**PRESENT:** Mayor William L. Lewis, Jr.; Commissioners Jim Kohr, Josh Kohr, Karen

Lewis, Danny Walsh, and Brenda Wilson

**STAFF** 

PRESENT: City Manager Christopher McGee; Assistant City Manager/City Clerk Cindy

Morgan; City Attorney Troy Smith; Information Technology Director Chad Ives; Police Chief Chris Morning; Fire Chief Tom Dorn; Recreation Director Travis Adams; Public Works Director Patrick Lee; Public Utilities Director Rick Day; Finance Director Lee Tillman; Planning Director Katrina Marshall; TEC

Sales Manager Pam Holder; and Deputy City Clerk Mary Weigl

Mayor Will Lewis called the regular meeting of the Havelock Board of Commissioners to order at 7:01 p.m. on September 26, 2022 at the Havelock City Hall with a quorum present. At this time, Mayor Lewis called for a moment of silence, followed by the pledge of allegiance.

# **REGULAR & CONSENT AGENDA**

 City Clerk Cindy Morgan presented the Board of Commissioners with the Regular Agenda and the Consent Agenda for their review and approval. Commissioner Lewis made a <u>motion to adopt the consent agenda and regular agenda as presented</u>. Commissioner Wilson seconded and the motion carried unanimously. (5-0) The motion included the following approvals:

## Regular Agenda as presented

### **Consent Agenda as presented:**

 • Minutes of the September 12, 2022 Board of Commissioners Workshop

# **PUBLIC COMMENTS**

Prior to discussing the agenda topics, Mayor Lewis stated he would like to give the public an opportunity to address the Board of Commissioners on any issue. Anyone providing a public comment was asked to speak their name and address for the record and noted that comments would be limited to five (5) minutes. In summary, it was further explained that the Board would take all comments and questions very seriously and would assign follow-up as necessary to City staff. As a result, the following appeared before the Board:

 <u>Jerry Bennett</u>, <u>423 Chadwick Avenue</u>, <u>Havelock</u>, <u>NC</u> Mr. Bennett stood before the Board this evening to express his appreciation of them and the Mayor, saying that they are doing a really good job for the City, and went on to thank them for what they do daily. He then thanked the police chief and his officers for their tireless work during recent events that have happened at the strip mall that his wife owns.

Albert Lester, 706 Badger Lane, Havelock, NC Mr. Lester stood before the Board this evening to say that he appreciates all the work that everyone does keep the City running smoothly. From the concerts to the movies, the recreation department had something for everyone to do. He thanked the Public Works department for keeping the roads clean and the grass cut.

Mr. Lester ended by saying that he especially enjoyed every minute of the Chili Festival this past weekend and thanked all of the volunteers that worked so hard in making sure that it was a success.

<u>Michele Leo, 200 Poplar Road, Havelock, NC</u> Ms. Leo stood before the Board this evening to say congratulations to the City Manager for coming in third place in the Chili competition this past weekend during the Chili Festival.

Ms. Leo also asked if it was possible to have lighting installed at the Woodhaven Bridge. Public Works Director Patrick Lee stated that he would looked into that possibility.

Jack Dunaway, 116 S. Forest Drive, Havelock, NC Mr. Dunaway stood before the Board this evening to thank offer his thanks to, and recognize Officer Alicia Heath of the police

department. Mr. Dunaway stated that he and his wife were traveling out of state and received a

text from a neighbor that there was a potential prowler. He relayed that he had the neighbor call the police and Officer Heath responded and, in the end, she called Mr. Dunaway about 30 minutes later and reported that she had done a thorough search of the property and found nothing out of the ordinary. He was very impressed with her prompt response to his home and her investigation. He stated that in the end it all turned out to be a misunderstanding. Officer Heath and her professionalism made the rest of their travels home, okay.

# **REGULAR AGENDA ITEMS**

# RECOGNITIONS/PRESENTATIONS:

# Shop with a Cop Donation

 On September 10, 2022, 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 \$1,247 being collected. This donation will assist the department in reaching their goal of \$3,600. It was also noted that the donation will cover the cost of four (4) children. 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.

