



**March 10, Board Retreat  
March 26, Special Meeting**

**2. Budget Amendments:**

**Budget Amendment #13  
Fiscal Year 2011-2012**

**BE IT ORDAINED**, by the Board of Aldermen of the City of Southport, NC assembled in regular session February 9, 2012, that the following Budget Amendment be adopted for:

- 1.) **Transferring Funds** within departmental line items to remove underbrush and debris from ditch and ditch bank at Fodale, Cape Harbor, and Memory Lane Streets. There will be no change in total fund budget with this amendment.

**STREET DEPARTMENT**

<b>Section # I</b>	<b>Budget Amendment Increase (Decrease)</b>	<b>Budget As Amended</b>
B. Appropriated Expenditures		
Contractor/R.O.W Mowing	\$935	\$ 935
Utilities-Street Lights	(\$467)	\$27,533
Repair/Maintenance Equipment	(\$468)	\$ 2032

ADOPTED this the 9<sup>th</sup> day of February, 2012

/s/ Robert D. Howard, Mayor

Attest: /s/ Regina W. Alexander, MMC  
Clerk

**Budget Amendment #15  
Fiscal Year 2011-2012**

**BE IT ORDAINED**, by the Board of Aldermen of the City of Southport, NC assembled in regular session April 12, 2012, that the following Budget Amendment be adopted for:

- 1.) **Transferring Funds** within departmental line items to purchase equipment for new fire truck. There will be no change in total funds budgeted with this amendment.

**FIRE DEPARTMENT**

<b>Budget</b>	<b>Budget As</b>
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<b>Section # I</b>	<b>Amendment Increase (Decrease)</b>	<b>Amended</b>
B. Appropriated Expenditures		
Turnout Gear & SCBA (10-4340-2602)	(\$17,000)	\$ -0-
Telephone (10-4340-3200)	(\$11,125)	\$ 13,87
Capital Outlay-Vehicles (10-4340-5400)	\$28,125	\$513,327

ADOPTED this the 12<sup>th</sup> day of April, 2012

/s/ Robert D. Howard, Mayor

Attest: /s/ Regina W. Alexander, MMC  
Clerk

**Budget Amendment #16  
Fiscal Year 2011-2012**

**BE IT ORDAINED**, by the Board of Aldermen of the City of Southport, NC assembled in regular session April 12, 2012, that the following Budget Amendment be adopted for:

- 1.) **Transferring Funds** within departmental line items to cover overspent line items. There will be no change in total funds budgeted with this amendment.

**RESCUE DEPARTMENT**

<b>Section # I</b>	<b>Budget Amendment Increase (Decrease)</b>	<b>Budget As Amended</b>
B. Appropriated Expenditures		
Fees Paid to Volunteers (10-4370-1900)	\$6,500	\$84,500
Medical Supplies (10-4370-2601)	\$1,000	\$ 9,000
Uniform Supplies (10-4370-2602)	(\$1,000)	\$ 3,000
Other Equipment (10-4370-2603)	(\$2,500)	\$ 5,207
Travel & Training (10-4370-3100)	(\$1,000)	\$ 500
Telephone (10-4370-3200)	\$ 500	\$ 1,000
Utilities (10-4370-3300)	( 3,500)	\$ 6,500

ADOPTED this the 12<sup>th</sup> day of April, 2012

/s/ Robert D. Howard, Mayor

Attest: /s/ Regina W. Alexander, MMC  
Clerk

**Budget Amendment #17**  
**Fiscal Year 2011-2012**

**BE IT ORDAINED**, by the Board of Aldermen of the City of Southport, NC assembled in regular session April 12, 2012, that the following Budget Amendment be adopted for:

- 1.) **Transferring Funds** within departmental line items to cover cost of new tires for activity bus. There will be no change in total funds budgeted with this amendment.

**PARKS AND RECREATION DEPARTMENT**

<b>Section # I</b>	<b>Budget Amendment Increase (Decrease)</b>	<b>Budget As Amended</b>
<b>B. Appropriated Expenditures</b>		
Tire and Fuel (10-6120-2500)	\$2,500	\$ 9,000
Capital Outlay-Other (10-6120-5500)	(\$2,000)	\$ 66,250
Travel & Training (10-6120-3100)	(\$ 500)	\$ 1,500

ADOPTED this the 12<sup>th</sup> day of April, 2012

/s/ Robert D. Howard, Mayor

Attest: /s/ Regina W. Alexander, MMC  
Clerk

**Budget Amendment #18**  
**Fiscal Year 2011-2012**

**BE IT ORDAINED**, by the Board of Aldermen of the City of Southport, NC assembled in regular session April 12, 2012, that the following Budget Amendment be adopted for:

- 1.) **Transferring Funds** within departmental line items to cover overspent Professional Fees and several other overspent accounts in Electric and Water/Sewer Fund. There will be no change in total funds budgeted with this amendment.

