

*February 17, 2025*  
***SPECIAL MEETING MINUTES***

CITY OF SOUTHPORT  
BOARD OF ALDERMEN  
223 E. BAY STREET  
12:30 P.M.

**PRESENT:** Mayor Richard Alt  
Mayor Pro-Tem Rebecca Kelley  
Aldermen Marc Spencer, Robert Carroll, Frank Lai, Lowe Davis, Karen Mosteller

**STAFF:** Noah Saldo, Interim City Manager  
Tori Deviney, Deputy City Clerk  
Charles Drew, Fire Chief  
Maureen Meehan, Planning Services Director  
Todd Coring, Police Chief  
ChyAnn Ketchum, Public Information Officer  
Tom Zilinek, City Engineer

**A. Call to Order**

Mayor Alt called the meeting to order at 12:30 p.m.

**B. Invocation**

Alderman, Reverend, Lowe Davis gave the invocation.

**C. Pledge of Allegiance**

Mayor Alt led the assemblage in the Pledge of Allegiance.

Mayor Alt introduced Interim City Manager Noah Saldo. Mayor Alt introduced Deputy City Clerk Tori Deviney and advised anyone who made public comments and wanted feedback to provide contact information to Ms. Deviney.

**D. Public Comment**

Alderman Mosteller moved, second by Alderman Lai to open Public Comment.  
**Unanimous vote; motion carried.**

Mr. Warren Whitley, 432 Cades Trail, addressed the Board regarding the Cades Cove Planned Unit Development (PUD) process. He pointed out that though a majority of the residents of Cades Cove want to gate the community, does not mean it is a good decision for the Board to support it. He noted that the Planning Board did not recommend it, it would go against traffic connectivity as addressed in the Comprehensive Plan, and the original subdivision plan indicated that the streets would eventually be the city's responsibility. As a city taxpayer, he

questioned why he would want to take on the expense of maintaining the streets over and above his taxes. He stated the Board is partially responsible, all decisions of this magnitude should have alternatives to consider and he provided three (3):

1. Approve the streets as is in the subdivision. They are better than the vast majority of the streets in Southport. There is no immediate impact to the city budget.
2. Approve the acceptance of Cades Trail and Lord Thomas Streets now to maintain connectivity and phase in the other streets down the road.
3. Do nothing. Leave the burden of maintenance to the residents who are paying taxes and make them pay more money.

“Can you imagine what the assessment would be if we had to pave all the roads in Cades Cove? I couldn’t afford it. To address Alderman Davis’s comments, the Cades Cove issue was caused by premature exit by Cardinal Builders and became the driving reason to change the Unified Development Ordinance (UDO) to not allow building permits to be issued until all infrastructure was completed and inspected by the City. The comments about safety and traffic were based on hysterics and not reality. I sit on my porch on Cades Trail quite often and rarely see traffic passing by. Will we see an increase when Indigo 2 goes through the neighborhood? Maybe. If we do it will be incremental because they are not going to put all the houses in at once. Where’s the data? Nobody has done any studies that I am aware of. Basically this decision should be a rational one and not based on emotions. The pragmatic choice is to fix the problem for the residents already paying taxes and who expected Cades Cove streets to be city streets per the original plan.”

Mr. Terry Duff, 6519 Walden Pond Lane, addressed the Board on two (2) issues regarding the 440 acre tract that was annexed by the City in 2006. He pointed out that the North Carolina Wildlife Resources Commission (NCWRC) was present. Stating he did not expect an immediate answer, Mr. Duff directed a question to Police Chief Coring; “When I was up here talking to the Aldermen and Mayor several months ago, I found an issue with a City rule that allowed hunting on that property and it was a club that I think was primarily of firemen. Allegedly that was taken down and I don’t know but I need an answer if it was really taken down and the reason I am asking, is that someone was hunting there last week, last Saturday morning. I heard a gunshot, I walked over there on public property and I confronted a gentleman coming out of the woods carrying his 12 gauge shotgun. I said, “are you allowed to hunt on here?” He told me, it’s none of your \*!%# business. So I would like to understand if the City can quantify who is allowed to hunt on that property? Do I have to wait for an answer, I’m not sure, I’m just trying to get to the root cause because this has been going on year after year and it appears that the can keeps being kicked down the road.”

