



City of Boiling Spring Lakes
Board of Commissioners Regular Meeting Minutes
August 1, 2017
City Hall – 6:30 pm

PLEASE TURN OFF CELL PHONES

1. **Call to Order ~ Mayor Craig Caster**

The Board of Commissioner Meeting was called to order at 6:30 p.m.

2. **Attendance ~ in attendance at the meeting were ~**

Mayor Craig Caster
Commissioner David Putnam
City Manager Jeff Repp
Police Chief Brad Shirley

Commissioner Mark Stewart
Commissioner David Crawford
Code Enforcement Ruth Bek
City Clerk Jane McMinn

Commissioner Mary Stilwell ~ **Excused**

3. **Pledge of Allegiance ~ Ricky Rygg**

4. **Approval of Regular Agenda ~**

Commissioner Putnam requested a change to item ~ **i** ~ from Proposed County Water / Sewer Special Assessment District to schedule a workshop on Sanco Property on August 18, 2017 at 9:00 a.m. at City Hall

Commissioner Crawford requested item ~ **j** ~ be added to the agenda to discuss adding two (2) alternates to the Special Events Committee.

A **motion** was made to amend the agenda by Commissioner Stewart and a **second** by Commissioner Crawford approving the amended Agenda of August 1, 2017.

Vote 4 ~ 0

5. **Public Hearing ~ UDO Text Amendment ~ Laundromat / Dry Cleaner ~ C-1 Zoning District; and**

Public Hearing ~ Zoning Map Amendment ~ Parcel 156MA002 from R-2 to C-1

A **motion** was made by Commissioner Putnam and a **second** by Commissioner Stewart to move into Public Hearing on the **UDO Text Amendment** and the **Zoning Map Amendment**.

Vote ~ 4 ~ 0

Public Hearing ~ Zoning Map Amendment ~ Parcel 156MA002 from R-2 to C-1

Comment ~

Sandra Wilson ~ 339 Wildfield, Sanford, NC

Ms. Wilson stated she owns the property known as North Shore Plaza and would like to request the lot behind the plaza be zoned for commercial. I would like to add a driveway behind the plaza for the purpose of having more space for tenants and trucks for trash pick to be able to safely move around behind the plaza.

Public Hearing ~ UDO Text Amendment ~ Laundromat / Dry Cleaner – C-1 Zoning District

There were not public comments made.

A *motion* was made by Commissioner Stewart and a *second* by Commissioner Putnam to move back into the regular agenda.

Vote 4 ~ 0

6. Public Comments ~

Richard Sparks ~ 2030 Gastonia Rd.

Mr. Sparks stated he has concerns about how the city is being managed; Mr. Sparks reminded the board the city belongs to the citizens of Boiling Spring Lakes and commented the city officials should be held to the code of ethics. Mayor Caster directed Mr. Sparks to take his seat stating his comments were in violation of the order establishing rules and regulations pursuant to N.C.G.S. 160A-81.1; adopted by the BOC on September 6, 2016.

Ricky Rygg ~ 267 Holly Dr.

Mr. Rygg stated we still have a water problem due to the city's ditches; the storm season has started and we are now in hurricane season. I would like the city to address this water/flooding problem and fix this issue. I would like to see the city plan for this repair; this problem has been going on long enough.

7. Approval of Minutes ~

a. Regular Board of Commissioner Meeting ~ July 5, 2017

b. Board of Commissioner / Planning Board Workshop ~ July 19, 2017

A *motion* was made by Commissioner Putnam and a *second* by Commissioner Stewart to approve the Regular Board of Commission Meeting of July 5, 2017, and the Board of Commissioner / Planning Board Workshop on July 19, 2017.

Vote ~ 4 ~ 0

8. Consent Agenda ~

A *motion* was made by Commissioner Stewart and a *second* by Commissioner Crawford to approve the Consent Agenda.

Vote ~ 4 ~ 0

9. Committee / Board Reports

Community Appearance Commission ~ Ann Hollingsworth

Ms. Hollingsworth reported the Commission is doing very well with the sale of the calendars. Ms. Hollingsworth thanked all of the photographers who submitted pictures, and thanked all their sponsors.

Planning Board ~ Bill Clark

Mr. Clark reported the board worked on article 8, sub-division ordinances and have reviewed article 8 with Ms. Bek and Mr. MacLeod. We have received a draft of article 9; development and review process, however article 8 and 9 are not ready to be forwarded to the board at this time. All the members of the Planning Board attended the workshop on July 19, 2017.

Parks & Recreation Advisory Board ~ Bob Stanley

Mr. Stanley reported at the last meeting the new chair and vice-chairman have been appointed beginning at the next meeting August.