**ELECTRIC AND WATER/SEWER FUND**

<b>Budget Amendment Increase (Decrease)</b>	<b>Budget As Amended</b>
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**Section # IV & V**

**B. Appropriated Expenditures**

Professional Fees (30-7210-1800)	\$ 10,000	\$ 47,500
Customer & Developer Underground (30-7210-5901)	\$(10,000)	\$165,000
Professional Fees (31-7130-1800)	\$ 20,000	\$ 79,700
Capital Improvements (31-7130-5800)	\$ (10,000)	\$ 64,600
Capital Outlay/Equipment (31-7130-5000)	\$ (10,000)	\$ 43,450
Water Supplies/Wells (31-7130-2601)	\$ 300	\$ 300
Sewer System R&M/Pump (31-7130-3505)	\$ 100	\$ 100

ADOPTED this the 12<sup>th</sup> day of April, 2012

/s/ Robert D. Howard, Mayor

Attest: /s/ Regina W. Alexander, MMC  
Clerk

**Budget Amendment #19  
Fiscal Year 2011-2012**

**BE IT ORDAINED**, by the Board of Aldermen of the City of Southport, NC assembled in regular session April 12, 2012, that the following Budget Amendment be adopted for:

- 1.) Appropriating General Fund Balance for renovation of Fort Johnston and relocation of Visitors Center. This has been approved by the Board of Aldermen.

**TOURISM DEPARTMENT**

	<b>Budget Amendment</b>	<b>Budget As Amended</b>
	Increase (Decrease)	

**Section # I**

**A. Revenues Anticipated**

General Fund Appropriated Fund Balance (10-3991-0000)	\$ 48,200	\$ 1,248,984
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**B. Appropriated Expenditures**

Capital Improvements (10-6170-5800)	\$ 48,200	\$ 48,200
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ADOPTED this the 12<sup>th</sup> day of April, 2012

/s/ Robert D. Howard, Mayor

Attest: /s/ Regina W. Alexander, MMC  
Clerk

**3. Resolutions/Proclamations: National Day of Prayer - May 3, 2012  
Earth Day - April 22, 2012  
Spring Clean Up - April 17-21, 2012**

**PROCLAMATION  
NATIONAL DAY OF PRAYER**

**WHEREAS**, civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

**WHEREAS**, the Declaration of Independence, our first statement as Americans of national purpose and identity, made “the Laws of Nature and Nature’s God” the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

**WHEREAS**, the Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

**WHEREAS**, in 1988 legislation setting aside the first Thursday of May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

**WHEREAS**, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

**WHEREAS**, it is fitting and proper to give thanks to God by observing a day of prayer in the City of Southport when all may acknowledge our blessings and express gratitude for them, while recognizing the needs for strengthening religious and moral values in our State and Nation; and

**NOW, THEREFORE**, I Robert D. Howard, Mayor of the City of Southport, and Board of Aldermen do hereby proclaim May 3, 2012 as “A DAY OF PRAYER IN SOUTHPORT” and urge all citizens of Southport to observe the day in ways appropriate to its importance and significance.

This 12<sup>th</sup> day of April 2012.

/s/ Robert D. Howard  
Mayor

Attest: /s/ Regina W. Alexander, MMC  
Clerk

*City of Southport*  
2012 Earth Day Proclamation

***WHEREAS**, the first Earth Day was celebrated on April 22, 1970, and was founded by the late Senator Gaylord Nelson with the goal of inspiring environmental awareness and encouraging the conservation, protection and appreciation of our nation's natural resources; and*

***WHEREAS**, it is the responsibility of each of us to safeguard the environment, by recognizing that all human life depends upon the Earth and upon one another for our mutual existence, well-being and development; and*

***WHEREAS**, the steps we can take to protect and preserve our natural environment through education, partnerships and positive actions should be encouraged; and*

***WHEREAS**, the citizens of Southport are committed not only to the protection and preservation of our environment, but also to the restoration of ecosystems and habitat; and*

***WHEREAS**, in furtherance of this objective the City of Southport supports organizations that participate in Earth Day 2012; and*

***WHEREAS**, the City commends all who participates in Earth Day, for their dedication in taking a proactive role in shaping the future of our environment and in protecting the Earth's precious natural resource;*

