentation was misleading related to the valuations and ad-valorem taxes. He shared that recent home value increases would be temporary, and they will go back down again and urged the board to explain to the citizens why certain expenses were needed and/or justified. He states that he felt many families will be affected negatively by the home value increases causing their taxes to increase and consideration should be made to lower the tax rate.

Douglas Eckendorf of 113 Cormorant Drive shared that he agreed with Mr. Herricks comments and feels that the tax rates should be reduced for the benefit of the citizens.

Cynthia LaCorte of 220 Elm Street stated that as a local realtor, she was aware that there were many people in the community suffering due to inflation, gas prices, and other cost increases and urged the board to also lower the tax rate.

Junior Freeman 103 Bridgeview Lane also shared that he also felt the tax rate should be decreased stating that cost for many things were increasing.

The public hearing was closed at 6:05 pm.

Mayor Davis shared that he felt a tax rate decrease and a pay raise provided to both the Police Chief and Fire Chief should be considered in this budget.

During discussion, all board members shared that they supported the proposed budget with the tax rate remaining the same. It was noted that an increase in personnel salaries could not be considered in the future if the tax rate was reduced.

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Conaway, the FY 2022/2023 Budget Ordinance w/Tax Rate, Stormwater Ordinance, Fee Schedule, and Salary Schedule was approved unanimously.

### **Business Non-Consent**

*Budget Ordinance Amendment #2022-11*

Finance Director Sonia Johnson reviewed that the budget ordinance needed to be amended for multiple departments.

1. Admin Services: Following comments received at various advisory boards levels (Historic Preservation and Planning Board) on the Special Use Permit requested by Jack Harnatkiewicz to construct an additional dockage at 147 Front Street, the Board directed Staff to seek an additional maritime expert statement. Attorney Parson identified Geosyntec Consultants of NC, P.C. for such statement. The cost of that review and statement is \$8500. Requesting \$8,500 to be appropriated from fund balance for its intended purpose.  
Source of funds: Appropriated Fund Balance
2. The Town received notification on November 3, 2020, that the Bicentennial Park Boardwalk Extension with Public Day Docks Grant Project was approved and granted the full amount requested of \$142,350. The total project cost was \$158,350

with the grant. The Town's match of \$16,000 consisted of \$7,000 non-cash/in-kind and \$9,000 cash contribution. The project will include the following:

- a. A 150 feet by 12 feet wide wooden boardwalk to be located waterward of an existing concrete bulkhead along the shoreline of the southern section of the park and the Mattocks House property. The boardwalk will connect on the western end of the existing Town Dock located in the Moore Street right-of-way.
- b. A floating dock measuring 6 feet by 130 feet will be located immediately waterward of the Boardwalk and will connect to the existing Moore Street Dock by means of 4 feet by 30 feet aluminum gangway on the western end.

Acceptance of the grant was delayed due to COVID and management turnover.

During the delay, the previous business (Pogies) that housed a private kayak launch, relocated and took the kayak launch with them. This allowed the engineer to add one additional slip where the kayak launch was when preparing the final plans for permit modification – a total of 7 slips. In preparing the final drawings, the engineer and surveyor then discovered that the normal low water depth was a foot lower than thought. Solutions included eliminating slip 7 or adding a small amount of dredging near the shoreline at an estimated cost of \$3000-5000. Staff recommends an amendment of \$5000 for dredging to preserve the additional slip. Requesting \$14,000.00 to be appropriated from fund balance.

Source of funds: Appropriated Fund Balance

On a motion by Mayor Pro Tem Tursi, seconded by Commissioner Philpott budget Ordinance 2022-11 was approved unanimously.

#### *Adopting a Grant Project Ordinance for the Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks Project*

Finance Director Sonia Johnson reviewed that the Town received notification on November 3, 2020, that the Bicentennial Park Boardwalk Extension with Public Day Docks Grant Project was approved and granted the full amount requested of \$142,350. The total project cost was \$158,350 with the grant. The Town's match of \$16,000 consisted of \$7,000 non-cash/in-kind and \$9,000 cash contribution.

On a motion by Commissioner Pugliese, seconded by Commissioner Conaway the Grant Project Ordinance for the Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks Project was adopted unanimously.

#### *Future Agenda Items*

Future agenda items were shared for visibility and comment. In addition, an opportunity was provided for the Board to introduce items of interest and subsequent direction for placement on future agendas.

The following items were addressed:

- Add EOC discussion to future agenda
- Add Appearance Commission discuss to future agenda
- Add virtual meeting access for citizens to next meeting
- Commissioner Philpott shared that two members of the EOC committee had not been attendance and requested approval to replace them. Board members agreed that a replacement could be made, and the Town Manager would confirm and finalize the process.

### **Public Comment**

Douglas Eckendorf of 113 Cormorant Drive thanked the Board for their discussion and stated that in several years the Board is going to have to address such situations again in the future.

Cynthia Lacorte of 220 Elm Street shared that she thought their choice not to lower taxes would hurt the residents and she intends to do all that she can to see that the members of this board are not re-elected.

### **Closed Session**

On a motion by Commissioner Philpott, seconded by Commissioner Conaway the board entered closed session at 6:47 pm pursuant to NCGS 143-318.11 (a) (3) to consult with the attorney in order to preserve the attorney-client privilege.

During closed session, a motion was made and seconded to return to open session. No action was taken.

### **Adjournment**

On a motion by Commissioner Pugliese, seconded by Commissioner Turner, the meeting adjourned at 7:05 pm.