Mayor Alt shared his understanding that there is no longer hunting permitted on that property. He speculated that someone could hunt the property without permission and to call 911 so the City Police could enforce whatever rules they need to enforce. Mr. Duff stated he did not want to waste City assets having to go out there and confront someone who may have permission. Mayor Alt assured Mr. Duff that at the end of the meeting he would speak with the Chief of Police to confirm that no hunting is permitted on that property.

Mr. Duff’s second topic questioned regarded a recent request for public records pertaining to the above discussed property. He stated the city issued form he filled out indicated there would be a response within ten (10) days. “So what happens when this is day thirteen

(13)?” Interim City Manager Saldo responded it was the responsibility of the Clerk’s office to respond to record requests, he would follow up on it, and get back with Mr. Duff.

Ms. Lora Sharkey, 432 Cades Trail, spoke to the Board about traffic management.

“The consultant that is working on the Comprehensive Plan had a question by one of the Aldermen, *“what is traffic management?”* It is one of the BIG issues he pointed out in the Comprehensive Plan. To the best of my understanding, traffic management would be to manage traffic, not let it be a traffic jam, to avert traffic to over burdened roadways, to facilitate movement of vehicles and people throughout the city, to make things better, to make things more conducive to citizens. While this relates to the zoning request by the Cades Cove HOA, traffic management should be the heart of this decision. The Planning Board ruled to deny that request because of the hindrance a gate in that neighborhood would cause traffic flow. It would not be to the best interest of the citizens at large. When we look at one street, one little neighborhood and bend to that will, we are not doing what may be best for the City at large. It’s important to remember to have different avenues of travel in important places. This one area, I would say the important place is the plaza that houses the Senior Center, Galloway Sands Pharmacy, and a dialysis center. People use the thoroughfare through Cades Cove when Howe Street is at a standstill and they should. They may need to go to dialysis, they may need to pick up their prescription, they may need certain services at the Senior Center, they may be dropping off someone who can’t drive there themselves. They are providing somebody else a service and when they are confronted with standstill traffic on Howe Street, but they need to get to that plaza, the logical choice is to go through Cades Cove. When the building plans were approved, it showed that those roads would connect and it was approved that way and that was because there was an understanding that it would assist with traffic management. We should stay the course with what the original plan was so that we can serve the greater good of the community. That’s the over arching goal of government, I hope, and the people we elect to the Board of Aldermen.”

Mr. Charlie Hess, 4459 Willow Moss Way stated; “I wanted to come and echo what Warren and Lora said. I’m just going to talk about the safety and emergency aspect of getting in and out (of Cades Cove) in case of an emergency. Our neighborhood is getting impacted from development on Robert Ruark Drive. I am really concerned that if we cut down any kind of exit or evacuation route off of Robert Ruark Drive that it is going to impact the future of that intersection and Howe Street. Lora made a good comment about the dialysis center and how people have to sometimes get to and from that plaza quickly. I know that they talk about the 1,000 year storm we had back in the Fall, I think that is an occurrence we will be dealing with off and on. We had a gridlock in this town, it was a complete shut down of traffic all around the community. We are a community here, we really want to work together for the common good of everybody in Southport.”

