



**City of Boiling Spring Lakes
Board of Commissioners Public Hearing /
Special Meeting Minutes
June 30, 2016
City Hall – 6:30 pm**

PLEASE TURN OFF CELL PHONES

1. Call to Order ~ Mayor Craig Caster

The Board of Commissioners Public Hearing / Special Meeting were called to order at 6:30 p.m.

2. Attendance ~ in attendance at the meeting were ~

Mayor Craig Caster

Commissioner Mary Stilwell

City Manager Jeff Repp

City Clerk Jane McMinn

Commissioner Mark Stewart

Commissioner David Putnam

Commissioner David Crawford

3. Mayor Caster welcomed everyone to the Special Meeting and Public Hearing on the Proposed Text Amendment to the Unified Development Ordinance establishing the definition of a Farmers Market.

A ***motion*** was made by Commissioner Stewart and ***seconded*** by Commissioner Putnam to enter into the Public Hearing.

Vote ~ 5 ~ 0

4. Public Hearing Comments ~

Earl Tharp ~ 49 North Shore Dr.

Mr. Tharp expressed his displeasure over Mr. & Mrs. Keyes having not opened their Farmer's Market. Mr. Tharp commented there are two individuals who have caused this problem because they did not like what they saw. From my perspective this is totally unnecessary, this situation has caused Mr. & Mrs. Keyes many months of anguish. Mr. Tharp stated he does not see how the city can change this place of business now when he has been given a certificate of occupancy .

Ed Wilkie ~ 142 Pike Rd.

Mr. Wilkie commented that he does not see how one word in a definition should keep the Keyes out of business. There is no reason in the world why we cannot have our Farmer's Market open; this is all over someone having an issue about one word.

Julie Jordan ~ 2280 Lumberton Rd.

Ms. Jordan complimented the city on the work they have done on the new dock, the parking area; the new playground and more. It is so nice to see the city trying to make this a family atmosphere community. I utilized the Farmer Market frequently; I could do my shopping for the week for produce. Ms. Jordan stated, trying to be so defined as to what you feel it should be, as opposed to what it could be is detrimental to our community. The Farmers Market adds to business in our community and we all would love to see this business thrive as it should. I like supporting our local businesses. Ms. Jordan ended her comment by stating she hopes the Board will consider continuing this business in a format that is agreeable to everyone.

A *motion* was made by Commissioner Stilwell and *seconded* by Commissioner Stewart to move out of Public Hearing.

Vote ~ 5 ~ 0

5. *Special Meeting ~*

a. Approving ~ the Text Amendment to the Unified Development Ordinance to the definition of a Farmers Market.

A *motion* was made by Commissioner Stewart and *seconded* by Commissioner Stilwell to reject the definition of a Farmers Market and leave it as *undefined*.

A Discussion followed ~

Commissioner Putnam apologized to Mr. & Mrs. Keyes and stated he had no idea about the issues surrounding the farmers market until just recently. A farmers market is by name only, it is a retail establishment. It is not defined what merchandise is sold. This issue was totally out of hand and it is not the way to run a city. Commissioner Putnam thanked Mr. & Mrs. Keyes for their patients in resolving this issue.

Commissioner Stilwell also apologized to Mr. & Mrs. Keyes. This Board does not dictate what someone can and cannot sell in their business. Commissioner Stilwell also stated she was not aware of the issues until just recently too. I am in favor of not fixing it because it is not broken.

Commissioner Crawford also agreed with the other commissioners and apologized to Mr. & Mrs. Keyes and confirmed he wants to see the business open and operating.

Commissioner Stewart also apologized for what the city was trying to do. The Board granted Mr. & Mrs. Keyes a certificate of occupancy for their building to get it ready to open for business; then the city wants to come back and tell them what they can and cannot do. That is totally wrong. *My motion still stands to reject the definition.*

Mayor Caster inquired if there has to be a definition for a business or farmers market for the UDO. Mr. Repp stated that a definition does not have to be done, however without one there will be no regulation of what is defined under a farmers market. The question originally came up with respect to selling sheds at the farmers market. Without a definition anything can be sold. Mr. Repp cautioned if any other business comes to the city and opens in the name as a farmers market they can sell anything they would like without a definition.

Commissioner Stilwell inquired if there are other farmers markets open in town and is selling things and the city determines that we need to make a change in what the business is offering for sale can we change that? Mr. Repp stated you can, however, you would have to go back and start the process all over again with the Planning Board.

Mayor Caster disapproves leaving any definition of a farmers market open ended which leaves the owner open to selling anything they choose.

Commissioner Stewart *called for the question.*

Vote ~ 4 ~ 1 to leave the definition undefined. (opposed Mayor Caster)

6. New Business ~

a. Order ~ authorizing the Mayor to approve the Plan Consistency Statement of the City of BSL Board of Commissioners.

Having reviewed the proposed amendment to the text of the City of Boiling Spring Lakes Unified Development Ordinance to add a definition for a Farmers Market, having considered information from City staff, and having considered comments from the public, pursuant to Section 160A-383/387 of the North Carolina General Statutes and Article 4, Section 4.1 of the City's Unified Development Ordinance, the Board of Commissioners hereby adopts one of the following statements:

A ***motion*** was made by Commissioner Stilwell and ***seconded*** by Commissioner Crawford adopting ***Section B of the Consistency Statement*** hereby denying the proposed amendment to the Unified Development Ordinance and finds that (i) it is not consistent with the City's comprehensive plan (Brunswick County CAMA Core Land Use Plan) and all other applicable plans and policies adopted by the City and/or (ii) it is not in the public interest for the following reason: ***Farmers Market definition left as undefined.***

Vote ~ 4 ~ 1 (opposed Mayor Caster)

b. Resolution ~ approving the Text Amendment to the Unified Development Ordinance establishing the definition of a Farmers Market.

No ***motion*** was made by the Board.

14. Adjourn ~

A *motion* was made by Commissioner Stilwell and *seconded* by Commissioner Crawford to adjourn the BOC Public Hearing and Special Meeting of June 30, 2016.

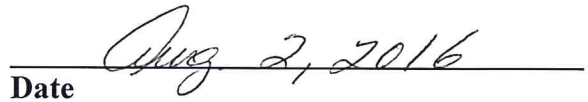
Vote ~ 5 ~ 0

The meeting was adjourned at 7:50 p.m.

ATTEST:


Jane McMinn, City Clerk


Craig Caster, Mayor


Date