***NOW, THEREFORE, BE IT RESOLVED**, that I, Robert D. Howard, Mayor of the City of Southport, do hereby proclaim April 22, 2012, as*

**EARTH DAY**

*and urge all our citizens to be mindful of local, state and national laws which protect our environment and to join in efforts to preserve the beauty and wonder of the lands, skies and water of the Earth in all its diversity.*

*This the 12<sup>th</sup> day of April 2012.*

*/s/ Robert D. Howard, Mayor*

*/s/ Regina W. Alexander, MMC  
Clerk*

**PROCLAMATION**

***SOUTHPORT SPRING CLEAN UP 2012***

**Whereas**, the City of Southport annually organizes a spring clean up to insure clean and beautiful streets in the City; and

**Whereas**, the Spring Cleanup will take place April 17-21, 2012, and encourage local citizens, businesses, civic groups, churches, schools, families, individuals and professional groups to participate in this effort by organizing cleanups in their neighborhoods; and

**Whereas**, Southport Code Enforcement Department is collecting debris and refuse at the intersection of 8<sup>th</sup> Street and Caswell Avenue; and

**Whereas**, the great natural beauty of Southport and a clean environment is a source of pride for all citizens and attracting tourists; and

**Whereas**, the cleanup will increase awareness of the need for cleaner roadsides, streets and neighborhoods, and emphasize the importance of not littering, and encourage recycling of solid waste, and

**Whereas**, the 2012 spring cleanup is an annual event coordinated by the Code Enforcement Officer, and is utilized by our residents and citizens as a service to keep Southport clean and beautiful, and

**Whereas**, the “*Southport Spring Cleanup*” will be a part of bringing awareness to the citizens of this Great City regarding the importance of a clean environment to the quality of life in Southport, North Carolina.

**NOW, THEREFORE, I ROBERT D. HOWARD, MAYOR OF THE CITY OF SOUTHPORT, NORTH CAROLINA**, do hereby proclaim April 17-21, 2012 as “***SPRING CLEANUP***” *time in* Southport and encourage citizens to take an active role in making our city cleaner.

This 12<sup>th</sup> day of April 2012

/s/ Robert D. Howard, Mayor

Attest: /s/ Regina W. Alexander, MMC  
Clerk

**IV. Approval of Agenda**

Mayor Howard requested addition of:

- X. New Business (5)** Consideration of staff recommended financial arrangements for the purchase of a new ladder truck for the Fire Department

**New Business (6)** Consideration of Brunswick Community College (BCC)  
Resolution

**VI. Committee Reports (f)** Update from the Planning Board Chairman on proposed text amendment to permit ice-vending machines

Alderman Powell requested deletion of item **XI Other Business, 3 & 4**. Alderman Karn voiced opposition to removal of the items.

Alderman Powell motioned, seconded by Alderman Barnes to approve the agenda as amended. *Ayes: Aldermen Powell, Poole, Barnes, Coring, Adams*

*Nay: Alderman Karn*

*Motion carried 5-0.*

**V. Public Comments**

Mr. Norman Holden, 212 Frink Drive, spoke in favor of keeping the tennis courts and suggested realigning the courts to face East/West.

Ms. Mary Tomlinson, 129 Yaupon Drive Extension, spoke in favor of keeping the tennis courts.

Mr. Rick Johnstone, 110 Willis Drive, spoke in favor of keeping the tennis courts.

Mr. Rhodes Messick, 6231 Cottage Creek Road, asked for an update on improvements to the sewer system pointing out he had seen city crews running a hose in the Cottage Creek pump station.

Mr. Michael Rice, 2012 Bonner Bussells Drive, talked about the 2011 annexation process. He noted the annexation could become effective June 30, 2012 due to a March 27, 2012 court ruling. He pointed out the City would then be obligated to provide services to the annexation areas. He encouraged the Board to rescind the annexation.

Mr. Fred Guerrina, 710 Dale Avenue, thanked Regina Alexander for serving as Interim City Manager for the past 14 months.

Deputy Clerk Windham read a statement into the record from Mr. Ed Boguskie, 502 W. Brown Street:

“I have, for sometime, had reservations about the number of closed sessions or executive sessions that the Southport Board of Aldermen have entered into. Each of you are aware of the permitted purposes for a closed session and any thing beyond these permitted purposes is not legal. I am having trouble with closed sessions being added to the agenda at the board meeting with little or no explanation as to why. At the March meeting Alderman Karn had to ask why the closed session was being added. This is not acceptable. If there is a real reason (falling under the 9 guidelines) a reason should be given and unless, of a vital nature, should not be added at a board meeting.