Alderman Lai moved to close Public Comment, second by Alderman Kelley.  
**Unanimous vote; motion carried.**

**E. Approval of Agenda**

Alderman Davis made a motion to approve the Agenda, second by Alderman Lai.  
**Unanimous vote; motion carried.**

**F. Agenda**

**1. Cades Cove Rezoning and PUD Modification (Agenda pages 2-11)**

City Planner, Mr. Wendell Biddle, addressed the Board. He indicated the question at hand is; “*Are you as a Board going to vote in favor of or against a gate at the Robert Ruark Drive and Cades Cove entrance?*” He gave a brief background review and reported that the request was found to be inconsistent with the Unified Development Ordinance (UDO) and the CAMA Core Land Use Plan due to the needs of the community and inter-connectivity of the area subdivisions. He added that after consideration and public input, the staff has forwarded to the Board a denial of the applicant’s request.

Recalling a previous Board conversation, Alderman Kelley asked for an update on the roads dedication and her understanding that there are legal issues that would prevent the city from being able to take over the roads. Mr. Biddle responded that the roads will change from public to private if the Board approves the request for a gate, he did not have an update on road dedications nor was road dedications part of the requested map amendment.

Responding to a question by Alderman Davis and pointing out the original master subdivision plat was a Planned Residential Development (PRD), Mr. Biddle clarified that the map amendment would change the master plat from a (PRD) to Planned Unit Development (PUD). He added that a change to the master plan would be required if a gate was installed.

City Manager Saldo emphasized that whether the streets are public or private, the subdivision is still subject to the UDO. He pointed out there are two (2) parallel discussions; should the City accept or not accept the streets and if the Board wants to allow a gate.

There was confusion as to what the results would be if the Board adopted the proposed draft language. City Manager Saldo stated a yes would result in a gate and a no would result in no gate.

Alderman Carroll emphasized that the roads being private or public was not part of the current decision. City Manager Saldo agreed and said the roads issue had already been determined by the Cades Cove HOA and the attorney.

Alderman Kelley questioned if the Planning Board had the information regarding the roads being declared private when they sent the Board their recommendation; “The Planning Board sent us a recommendation based on old information?”

Alderman Carroll asked Alderman Mosteller to read the following; “The Board of Aldermen shall consider the following: *Application’s consistency to the general policies and objectives of the city’s comprehensive plan, any other adopted plan that is applicable and the UDO. The potential impacts and/or benefits on the surrounding area and adjoining properties.*”

Alderman Mosteller emphasized that the Planning Board recommended denial of the proposed changes because the proposal is inconsistent with the Comprehensive Plan and unreasonable due to the attributes of the area proposed to be rezoned and detriments to the neighbors and surrounding community.

Alderman Carroll pointed out that the Board has many times collectively mentioned the importance of the Comprehensive Plan and how they should look to it for guidance.

**Alderman Carroll made the motion to deny the Land Use Consistency Statement and Land Map Amendment. Alderman Mosteller seconded the motion.**

#### Discussion

Responding to a query by Alderman Davis, Mr. Biddle confirmed that the motion made would be a denial of a gate.

Alderman Carroll emphasized that Cades Cove was developed and approved the way it is today for connectivity. Mr. Biddle concurred stating; "That's exactly correct. One major question about the review, was the connectivity that's part of any subdivision review is, how is connectivity going to be, and not just for the time being, but for generations after."

Alderman Kelley stated her concerns about the financial impact to the property owners.

Alderman Mosteller stated; "if this gate goes up, then you have Southport Way, Bonnet's Way and Osprey Landing which are all parts of Southport. The only connectivity to our town is going to be the intersection of 87 and Howe Street that's going to be under construction with the widening project considerably until 2027. Be clear, there has also been discussion about the kinds of gates and what would be allowed through. The two (2) gates that were given as examples in our packets did not have a province for people getting through, except the one at Olde Southport has a door with a key pad on it. I want us to know that the Olde Southport neighborhood keeps their gate open all day long starting at 7:00 am and closes it at 7:00 p.m. or later depending on if it is summer. This is a mess but long term future of the city connectivity, long term future of the city is better if we work with the HOA to figure out how to adopt the roads so it takes the burden long term off of them financially, that's not a good solution but gating it is a whole other conversation and we talked about bicycle and pedestrian access, that was in our packet but then we talked about golf cart access but that is not in any of the documentation and you would have to have a six foot wide opening on each side of the gate to allow golf carts to pass through. Golf carts can't bump up on the sidewalks. I'm assuming laws apply there too. You just can't drive a golf cart on the sidewalk and quite honestly, bicycles aren't supposed to be on sidewalks if you are over 15 years old. They expect us adults to be in the roads with our bikes. This whole gate thing, I appreciate everything and I am not minimizing any of this but there has to be a better solution long term with roads and paying for roads and that's the sticking point, it's incumbent on us to figure it out. A gate is not in the best interest of the community."

