



City of Havelock, North Carolina
Board of Commissioners

AGENDA COMMUNIQUE

TO: Mayor William L. Lewis, Jr.
Board of Commissioners
City Attorney Troy Smith

FROM: City Manager Chris McGee
Assistant City Manager Cindy Morgan

SUBJECT: Board of Commissioners Meeting – Monday, September 25, 2023 – 7:00 PM

DATE: 9/22/2023

CC: Department Heads; Press

I. CALL TO ORDER:

Mayor Will Lewis will call the meeting to order.

II. OPENING PRAYER/MOMENT OF SILENCE:

The Mayor or a Board member shall request a clergy member to offer the opening prayer or the Board shall conduct a moment of silence.

III. PLEDGE OF ALLEGIANCE:

Mayor Will Lewis will lead the Commissioners and those in attendance in reciting the Pledge of Allegiance to the Flag.

“I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.”

IV. REGULAR & CONSENT AGENDA:

The City Clerk respectfully submits to Board, the Regular Agenda and the below Consent Agenda items, which there is thought to be of general agreement and little public interest or no controversy. These items may be voted on as a single group without Board discussion “or” if so desired, the Board may vote to remove any item(s) from the consent agenda and place same on the regular agenda for discussion and consideration.

Consent Agenda Item A	Minutes of the September 11, 2023 BOC Workshop
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Consent Agenda Item B	Resolution #23-R-08, a resolution accepting American Rescue Plan Funding in the amount of \$150,000 for a Wastewater Asset Inventory and Assessment Study
Consent Agenda Item C	Resolution #23-R-09, a resolution accepting American Rescue Plan Funding in the amount of \$150,000 for a Water Asset Inventory and Assessment Study
Consent Agenda Item D	Resolution #23-R-10, a resolution accepting American Rescue Plan Funding in the amount of \$400,000 for an Area-Wide Stormwater Master Plan
Consent Agenda Item E	Pursuant to NCGS 160A-364, schedule a Public Hearing for Monday, October 23, 2023 beginning at 7:05 p.m. or as soon as the matter can be reached to consider a text amendment to Section 157.09 of the Unified Development Ordinance, regarding billboard requirements.
Consent Agenda Item F	Pursuant to NCGS 160A-314, schedule a Public Hearing for Monday, October 23, 2023 beginning at 7:10 p.m. or as soon as the matter can be reached to establish and implement stormwater utility fees by ordinance, with collections beginning January 1, 2024.

Request: Commissioners motion and second are being sought as to approving or not, the following agenda matters:

- A. Consent Agenda as presented; and
- B. Regular Agenda as presented.

City Manager’s Opinion: The Board may by majority vote add items to or subtract items from both the proposed consent and regular agenda. As of this writing, the manager understands that the presented consent agenda items are routine and therefore concurs with adopting the presented consent agenda.

V. PUBLIC COMMENTS:

If any citizen wishes to address the City of Havelock Board of Commissioners during this “Public Comments” segment of this meeting, they may do so by signing up prior to the beginning of the meeting.

The City Clerk shall provide the sign-up sheet, which lists the name and address. It should be noted that comments shall be limited to five (5) minutes and Board reserves the right not to act on requests first presented this evening.

VI. REGULAR AGENDA ITEMS:

Item #1. RECOGNITIONS/PRESENTATIONS:

A. Shop with a Cop Donation

On September 9, 2023, the Havelock Moose Lodge and "Kats fer Kidz" held a fish fry with all proceeds received being donated to the "Havelock Police Department - Shop with a Cop" program.

The citizens of Havelock demonstrated overwhelming support for the program, with \$1,592 being collected. This donation will assist the department in reaching their goal of \$3,600. The "Shop with a Cop" program is a Christmas fundraiser that provides selected Havelock students with money to spend, on items of their choosing, during a shopping trip with local law enforcement.

A representative from "Kats fer Kidz" will be in attendance this evening to officially present the City of Havelock with a donation check for this worthwhile cause.

City Code References: N/A

Request: Officially accept a donation check from Kats fer Katz for the Havelock Police Department's "Shop with a Cop" program.

City Manager's Opinion: This presentation is a wonderful opportunity to thank all of the volunteers and those who donated to this special event.

B. National Night Out 2023

Police Captain Jeff Fedyna shall appear before the Board of Commissioners this evening to provide an overview of the events/activities planned for National Night Out (**Exhibit #1B.1**).