Havelock Police Sergeant Gaylan Finney and his wife from "Kats fer Kidz" were in attendance this evening and officially presented the City of Havelock with a donation check for this worthwhile cause.

## **National Night Out 2022**

Police Chief Chris Morning appeared before the Board of Commissioners this evening to provide an overview of the events/activities planned for National Night Out.

Proclamation #22-P-11 was presented to recognize the Havelock/MCAS Cherry Point National Night Out (NNO) Event, which will be held on Tuesday, October 4, 2022 beginning at 4:00 p.m. at Walter B. Jones Park.

The 2022 NNO event will mark the 13th year that the City of Havelock and MCAS Cherry Point have co-hosted the event, the 24th year that Havelock has participated in the event, and the 38th year for NNO nationally.

Mayor Lewis read Proclamation #22-P-11 as:

### City of Havelock, North Carolina Proclamation No. 22-P-11 National Night Out 2022

 WHEREAS, the National Association of Town Watch is sponsoring a unique, nationwide crime, drug and violence prevention program entitled "National Night Out;" and

**WHEREAS,** the "38th Annual National Night Out" provides a unique opportunity for Havelock to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the Havelock Community plays a vital role in assisting the Havelock Police Department through joint crime, drug and violence prevention efforts in Havelock and is supporting "National Night Out 2022" locally; and

WHEREAS, it is essential that all citizens of Havelock be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs and violence in Havelock; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program.

**NOW, THEREFORE, I,** William L. Lewis, Jr., Mayor of the City of Havelock, do hereby proclaim October 4, 2022 as:

### "NATIONAL NIGHT OUT IN HAVELOCK"

and encourage all citizens to participate and join the Havelock Police Department and the National Association of Town Watch in supporting the 38th Annual National Night Out.

*IN WITNESS WHEREOF*, I hereunto have set my hand and caused the Seal of the City of Havelock to be affixed this the 26th day of September 2022.

# 2022 Brave Enough to Wear Pink Campaign

Fire Chief Tom Dorn appeared 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, 2022. All proceeds from this fundraiser will go to the Havelock Fire/Rescue Cancer Center Fund managed by Carolina East Foundation. In addition to the adult pink t-shirts, children's t-shirts will also be available. This year's design features the Havelock High Schools very own ram mascot. All items are \$20 each and 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.

It was pointed out the department has raised over \$143,000 during the last 14 years. Being a very worthwhile department fundraising event, the Board agreed to wear their pink shirts at the October 24th meeting to show their support.

# ORDINANCE AMENEDMENT - CHAPTER 90: ALLOWANCE OF CHICKENS

The Board has discussed the proposed text amendment to allow chickens in the city limits at two recent workshops, June 13th and September 12th. In summary, the proposed text includes the following:

A. The number of chickens allowed per the zoning district per single–family parcel and when a parcel is two (2) acres or larger, the maximum number of chickens allowed is 12.

B. No roosters are permitted.

C. Slaughter is not permitted.

D. Chickens shall be confined in the rear yard of the property within a fenced area.

 E. Any associated structure (i.e. coop) shall be restricted to the rear yard, and shall meet the required setback of seven (7) feet from the side and rear property lines. Enclosures shall allow a minimum of three (3) square feet per fowl.

Furthermore, a chicken coop permit and the associated fee shall be required for any coop. For a chicken coop with any dimension exceeding 12 feet, a building permit and associated fee shall be required. In a yard abutting a street, any coop requiring a Building Permit must meet the same setback as the house. A fence permit will also be required if a fence is added.

A Commissioner's motion and a second was sought to adopt Ordinance Amendment #22-O-03, an ordinance permitting chickens for personal domestic use in the corporate limits to include a maximum number of chickens allowed per single–family parcel within a zoning district; and the inclusion of a chicken coop permit fee of \$20.00 within the City's Fee Schedule, effective at 12:01 a.m. on September 27, 2022.