When you, the aldermen, feel a closed session is not valid or the conversation during a closed session goes beyond what the session was called for, you may leave the session and go back to your board seat at any time. This will say a lot to those in the audience. Think this over, it is important or the State would not have addressed it as it has done. North Carolina is very strong on open meetings and the open meeting laws.”

Alderman Coring reported he had received 69 comments in favor of keeping the tennis courts.

## **VI. Committee Reports**

### **a) Emergency Services Committee**

Alderman Poole stated the committee report:

Members: Aldermen Coring and Poole, Chiefs Cumbee, Dove and Sage, and City Manager

1. The Emergency Services Committee was appointed by Mayor Howard with the purpose of making a recommendation to the Board of “What Official Position Should the City take in regard to the Vote of the Citizens concerning Emergency Services.”
2. The following is an interim report with the final report being provided at the May meeting.
3. Considerations of the committee included the desires and wishes of the citizens, costs involved and the citizen population of 2800 versus the services population of 9,200. In consideration of the 2800 vs 9200, it is noted that there was and is no effort to compare Fire to Rescue or vice versa, but only to acknowledge this for financial and economic purposes.
4. For an interim report, the Committee recommends that
  - a. The primary focus should be ambulance services. The city requires a new ambulance and a dependable back up. At this time it is estimated that the cost would be approximately \$200,000.00. It is noted that Chief Sage is very proactive in reviewing available equipment with different options for purchasing to get the best equipment for the least amount of money. It is noted that in order to focus on the mission of this committee, the costs involved in renovation to the building were not discussed. However, it is noted that once a decision is made, the approximately \$200,000 estimated cost for renovations would need to be placed in the Rescue Squad Budget.
  - b. Departments Should Train Together: With continuing of Rescue operations with Fire Department Back up.
  - c. Review Emergency Plans and update as necessary.
  - d. Update Master Plan
  - e. Complete Matrix covering responsibilities - Fire, Police, Rescue

5. For the May meeting, request that information be provided to the Board by the City Manager and the Finance Officer concerning information on the Rescue Squad to include but not limited to all revenues and expenditures.
6. We request that no discussion or decisions be made until the next meeting when the Board has had appropriate time to review the interim report and obtain all of the information available from Staff.

**b) Shop to the Beat**

Alderman Poole reported that *Shop to the Beat* has been renamed to “*Southport Beat*” and would be held the third Friday of each month, 5:00 to 8:00 p.m. beginning June 15.

**c) Website Committee**

Alderman Karn reported the committee met April 4 and changes were made to the site based on recommendations made at that meeting. Alderman Karn presented an overview of the City’s new website, pointing out a welcome message by the Mayor, additions to the Southport photo gallery, Calendar of Events including any events taking place in Southport, alphabetical business directory, availability of Board of Aldermen documents, and an information only Facebook page.

Aldermen Coring and Barnes questioned the status of additional Southport websites, i.e., *Southport Community Center* and *Visit Historic Southport*. Alderman Coring emphasized that everything for Southport should be on one website.

Alderman Powell motioned, seconded by Alderman Barnes to appoint the City Manager, or his designee, as the webmaster of the new City of Southport web page. ***Motion carried 6-0.***

Alderman Karn motioned, seconded by Alderman Coring to authorize the Website Committee and the City Manager to take the City’s web page live. ***Motion carried 6-0.***

**d) Utility Committee**

Mr. Bob Grant, Interim Public Services Director, reported the Utility Committee attended a presentation by Cecil Rhodes, former engineer of Progress Energy, regarding solar power in homes. Mr. Grant stated the committee recommends continues review of solar power.

Mr. Grant, responding to a public comment by Mr. Messick, stated a dilution program is being conducted at the Cottage Creek pump station to improve flow and prevent sewage from turning septic.

**e) Traffic & Transportation Committee**

Alderman Powell reported the Committee discussed which projects and paving of streets will be pursued using Powell Bill funding. A final recommendation will be made to the Board at the next meeting.

**f) Planning**

Planning Board chairman Tish Hatem updated the Board on a proposed Unified Development Ordinance (UDO) text amendment to allow ice-vending machines. She stated a Planning Board subcommittee met March 28, and will be reporting to a full Planning Board during the April 19 meeting with a recommendation:

- Remove restrictions to distance from residential zoning areas
- Remove size restrictions
- Add language for removal of machine within 30 days if main business ceases to operate
- Retain as a conditional use in Business District (BD) and Highway Commercial (HC) zoning districts
- Retain as an accessory use

Ms. Hatem indicated the review committee felt permitting the units as a stand alone business would not fit with the small shop theme of the city.