Proclamation #23-P-11 (**Exhibit #1B.2**) will be presented to recognize the Havelock/MCAS Cherry Point National Night Out (NNO) Event, which will be held on Tuesday, October 3, 2023 beginning at 4:00 p.m. at Walter B. Jones Park area. The 2022 NNO event will mark the 14th year that the City of Havelock and

MCAS Cherry Point have co-hosted the event, the 25th year that Havelock has participated in the event, and the 39th year for NNO nationally.

City Code References: N/A

Request: With the support of the Board of Commissioners, Mayor Lewis shall formally present Proclamation #23-P-11 (**Exhibit #1A.2**) to the Havelock Police Department, proclaiming October 3, 2023 as National Night Out in Havelock

City Manager's Opinion: The manager concurs with the proclamation of support and endorses the October 3rd event taking place at Walter B. Jones Park.

C. 2023 Brave Enough to Wear Pink Campaign

Fire Chief Tom Dorn shall appear before the Board of Commissioners this evening to provide a briefing on the department's fundraising efforts for their annual "Brave Enough to Wear Pink" campaign, beginning on October 1, 2023 (**Exhibit #1C.1**). All proceeds from this fundraiser will go to the Havelock Fire/Rescue Cancer Center Fund managed by Carolina East Foundation. Adult and Youth t-shirts are \$20 each and Adult 2XL and 3XL are \$25 each. Shirts may be purchased at both Havelock fire stations and City Hall, as well as online at www.havelocknc.us and Havelock's Official Facebook Page.

City Code References: N/A

Request: The t-shirt design will be officially unveiled this evening. No Board action is necessary.

City Manager's Opinion: The manager supports this fundraiser and would like the Mayor and Commissioners to consider supporting this effort by purchasing and wearing pink t-shirts at their October 23, 2023 televised Board meeting.

Item #2. PUBLIC HEARINGS:

A. Zoning Map Amendment: Rezoning from R-MH to HC

This zoning map amendment request was submitted by Mr. Guy Williamson, Grey Outdoor, LLC, on behalf of Mr. William Luzadder, to rezone 7650 US Highway 70 East, New Bern, from R-MH (Manufactured Home Residential) to HC (Highway Commercial). The application and related maps are attached (**Exhibit #2A.1**).

The 3.87-acre parcel is located in the City's Extraterritorial Jurisdiction (ETJ) at 7650 US Highway 70 East, New Bern. It is the site of West Gate Mobile Home Park. As shown on the site maps, the parcel is located directly across the highway from the entrance to the Havelock Bypass. Mr. Luzadder has indicated his intention to develop the property for commercial use at some time in the future. If rezoned to HC, the property could be used for any use permitted in the HC District.

The existing manufactured home park may remain and would be considered "existing, nonconforming." Any new development on the property will be subject to the UDO requirements.

For the rezoning request, the Board of Commissioners must adopt a statement describing whether the action taken is consistent with the City's CAMA Land Use Plan and any other officially adopted plan and explain why the Board considers the action taken to be reasonable and in the public interest.

The request is consistent and reasonable as the Future Land Use Map shows this area is classified as "Commercial" which accommodates the full range of sales and services activities. The changing conditions in the area make the use of the property for commercial purposes reasonable and beneficial to the surrounding area.

Staff supported the rezoning of the property to HC and the Planning Board recommended approval with a unanimous vote at the July 6, 2023 meeting. The minutes from this meeting are attached (**Exhibit #2A.2**). Included with the motion was the land use consistency statement that the proposed rezoning is consistent with the City's Land Use Plan in that the area is designated as Commercial on the Future Land Use Map which accommodates the full range of sales services activities. It is reasonable and in the public interest in that it's consistent with the future of Havelock and the changing conditions due to the bypass. It creates opportunity in the surrounding area for commercial development. It will enhance future growth and take advantage of the bypass. The public hearing was published and the abutting property owners and MCAS Cherry Point were notified. (**Exhibit #2A.3**).

The Board must hold the public hearing, then determine whether the request is consistent with the land use plan and approve or disapprove the request.

City Code References: UDO - Chapter 160

Request: a. Mayor Lewis shall open the public hearing and call upon Planning Director Katrina Marshall to present the rezoning request; and
b. Solicit comments from Board and/or public; and
c. Upon receiving no further public comments, Mayor Lewis is to close the public

hearing; and

d. A Commissioner's motion and a second is being requested to "approve or deny" the Planning Board's recommendation to approve the rezoning request of 7650 US Highway 70 East, New Bern, from R-MH (Manufactured Home Residential) to HC (Highway Commercial), to include a Consistency Statement with the motion to approve/deny the request.