At this time, Commissioner Josh Kohr <u>made a motion to adopt Ordinance Amendment #22-O-03, an ordinance permitting chickens for personal domestic use in the corporate limits to include a maximum number of chickens allowed per single-family parcel within a zoning district; and the inclusion of a chicken coop permit fee of \$20.00 within the City's Fee Schedule, effective at 12:01 a.m. on September 27, 2022. Commissioner Lewis seconded and the motion carried unanimously. (5-0)</u>

Ordinance Amendment #22-O-03 reads as:

192 193 194

195

### CITY OF HAVELOCK CODE OF ORDINANCES TEXT AMENDMENT No. 22-O-03 PERMITTED ANIMALS - ALLOWANCE OF CHICKENS

196 197 198

BE IT HEREBY ORDAINED by the Board of Commissioners of the City of Havelock, North Carolina that the following revisions be made to "Chapter 90: Animals, Sections 90.16 and 90.17 Permitted Animals" of the City of Havelock Code of Ordinances as follows:

200 201 202

199

Please Note: "Blue indicates text to be added"

203 204

205

General Provisions

90.01 Animals owned or kept at Cherry Point Marine Corps Air Station exempt

90.02 Enforcement 206 207

Animals; Generally

208 90.15 Definitions

90.16 Prohibited animals 209

210 90.17 Permitted animals

211 90.18 Animals declared vicious

90.19 Animals declared dangerous 212

90.20 Inoculation against rabies; licensing of dogs, cats, ferrets, and miniature pigs

214 90.21 Dog feces

> Trap, Neuter/Spay, Return (TNR) Program 90.22

215 216 217

213

# § 90.16 PROHIBITED ANIMALS.

218 219 220

221

222

223

(A) Prohibition. It shall be unlawful to own, keep, harbor, maintain, care for, or otherwise possess within the municipal limits of the City any wild animals, barnyard animals (excluding chickens, further identified in Section 90.17(6)), or any animal with a poisonous or toxic bite. The prohibition of this section shall not apply to any animal within the municipal limits of the City while in the possession of a duly licensed veterinarian for the purpose of care or treatment by the veterinarian, or while in transport directly to or from the office or place of business of a duly licensed veterinarian for such purpose.

224 225 226

227

228

### § 90.17 PERMITTED ANIMALS.

(A) Conditions. Those animals not specifically prohibited by § 90.16(A) shall be permitted subject to the following conditions.

229 230 231

(6) Chickens. Chickens are permitted for personal domestic use in the corporate limits as provided herein:

232 233 (A) The maximum number of chickens allowed per single-family parcel with a zoning district in the corporate limits is provided in Table 90.1.

234 235

(1)Roosters are not permitted.

236 237

# Table 90.1 MAXIMUM NUMBER OF CHICKENS ALLOWED

Zoning District	Maximum Number of Chickens Allowed
R-7, R-10, R-12, & R-13	4
R-20 & R-20A	6
R-M & R-MH (Single-family Detached Dwellings ONLY)	4
Two (2) acre or greater lot in any Zoning District	12

238 239 240

### (B) Fencing and coops.

241 242 243 (1) Chickens shall be confined in the rear yard of the property within a fenced area.

244 245

(2) A fence exceeding four feet in height and abutting a public or private street right-of-way must be set back at least 15 feet from the right-of-way.

246 247

(3) A fence permit will be required and the associated fee paid if a fence does not exist.

248 249 250

(4) For any coop, a permit must be obtained through the Planning and Inspections Department and a fee paid as listed in the City's Fee Schedule.

251 252 253

(5) Coops shall be located in the rear yard and shall be set back at least seven (7) feet from the property line and inside the fence except as in paragraph (6) below.

2.54 255 256

(6) Any chicken coop with any dimension exceeding 12 feet will require a Building Permit and the associated fee and shall meet the setback requirements. In a yard abutting a street, the coop requiring a Building Permit shall not be closer to the street than the house.

257 258

(7) Coops shall allow a minimum of three (3) square feet per fowl.