Alderman Poole and Adams urged the Planning Board to reconsider permitting the use as a stand alone business.

**VII. Departmental Reports** (Included in agenda packet).

Mayor Howard asked the City Manager to determine how many websites the City has, pointing out a referral to a site other than cityofsouthport.com in the Tourism and Economic Development report in the agenda packet.

Alderman Coring expressed concerns to creation of a downtown promotional team as outlined in the Tourism and Economic Development report. He pointed out there are already several different committees focused on downtown, i.e. Downtown Southport, Inc., Merchants Roundtable, volunteers and another group would hinder those efforts.

**VIII. Public Hearing**

Aldermen Coring motioned, seconded by Aldermen Poole to go into Public Hearing.  
*Motion carried 6-0.*

**1) Text Amendment: Unified Development Ordinance, Article 10 Table of Permitted Uses, Section 10-1, Note 4: Accessory Uses**

Mrs. Amy Nelson, Planning Director, explained the proposed text amendment, Article 10, Section 10-1, Note 4: *Accessory Uses, Swimming Pools* is to re-word confusing language to

the required pool setback and to bring the fence height for a swimming pool in line with the North Carolina Building Code.

Mr. Billy Sherrod, 224 River Drive, talked about the NC Building Code required pool safety features and the four (4) ft. fence height.

**2) Text Amendment: Unified Development Ordinance, Article 16 Off Street Parking and Off Street Loading Requirements, Section 16-3 Minimum Parking Requirements, Storage, Self Service**

Ms. Nelson explained the text amendment recommended by staff and the Planning Board provides for self-storage parking requirements that are in keeping with other communities in the area, are less restrictive than the current language, and reduces impervious surface.

Alderman Adams motioned, seconded by Alderman Barnes to close the Public Hearing.  
*Motion carried 6-0.*

**IX. Old Business**

**1) Consideration of Preliminary Plat, Highland Park Subdivision**

Mr. Bob Grant, Public Services Director, requested the Board defer consideration of the Highland Park Subdivision due to a last minute request for a change by the developer. Alderman Powell, Utility Committee Chairman, concurred. Mayor Howard removed the item from the agenda and directed staff and the Utility Committee to present a recommendation at the next Board meeting.

**2) Consideration of painting dark wood at Fort Johnston Garrison House a light color**

Alderman Karn reported the request was withdrawn by the Tourism and Economic Development Director.

**Recess - 7:41 p.m.**

**Reconvene - 7:47 p.m.**

**3) Consideration of Brunswick Community College Contract Agreement**

City Attorney Mike Isenberg presented the signed agreement with Brunswick Community College (BCC) for a planned satellite campus on North Lord Street. He pointed out the City will provide normal street lighting and the agreement would be invalid if the college did not begin construction by May 31.

Alderman Barnes motioned, seconded by Alderman Poole to approve the *Memorandum of Understanding Between City of Southport and Brunswick Community College* as presented by the City Attorney. *Motion carried 6-0.* (Copy of agreement on file in the Clerk's office)

#### 4) **Space Study Update**

Mayor Howard presented the conceptual drawings of the proposed renovations to the Code Enforcement building, old fire department and rescue squad headquarters. He explained the details of the cohesive facade design pointing out the protruding and recessed brick, the various brick colors, and a proposed recessed area for inclusion of artistic renderings of Historic Southport. He noted that City staff had been involved in the floor plan and were satisfied with the design.

Alderman Barnes pointed out the addition of a public restroom at the rear of the Code Enforcement Building and at the back door of the proposed Police Station.

Alderman Poole motioned, seconded by Alderman Powell to approve the conceptual design and authorize staff to proceed with construction drawings. *Motion carried 6-0.*

Mayor Howard reported the visitor center will be moving to the Fort Johnston Garrison House during the month of May allowing for the code enforcement staff to use the former visitor center during renovations to the Nash Street building and for the Finance Department to use the space during a planned renovation to City Hall.