Special Events ~ Michelle Hennessey

Commissioner Crawford reported for Michelle Hennessey. The committee did a critique of the Hoops and Heroes Basketball Tournament; the committee donated \$798.00 to the Mitch Prince Scholarship Fund. Special Events rewrote their mission statement to make it more concise. The statement was voted upon and approved by the committee; the new mission statement is now on the city website. August 19, 2017 the Committee will hold the Mayor's Cup Golf Tournament at the Lakes Country Club. The 9-11 Bike Run will be held September 9, 2017.

Library Commission ~ Frances Thomas

Mrs. Thomas reported the Commission held a workshop at the end of June to plan and prepare for the Family and Fun Safety Festival will be held on Saturday, September 23, 2017.

BSL Fire / Rescue ~ Commissioner Stewart

Commissioner Stewart reported the fire department is attending training tonight with Officer Thomas to cover traffic laws. During the month of July, the fire department attended 33 medical calls and 18 fire related calls. The department also participated in the July 4th fire fighter competition in Southport and won four (4) awards and took 2nd place overall. The fire department has the water rescue boat ready to go and; the department

attended the wake-boarding contest on Saturday, July 29, 2017. The department also held a certification class on portable fire extinguisher's and held an in house extrication class.

10. City Managers Report ~ Jeff Repp

Mr. Repp reported as of June 30, 2017 the city had \$2,281,129 in cash and investments. For the fiscal year 2017, sales tax revenue ended up 5.65% higher than estimated. Property tax collections ended up at 96.5%; it is usually 95% so we are 1.5% higher than normal. Mr. Repp also reported for the month of June the city has \$119,420 worth of construction activity. Construction drawings for the new Police Department are at 95% phase at this time. If anyone would like to review the drawings, they are in the conference room outside of my office. We will have two (2) meetings this month; one will be held with the state on the Stormwater permit; that meeting will be held on August 15, 2017 in Wilmington. The city has applied for the expedited permit process; Unless problems occur typically the expedited permit will be issued within thirty days after the meeting. After the city obtains the permit, we will then be able to proceed with the bidding process with bid opening currently scheduled for October 31, 2017.

Commissioner Crawford requested an update to the Holly pump station project. Mr. Repp reported we do now own the property, which the city closed on about 1.5 months ago. Brian Cavanaugh is currently looking at the materials that will be needed for the project; we will also be looking at the ditching requirements on Crabapple.

11. Old Business ~ Foreclosure Process & Blighted Property

Mr. Repp explained at the last board meeting the board requested staff to provide documentation on the public nuisance procedure and the foreclosure procedure. Mr. Repp stated these are two (2) different processes which can be found in the City Ordinance, a copy of which was given to the Board.

Public Nuisance Procedure

#1: Investigation: Building Inspector shall investigate to see if a nuisance exists.

#2: Notice: The Building Inspector shall notify the "person in possession of the property" by certified mail and first class mail and shall order abatement within 15 days of the date of notice.

#3: Appeal: Prior to the end of the 15-day notice period (or 24 hours if in right of way), the respondent may appeal in writing to the City Manager the finding of the Building Inspector. The City Manager must hold a hearing (within 31 days of the writing appeal) and can (1) revoke the initial order; (2) issue a final order or (3) reinstate the initial order of the building inspector.

#4: Abatement: of the City Lien: If the respondent does not comply with the order, the city has the authority to abate the conditions in the order.

Foreclosure Procedure

#1: Property Taxes: Are their delinquent property taxes? If so, even if one year, the City can proceed to Step 2.

#2: Title Search by City Attorney to determine if the property liens exist.

#3: Tax Foreclosure Auction: If liens are not a problem and delinquent taxes exist then the City can order a tax foreclosure auction on the property.

#4 Upset Bid Process: At the auction the City has submitted the minimum bid (taxes owed to all governments).

#5: Subsequent Sale: Public or Private: Once the City has acquired the property it can dispose of the property the same way as it can dispose of public property; sealed bid, upset bid, or public auction.

12. New Business ~

- a. **Order** ~ authorizing the City Manager to enter into an aquatic treatment services agreement with **Solitude of Shallotte, NC** for vegetation management services involving Lake Keziah in the estimated amount of **Four Thousand and Eighty Dollars and No Cents (\$ 4,080.00)**.

A **motion** was made by Commissioner Crawford and a **second** by Commissioner Putnam authorizing the City Manager to enter into an aquatic treatment services agreement with **Solitude of Shallotte, NC** for vegetation management services involving Lake Keziah in the estimated amount of **Four Thousand and Eighty Dollars and No Cents (\$ 4,080.00)**.