259 260

(C) Slaughter is not permitted.

261 262

(D) Other domestic fowl, such as (but not limited to) peafowl, geese, and turkeys, are prohibited.

263264265

(E) The provisions of  $\S$  90.16(A) prohibiting barnyard animals and wild animals within the municipal limits of the City shall not apply to chickens only to the extent the chickens are permitted pursuant to this section.

266 267

This ordinance shall take effect at 12:01 a.m. on September 27, 2022.

268

Adopted this the 26th day of September, 2022.

269270271

Mayor Lewis stated that any citizens who are currently in violation do have a 90-day grace period to come in to the Planning Department and complete the proper paperwork, and pay the required fees to become compliant.

273274275

272

Mr. Tyrone Cantey addressed the Board to ask if someone currently has a rooster, what would they need to do? The City Manager replied that the citizen would need to rehome the rooster outside of the City limits within 90-days from today.

277278

276

### **MONTHLY FINANCIAL PRESENTATION: AUGUST 2022 REPORT**

279280281

282283

Finance Director Lee Tillman appeared before the Board of Commissioners this evening to present the August 2022 monthly financial report. The Finance Officer noted that sales tax still remains strong. August's Budget-to-Actual report shows that the department is at the high level of normal. The Department will continue to be monitored the next several months in case additional funding is necessary. Ms. Tillman noted the following items of interest to the Board:

285286287

288

289

284

- The audit is complete and the auditor will be at the televised October meeting to present his findings to the Board.
- The final Woodhaven project vendor payment was made today.
- 290291292
- financial reports in a timely manner, the Finance Officer wanted to assure the Board that this is not the case with Havelock; she does reconcile the finance report every month, usually by the second working day of the month.

With neighboring municipalities recently in the news about not reconciling their

293294295

The Board's questions and comments on the report are solicited and welcomed. The report was presented as follows:

296 297 298

\*\*\* This page intentionally left blank to page 6 \*\*\*

# CITY OF HAVELOCK BUDGET VERSUS ACTUAL AUGUST 2022 GENERAL FUND

R	ev	en	ue	29

Source	Budget	Actual	Percentage
Ad Valorem Taxes	\$ 5,311,211	74,654	1.41%
Sales Tax	3,370,275	548,081	16.26%
Powell Bill	450,000	-	0.00%
Intergovernmental Revenues	1,539,549	67,762	4.40%
Permit Fees	122,148	58,397	47.81%
Rents & Concessions	209,250	72,551	34.67%
EMS Revenues	1,308,500	304,163	23.25%
Interest Other	12,153 3,234,751	7,610 13,929	62.62% 0.43%
Total Revenues	15,557,837	1,147,147	7.37%
Expenditures			
Departments	Budget	Actual	Percentage
Governing Body	167,745	19,461	11.60%
ACT Expenses	19,270	10,000	51.89%
Economic Development	99,811	0	0.00%
Administration	1,012,022	10,756	1.06%
Finance & Revenue	267,307	(408,033)	-152.65%
Legal	85,000	12,768	15.02%
Information Technology	694,111	158,894	22.89%
Planning	447,431	103,444	23.12%
Police	3,355,670	678,260	20.21%
Animal Control	111,215	19,351	17.40%
Fire & EMS	2,742,657	649,881	23.70%
Public Works	337,812	77,408	22.91%
Street Lighting	161,500	16,730	10.36%
Garage	143,050	56,903	39.78%
Streets-Nonpowell	1,852,273	202,755	10.95%
Powell Bill	955,816	78,532	8.22%
Public Buildings	1,124,497	138,563	12.32%

(Under) Expenditures \$ - \$ (1,580,575)

Actual expenses include encumbrances some of which are for the entire year.