#### 5) **Appropriation of funds to pay Connolly Tree Service for assessment of Oak trees located behind the old Fire Department before work begins on the renovation of city offices**

Alderman Poole motioned, seconded by Alderman Barnes to appropriate up to \$3,075 for pruning of trees located behind the Old Fire Department and fertilization of one 46" diameter Live Oak located in front of Live Oak Nutrition and directing staff to seek assistance from Brunswick County to reduce the cost. *Motion carried 6-0.*

### X. **New Business**

#### 1) **Consideration of Text Amendment: Unified Development Ordinance, Article 10 Table of Permitted Uses, Section 10-1, Note 4: Accessory Uses**

Alderman Poole motioned, seconded by Alderman Powell to adopt the text amendment and resolution as recommended by the Planning Board and City staff. *Motion carried 6-0.*

#### **TEXT AMENDMENT # 12-0308-01**

#### **An Ordinance Amending the City of Southport Unified Development Ordinance, With Respect to Off-Street Parking and Off-Street Loading Requirements**

*Statement of Present Regulation*

**ARTICLE 10. Table of Permitted Uses** (revised 12-13-07)

**Section 10-1, Note 4: Accessory Uses**

Swimming pools as an accessory use in R-10, R-20, MF, MH, O-I or PUD districts shall be enclosed by protective fencing not less than five (5) feet in height and should be setback five (5) feet from the existing property line.

*Statement of Proposed Amendment:*

Swimming pools as an accessory use in R-10, R-20, MF, MH, O-I or PUD districts *shall be setback five (5) feet from the existing property line and enclosed by protective fencing meeting the requirements of the NC Residential Building Code.*

**RESOLUTION APPROVING TEXT AMENDMENT TO UNIFIED DEVELOPMENT  
ORDINANCE**

**THAT WHEREAS**, the City has enacted a Unified Development Ordinance and other land use ordinances that control land development within both the City's incorporated areas and within its extraterritorial area; and

**WHEREAS**, in order to promote the public health, safety and general welfare and to promote the best interest of the city and community, it is necessary for the Southport Board of Aldermen from time to time to consider appropriate revisions, modifications and additions to the City's land use ordinances; and

**WHEREAS**, the Planning Board has considered this matter and has recommended that this proposed amendment to Article 10 of the Unified Development Ordinance (UDO) be approved; and

**WHEREAS**, pursuant to NC General Statutes and city ordinances, a public hearing, properly noticed, was held on April 12, 2012, before the Board of Aldermen regarding this issue; and

**WHEREAS**, the Board of Aldermen hereby finds that this proposed amendment to the Unified Development Ordinance is consistent with the Southport CAMA Land Use Plan; and

**WHEREAS**, the Board of Aldermen further finds that this amendment is reasonable and in the public interest in that (i) in this instance Southport's UDO should be in alignment with the State of North Carolina Building Code, (ii) this amendment promotes orderly growth and development in the City, and (iii) allowance of a lower pool fence height does not hinder the public safety and general welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED** by the Southport Board of Aldermen that the amendment and addition to the Southport Unified Development Ordinance is hereby approved and adopted.

This 12<sup>th</sup> day of April, 2012

City of Southport

/s/ Robert D. Howard  
Mayor

ATTEST: /s/ Regina W. Alexander, MMC  
Clerk

2) **Consideration of Text Amendment: Unified Development Ordinance, Article 16 Off Street Parking and Off Street Loading Requirements, Section 16-3 Minimum Parking Requirements, Storage, Self-Service**

Alderman Powell motioned, seconded by Alderman Barnes to adopt the text amendment and resolution as recommended by the Planning Board and City staff. *Motion carried 6-0.*

**TEXT AMENDMENT # 12-0229-01**

**An Ordinance Amending the City of Southport Unified Development Ordinance, With Respect to Off-Street Parking and Off-Street Loading Requirements**

**ARTICLE 16. OFF-STREET PARKING AND OFF-STREET LOADING REQUIREMENTS**  
(revised 12-13-07)

*Statement of Present Regulation:*

**Section 16-3: Minimum Parking Requirements**

The following off-street parking space shall be required and maintained:

Storage, Self-Service	One (1) space for each 225 square feet of gross floor area, plus one (1) space for each employee.
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*Statement of Amendment Proposed by Staff:*

**Section 16-3: Minimum Parking Requirements**

The following off-street parking space shall be required and maintained:

Storage, Self-Service	Minimum five (5) spaces or one (1) space for each 100 storage units, whichever is greater, plus one (1) space for each employee and two (2) spaces for manager's quarters, if present.
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**RESOLUTION APPROVING TEXT AMENDMENT TO UNIFIED DEVELOPMENT ORDINANCE**

**THAT WHEREAS**, the City has enacted a Unified Development Ordinance and other land use ordinances that control land development within both the City's incorporated areas and within its extraterritorial area; and

**WHEREAS**, in order to promote the public health, safety and general welfare and to promote the best interest of the city and community, it is necessary for the Southport Board of Aldermen from time to time to consider appropriate revisions, modifications and additions to the City's land use ordinances; and

**WHEREAS**, the Planning Board has considered this matter and has recommended that this proposed amendment to Article 16 of the Unified Development Ordinance (UDO) be approved; and