City Manager's Opinion: The manager supports the approval of the rezoning request as the plan is consistent and reasonable being that the Future Land Use Map classifies this area as "Commercial" which accommodates the full range of sales and services activities. If the BOC agrees, this consistency statement should be used as part of the motion to approve.

Item #3. Monthly Financial Presentation: *August 2023 Report*

Interim Deputy Finance Officer Kimberly Walters shall appear before the Board of Commissioners this evening to present the August 2023 monthly financial report **(Exhibit #3A)**.

As of this writing, the Interim Deputy Finance Officer does not have any "departments" on the official watch list; however, it should be noted that the professional services legal line item under the Planning Department has been fully expended due to code enforcement matters. Future planning legal invoices will be paid out of General Fund Professional Services Legal until those funds are expended. The Interim Finance Officer will monitor the status of the available funds and keep the Board apprised, as a budget amendment will likely be needed within the next couple of months. The Board's questions and comments on the report are solicited and welcomed.

City Code References: 32.31(A)

Request: No action necessary.

City Manager's Opinion: The manager concurs with the financial report as presented.

Item #4. Governing Body Appointments:

A. Recreation Advisory Board

B. Cultural Arts Advisory Committee

A. Recreation Advisory Board: *Appointments*

The terms of Recreation Advisory Board members Albert Lester, Sonya Beeson and Cherrie Sanders expire on September 30, 2023 (**Exhibit #4A.1**). All members wish to be considered for reappointment (**Exhibit #4A.2**). As of this writing, the City has received four (4) additional applications from City residents interested in serving on the Recreation Advisory Board (**Exhibit #4A.3**).

City Code References: Resolution #09-R-28

Request: After a vote by written ballot, a Commissioner's motion and a second is being sought to appoint three (3) City Members to the Recreation Advisory Board for a term beginning October 1, 2023 and ending September 30, 2025.

City Manager's Opinion: The manager recognizes that appointments are made at the Board's discretion; and therefore, does not offer an opinion.

B. Havelock Cultural Arts Advisory Committee: *Appointments*

On November 28, 2022 the Board of Commissioners adopted a resolution to establish a cultural arts advisory committee to recommend, plan and promote community programming/events for general entertainment. Examples provided were: Summer Concert Series, Movies in the Park, Art Shows, Community Gatherings, Talent Shows, Plays, Dance/Music Shows, Children's Art Exhibits, Festivals, Car Shows, etc. (**Exhibit #4B.1**).

The provided resolution describes the committee's purpose, duties, membership terms, meeting schedule and reports. Furthermore, it establishes this committee as a nine-member committee to include the following seats:

- One seat shall be a Havelock business representative
- One seat shall be an educator or educational outreach representative
- One seat shall be a senior citizen, age 60 or older
- One seat shall be a Havelock based student – *Must be a high school junior (11th grade) or higher*
- Five seats shall be At-Large in-City members

The City has solicited and accepted applications over the last several months. As of this writing, the City has received 24 applications from volunteers interested in serving on this committee (**Exhibit #4B.2**). To ease in the selection process, each application contains which seat(s) that applicant would be eligible for.

City Code References: Resolution #22-R-08

Request: A Commissioner's motion and a second is being sought to appoint a total of nine (9) individuals to serve on the Havelock Cultural Arts Advisory Committee with three (3) members being appointed for one (1) year; three (3) members being appointed for two (2) years; and three (3) members being appointed for three (3) years.

City Manager's Opinion: The manager recognizes that appointments are made at the Board's discretion; and therefore, does not offer an opinion.

Item #5. Elected/Appointed Officials Reports/Comments:

- a. **City Manager:** At this time, City Manager Chris McGee submits a manager's report as referenced in the agenda packet (**Exhibits #5A**) and at this evening's meeting may offer other comments.
- b. **City Attorney:** At this time, City Attorney Troy Smith is provided an opportunity to report on any related City business matters.
- c. **Commissioners:** At this time, Commissioners are provided an opportunity to report on any related City business matters.
- d. **Mayor:** At this time, Mayor Will Lewis is provided an opportunity to report on any related City business matters.

VII. ADJOURNMENT/RECESS