945,142

1,035,508

15,557,837

# CITY OF HAVELOCK BUDGET VERSUS ACTUAL AUGUST 2022 WATER FUND

555,895

346,155

2,727,722

58.82%

33.43%

17.53%

### Revenues

Recreation

299300301

Interfund/Hurricane

**Total Expenditures** 

Excess of Revenues Over

IVEACURES			
Source	Budget	Actual	Percentage
Water Revenue	\$ 2,866,205	\$ 451,732	15.76%
System Development Fees	-	-	0.00%
Reconnect Fees	35,000	7,722	22.06%
Interest	8,050	925	11.49%
Other	25,000	7,146	28.58%
Total Revenues	2,934,255	467,525	15.93%
Expenditures			
Departments	Budget	Actual	Percentage
Plant	3,146,631	1,140,348	36.24%
Distribution	682,581	145,137	21.26%
Total Expenditures	3,829,212	1,285,485	33.57%
Excess of Revenues Over (Under) Expenditures	\$ -	\$ (817,961)	

Actual expenses include encumbrances some of which are for the entire year.

# CITY OF HAVELOCK BUDGET VERSUS ACTUAL AUGUST 2022 SEWER FUND

### Revenues

Source	Budget	Actual	Percentage
Sewer Revenue	\$ 4,337,750	\$ 662,775	15.28%
System Development Fees	-	-	0.00%
Reconnect Fees	25,000	5,438	21.75%
Interest	7,200	313	4.35%
Other	320,000	4,084	1.28%
Total Revenues	4,689,950	672,609	14.34%
Expenditures			
Departments	Budget	Actual	Percentage
Plant	2,882,518	1,135,733	39.40%
Collection	1,807,432	430,842	23.84%
Total Expenditures	4,689,950	1,566,575	33.40%
Excess of Revenues Over (Under) Expenditures	\$ -	\$ (893,966)	

Actual expenses include encumbrances some of which are for the entire year.

# CITY OF HAVELOCK BUDGET VERSUS ACTUAL AUGUST 2022 SOLID WASTE

# Revenues

Source Solid Waste Revenue	Budget 1,271,714	Actual \$ 194,574	Percentage 15.30%
Total Revenues	1,271,714	194,574	15.30%
Expenditures			
Departments	Budget	Actual	Percentage
Solid Waste	1,271,714	917,170	72.12%
Total Expenditures	1,271,714	917,170	72.12%
Excess of Revenues Over (Under) Expenditures	\$ <u>-</u>	\$ (722,596)	

Actual expenses include encumbrances some of which are for the entire year.

306 307 308

304 305

\*\*\* This page intentionally left blank to page 8 \*\*\*

# CITY OF HAVELOCK BUDGET VERSUS ACTUAL AUGUST 2022 TOURIST AND EVENT CENTER

### Revenues

Revenues			
Source	Budget	Actual	Percentage
Building Rent	100,000	\$ 11,948	11.95%
ABC Sales	14,250	2,711	19.02%
Exhibit Revenue	24,750	4,901	19.80%
Transfer from General Fund	210,455	191,051	90.78%
Other	123,708	1,563	1.26%
Total Revenues	473,163	212,174	44.84%
Expenditures			
Departments	Budget	Actual	Percentage
Center	418,163	90,248	21.58%
Exhibits	55,000	6,241	11.35%
Total Expenditures	473,163	96,490	20.39%
Excess of Revenues Over (Under) Expenditures	\$ -	\$ 115,684	

Actual expenses include encumbrances some of which are for the entire year.

309 **Prior Year Revenue:** 

Filoi Teal Nevellue.		August 2021	
Source	Budget	Actual	Percentage
Building Rent	52,500	\$ 36,645	69.80%
ABC Sales	14,250	-	0.00%
Exhibit Revenue	24,750	670	2.71%
Transfer from General Fund	191,051	-	0.00%
Other	236,725	7,887	3.33%
Total Revenues	519,276	45,203	8.70%

310311312

# **GOVERNING BODY APPOINTMENTS: Recreation Advisory Board**

313 314

315

316

317

The terms of Recreation Advisory Board members Consuelo Colvin, Pam Holder, Jennifer Taylor-Sabdo, Sharon Knapp (Township #5) and Gary Odle (Township #6) expire on September 30, 2022. All members except for Ms. Colvin wish to be considered for reappointment. As of this writing, the City has only received one (1) application from a City resident interested in serving on the Recreation Advisory Board.