Vote ~ 4 ~ 0

- b. **Order** ~ authorizing the City Manager to accept the proposal of **Ben Mynatt Commercial Truck and Fleet of Concord, NC** for the purchase of **two (2) 2018 Chevrolet 4 WD 1500 Crew Cab Pickups in the amount of Fifty Eight Thousand Eight Hundred and Forty Two Dollars and No Cents (\$ 58,842.00)** per the NC Sheriff's Association Contract #17-03-0912, Spec #8.

A **motion** was made by Commissioner Putnam and a **second** by Commissioner Stewart authorizing the City Manager to accept the proposal of **Ben Mynatt Commercial Truck and Fleet of Concord, NC** for the purchase of **two (2) 2018 Chevrolet 4 WD 1500 Crew Cab Pickups in the amount of Fifty Eight Thousand Eight Hundred and Forty Two Dollars and No Cents (\$ 58,842.00)** per the NC Sheriff's Association Contract #17-03-0912, Spec #8.

Vote ~ 4 ~ 0

- c. **Order** ~ terminating the Planning Board seat held by Timothy White as first alternate for the Planning Board pursuant to Article III, Section 2-62 of the Code of Ordinances and appointing Lucille Launderville from second alternate to the first alternate and declaring a vacancy in the second alternate position.

A **motion** was made by Commissioner Crawford and a **second** by Commissioner Stewart terminating the Planning Board seat held by Timothy White as first alternate for the Planning Board pursuant to Article III, Section 2-62 of the Code of Ordinances,

appointing Lucille Launderville from second alternate to the first alternate, and declaring a vacancy in the second alternate position.

Vote ~ 4 ~ 0

- d. **Order** ~ amending the City's Personnel Policy by adopting a Career Development Plan for personnel retention of officers and employees of the Boiling Spring Lakes Police Department.

A **motion** was made by Commissioner Crawford and a **second** by Commissioner Stewart amending the City's Personnel Policy by adopting a Career Development Plan for personnel retention of officers and employees of the Boiling Spring Lakes Police Department.

Vote ~ 4 ~ 0

- e. **Resolution** ~ in Support of the Brunswick County Opioid Task Force

A **motion** was made by Commissioner Crawford and a **second** by Commissioner Putnam in Support of the Brunswick County Opioid Task Force Resolution.

Vote ~ 4 ~ 0

- f. **Ordinance** ~ to Allow the Sales of Alcoholic Beverages Before Noon on Sundays at Licensed Premises.

A **motion** was made by Commissioner Stewart and a **second** by Commissioner Putnam to Allow the Sales of Alcoholic Beverages Before Noon on Sundays at Licensed Premises.

Vote ~ 4 ~ 0

- g. **Ordinance** ~ to Amend Article 5 of the Unified Development Ordinance (UDO) of the City of Boiling Spring Lakes, North Carolina adding Dry Cleaner/Laundromat to C-1 A.

A **motion** was made by Commissioner Putnam and a **second** by Commissioner Crawford to Amend Article 5 of the Unified Development Ordinance (UDO) of the City of Boiling Spring Lakes, North Carolina adding Dry Cleaner/Laundromat to C-1 A.

Vote ~ 4 ~ 0

- h. **Ordinance** ~ to Amend the Official Zoning Map of the City of Boiling Spring lakes North Carolina

- i. A *motion* was made by Commissioner Putnam and a *second* by Commissioner Stewart to Amend the Official Zoning Map of the City of Boiling Spring Lakes North Carolina

Vote ~ 4 ~ 0

j. *Discussion ~ Sanco Property*

A *motion* was made by Commissioner Putnam and a *second* by Commissioner Stewart to hold a workshop on Sanco Property development, Friday, August 18, 2017 at 9:00 a.m. to include County Commissioner Mike Forte and John Nichols Brunswick County Public Utilities Director.

Vote ~ 4 ~ 0

k. *Special Events Committee ~*

Commissioner Crawford requested adding two alternate members to the Special Events Committee to ensure there would be a quorum if a regular sitting member was not in attendance.

A *motion* was made by Commissioner Crawford and a *second* by Commissioner Putnam to add two (2) alternate members to the Special Events Committee

Vote ~ 4 ~ 0

13. *Announcements ~*

There were no announcements made.

14. *Adjourn ~*

A *motion* was made by Commissioner Stewart and a *second* by Commissioner Crawford to adjourn the Board of Commissioner Meeting of August 1, 2017.

Vote ~ 4 ~ 0

The meeting was adjourned at 7:15 p.m.

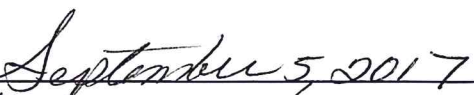
ATTEST:



Jane McMinn, City Clerk



Craig Caster, Mayor



Date