**WHEREAS**, pursuant to NC General Statutes and city ordinances, a public hearing, properly noticed, was held on April 12, 2012, before the Board of Aldermen regarding this issue; and

**WHEREAS**, the Board of Aldermen hereby finds that this proposed amendment to the Unified Development Ordinance is consistent with the Southport CAMA Land Use Plan; and

**WHEREAS**, the Board of Aldermen further finds that this amendment is reasonable and in the public interest in that (i) some current parking requirements in the UDO use an unnecessary amount of impervious surface, (ii) this amendment promotes orderly growth and development in the City, and (iii) allowance of parking flexibility in this instance promotes the public safety and general welfare of the community through protection of natural resources.

**NOW, THEREFORE, BE IT ORDAINED** by the Southport Board of Aldermen that the amendment and addition to the Southport Unified Development Ordinance is hereby approved and adopted.

This 12<sup>th</sup> day of April, 2012

City of Southport

/s/ Robert D. Howard  
Mayor

ATTEST: /s/ Regina W. Alexander, MMC  
Clerk

**3) Consideration of Approval of National Pollution Discharge Elimination System Pesticide Discharge Management Plan & Resolution**

Alderman Barnes motioned, seconded by Alderman Poole to approve the staff recommended Pesticide Discharge Management Plan and adopt *Resolution Designating Official to Sign Papers and to Otherwise Represent the Board in Connections with Mosquito Control Activities National Pollution Discharge Elimination System. Motion carried 6-0.*

(Copy of Resolution on file in the Clerk's office)

**4) Consideration of Modification to City of Southport Sewer Transmission Facilities Agreement**

Mr. Grant discussed the proposed modification to the City's agreement with Brunswick County that would require the County to guarantee the City of Southport 330,000 gallons per day of sewer capacity in the Rivermist Pump Station.

Aldermen Powell motioned, seconded by Alderman Karn to modify the *City of Southport Sewer Transmission Facilities Agreement* with Brunswick County per staff recommendation. **Motion carried 6-0.** (Copy of Agreement on file in the Clerk's office)

**5) Consideration of staff recommended financial arrangements for the purchase of a new ladder truck for the Fire Department.**

Mayor Howard reported that two bids had been received for financing of a new ladder truck for the Fire Department. He noted that \$400,000 was paid down on the purchase. He recommended accepting the financing proposal from Branch Banking & Trust (BB&T) for the purchase balance as a lease purchase with a term of five (5) years at 1.77 percent interest. He pointed out that the \$84,297.68 paid annually would be realized from fire fees collected from 9,200 citizens served by the Fire Department. The truck is scheduled to be delivered April 17.

Alderman Powell motioned, seconded by Alderman Poole to adopt the *Resolution Approving Financing Terms* and authorize financing through Branch Banking & Trust (BB&T) for purchase of a new ladder truck for the Fire Department.

***Motion carried 6-0.***

### **RESOLUTION APPROVING FINANCING TERMS**

**WHEREAS:** The City of Southport, North Carolina (the “City”) has previously determined to undertake a project for one Spartan Aerial Platform Fire Truck (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED,** as follows:

1. The City hereby determines to finance the Project through Branch Banking and Trust Company (“BB&T”), in accordance with the proposal dated April 4, 2012. The amount financed shall not exceed \$400,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.77 %, and the financing term shall not exceed five (5) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer’s satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer’s final approve of the Document’s final form.

4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Section 265(b)(3).
5. The City intends that the adoption of this resolution will be a declaration of the City’s official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City’s general fund, or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 12<sup>th</sup> day of April, 2012.

City of Southport

/s/ Robert D. Howard  
Mayor

By: Regina W. Alexander, MMC  
Clerk

#### **6) Consideration of Brunswick Community College Resolution**

Mayor Howard stated concerns had been raised by the many citizens that utilize the Brunswick Community College Pottery Studio that the program will be forgotten. He noted that in light of the fact the renovations to the Lord Street campus are scheduled to proceed, he recommended the Board call on the college to use a portion of the building to accommodate the pottery program.

Alderman Barnes motioned, seconded by Alderman Poole to adopt the resolution.