318319320

321

322

323

After a vote by written ballot, Commissioner Wilson made a <u>motion to reappoint Pam Holder</u> (City); Jennifer Taylor-Sabdo (City); Sharon Knapp (Township #5); Gary Odle (Township #6); and to appoint Madeliene Butcher (City) to the Recreation Advisory Board for a term beginning October 1, 2022 and ending September 30, 2024. Commissioner Lewis seconded and the motion carried unanimously. (5-0)

324 325 326

# **CITY MANAGERS REPORT**

327328

The City Manager had no report, noting that nothing has changed since the September 22<sup>nd</sup> Workshop.

329330331

### **CITY ATTORNEYS REPORT**

332333

The City Attorney had no report.

335336

334

# COMMISSIONERS REPORTS/COMMENTS

337338

339

Commissioner Jim Kohr thanked all of the citizens who were present this evening and spoke to the Board. He said the he appreciates their time. He continued on that the Chili Festival was great this year with a wonderful turn out. He was pleased to see the City's new street sweeper being shown off.

340341342

Commissioner Kohr thanked the TEC staff for a superb job they did for the God and Country

343 banquet. Everyone who attended had great reviews of the Tourist Center and the staff.

344 345

346

He ended by saying that the Mayor and Commissioners were going to be heading to Raleigh for the ADC Conference to represent Havelock and Cherry Point tomorrow. He asked for prayers of traveling mercies and a productive time while in Raleigh.

347

348

Commissioner Lewis echoed Commissioner Kohr's comments about the Chili Festival and said 349 that the City Manager did an outstanding job on his chili. 350

351 352

353

Commissioner Wilson thanked all who came out to the Chili Festival and stated that they had over 90 vendors. She concluded by saying that she hopes to see everyone in a week at National Night Out.

354 355 356

357

358

359

360

Commissioner Josh Kohr thanked everyone for coming out to the Chili Festival. He also encouraged everyone to attend the candidate's forum on Monday October 3rd at 6 p.m. at the TEC. Also, this Thursday, September 29th, he is hosting a meeting, called the Havelock "Roundtable on Homelessness, Addiction and Mental Illness" (RHAM) at 6 p.m. at the recreation center, in the gymnasium. He said that this will be just a conversation between the different groups and invited everyone to attend.

361 362 363

Commissioner Walsh stated that the Chili Festival was a great time and it was nice to see it that full.

364 365 366

# **MAYOR'S REPORTS/COMMENTS**

367 368

369

370 371

372

373

374

Mayor Lewis stated what he likes about events such as the Chili Festival is what is brings out in people. For instance, the Public Works crew cleaned the streets, mowed the grass and then washed all of their equipment. The Chili Festival is not a City event, but they have great pride and wanted their equipment to be clean and look it's best, because we support the event. Mayor Lewis also said it was an honor to have Sara Crocker at the Chili Festival, playing the National Anthem on her trumpet, during the opening session. He was very impressed by the size and longevity of the event, and reiterated that the crowd didn't thin out until it ended. The Mayor applauded everyone for doing a phenomenal job.

375 376 377

378

379

Lastly, Mayor Lewis relayed that the old First Citizens Bank building on Jaycee Street officially belongs to the City now. He explained that the City has to go through the asbestos remediation process before the building can be demolished. Mayor Lewis is hopeful that the building will be gone by the Christmas Tree Lighting Jubilee.

380 381 382

# ADJOURNMENT/RECESS

383 384

385

With there being no other business to discuss, Commissioner Josh Kohr made a motion to adjourn. Commissioner Wilson seconded and the motion carried unanimously. (5-0)

386

387	The meeting adjourned at 7:46 p.m.	
388		
389	Date approved:	
390		William L. Lewis, Jr., Mayor
391	Attest:	
392		
393		

394

Mary C. Weigl 395

Deputy City Clerk 396