***Motion carried 6-0.***

### **RESOLUTION**

**WHEREAS**, the City of Southport has for many years supported Brunswick Community College and its programs; and

**WHEREAS**, the City of Southport has allowed the use of city facilities for various functions and activities, including the Senior Citizens’ Building located at 209 N. Atlantic Avenue; and

**WHEREAS**, Brunswick Community College Pottery Studio was located in this City facility as City records indicate from January 30, 1988 until August 6, 2009; and

**WHEREAS**, Brunswick County relocated the Senior Citizens program and the City of Southport Parks and Recreation offices were moved to this location; and

**WHEREAS**, since the Pottery Studio did not have a facility, the City allowed Brunswick Community College to use the Old Fire Station from December 7, 2010 through June 7, 2011 pursuant to an agreement between the City and Brunswick Community College; and

**WHEREAS**, Brunswick Community College campus was not completed and the City extended the offer to the college to let them continue to use the old fire station with the agreement that the City would provide a 30 day notice if the building was needed; and

**WHEREAS**, the pottery class will be relocated to the Brunswick College Campus on Lord Street upon completion of renovation; and

**WHEREAS**, the City of Southport is in the process of preparing for renovation of City facilities and has need to relocate the Police Department in the old fire station;

**NOW, THEREFORE BE IT RESOLVED**, that the Southport Board of Aldermen requests Brunswick Community College to open a portion of the Lord Street Campus for use by the Pottery Studio;

This 12<sup>th</sup> day of April 2012

/s/ Robert D. Howard, Mayor

Attest: /s/ Regina W. Alexander, MMC

Clerk

## **XI. Other Business**

### **1) Tennis Courts - Use and Maintenance of**

Alderman Poole stated she had received a myriad of telephone calls and e-mails from citizens pleading to keep the tennis courts on Moore Street. She pointed out the Board had heard public comments and Alderman Coring had also received numerous comments.

Alderman Poole motioned, seconded by Alderman Coring to abandon the parking lot study, to continue using the tennis courts, allocate \$35,000 - \$40,000 for resurfacing the tennis courts and directed staff to consider realignment of the direction the courts face.

#### Discussion

Alderman Adams expressed support for resurfacing the tennis courts but preferred having a specific cost report prior to approving the expenditure.

Alderman Powell agreed with the motion but also the need for a professional service to quote the cost of resurfacing and realignment.

Alderman Barnes thanked the public for their input, expressed his support of the motion and recommended adding two (2) parking spaces for use by the tennis courts patrons.

Alderman Karn noted a previous board had approved removal of the tennis courts and installation of a parking lot. He pointed out a tennis court would have a larger impervious surface than a parking lot. He stated he had received many comments in support of keeping the tennis courts. He shared his opinion the courts would be used and are an annuity for the City requiring periodical resurfacing.

Roll call vote: Alderman Adams, Nay "Not without a study"  
Alderman Barnes, Yea  
Alderman Coring, Yea  
Alderman Karn, Yea  
Alderman Poole, Yea  
Alderman Powell, Yea

**2) Consideration by the Board to hold a Public Hearing regarding tennis courts**

Consideration not applicable; refer to Item 1).

**3) Discussion of rules and procedures for closed sessions and committee reports with possible action to add items to current rules and procedures**

Item removed from the Agenda.

**4) Consideration of closed session to discuss possible property swap with property at E. Moore and Ft. Johnston way and the riverfront pocket park on Bay and Atlantic Streets**

Item removed from the Agenda

**XII. City Manager Comments**

City Manager Thomas expressed his appreciation for the assistance he has received from Ms. Alexander and City staff while settling into the office.

**XIII. Board Comments**

Alderman Barnes stated a reminder about the *Spring Clean Up* and the *Dosher Memorial Hospital Gala*.

Mayor Howard announced a meet and greet would be held April 19, 5:00 - 7:00 p.m. at the Community Building to introduce the new City Manager to the public.

**XIV. Executive Session - 8:34**

Alderman Poole motioned, seconded by Alderman Adams to go into Executive Session pursuant to G.S. 143-318.11 (6). **Motion carried 6-0.**

**Regular Session Reconvened - 8:49 p.m.**

Alderman Coring motioned, seconded by Alderman Poole to come out of Executive Session. **Motion carried 6-0.**

Mayor Howard stated the purpose of the Closed Session was to discuss staff transition. He expressed appreciation on behalf of the entire Board to Regina Alexander for serving as Interim City Manager for the past 14 months and Michele Windham for assisting as City Clerk.

Alderman Barnes motioned, seconded by Alderman Poole to award Regina Alexander a \$4,000 bonus. **Motion carried 6-0.**

Alderman Karn motioned, seconded by Alderman Adams to award Michele Windham a \$2,000 bonus. **Motion carried 6-0.**

**XIV: Adjournment**

Alderman Barnes motioned, seconded by Alderman Adams to adjourn the April regular meeting at 8:57 p.m.

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Mayor

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Clerk