Mayor Alt stated the following; "There are two things that can happen here. 1. If we ever figure out a better way of doing this, I suppose the gate could come down if they figured it out. 2. I hate to say this because it is going to impact me, there is actually going to be another north/south corridor to get into the downtown section. You'll be able to flow from Robert Ruark all the way down to 9<sup>th</sup> Street by another road and that's the road that is going to be built in Waterview, Indigo 2, whatever you want to call it. So there is access to get out of there and for the conversation about what happens during an emergencies, we've had long extended conversations about that. During evacuations the gate would be open. Fire Department, Police Department can open the gate at will and they are going to be working on a process so on the 4<sup>th</sup> of July it will be open, and big holidays when we have lots of traffic it will be open as well. Those conversations have already taken place."

Responding to a query by Alderman Carroll, Alderman Kelley indicated the roads in Waterview/Indigo 2 will be dedicated as public prior to any building.

Alderman Davis broached the subject of Olde Southport's streets being a loop that takes you back where you started. Alderman Carroll added that Old Southport was not developed for connectivity.

Alderman Carroll asked Chief Coring if any studying of the complaints had been performed. Chief Coring stated that when calls are received about speed in any neighborhood, the department does stationary patrols, puts in a sign that monitors the traffic and the department evaluates that information. He stated it had been six (6) years since a study had been done in Cades Cove.

Quoting the Planning Director, Alderman Mosteller said; "inter connected streets provide safe and efficient routes that function independently and promote multiple modes of transportation such as cars, walking, biking and golf carts and the frequency and length of time major roads is reduced, minimizes the impacts of future development and environment."

At Mayor Alt's request, City Manager Saldo confirmed that a vote in favor of the motion would be "no gate."

Vote: Ayes: Aldermen Carroll, Mosteller, Lai, Spencer

Nay: Aldermen Davis, Kelly

**Vote: 4-2; Motion Carried.**

## **2. Old City Hall/Courthouse (Agenda pages 12-17)**

City Engineer Tom Zilinek spoke about the Old City Hall/Courthouse project. He gave an update; he and Police Chief Coring met with Moseley Architects to walk through the building, the first Moseley had of the building. The outcome was that they determined it has sufficient capacity for the Police Department, both current and future needs. Moseley prepared preliminary drawings and a cost estimate of what it would cost to make it into a Police station (numbers and plans provided in the agenda packet).

Mr. Zilinek reviewed the overall space needs:

|   |                                                            |       |
|---|------------------------------------------------------------|-------|
| ◆ | Police Department Current Space                            | 7,151 |
|   | sq. ft.                                                    |       |
| ◆ | Space Needs to 2044                                        | 8,600 |
|   | sq. ft.                                                    |       |
| ◆ | (includes a 35% internal circulation factor)               |       |
|   |                                                            |       |
| ◆ | A <i>Sally Port</i> would be added in the future if needed | 800   |
|   | sq. ft.                                                    |       |
|   | (would not be part of the existing building)               |       |

|   |                     |               |       |
|---|---------------------|---------------|-------|
| ◆ | Total Current Needs | 6,300 sq. ft. |       |
|   |                     | Old City Hall | 8,500 |
|   |                     | sq. ft.       |       |

Mr. Zilinek reported that the space includes a training room and a 30 seat multi purpose room that will be used as the Board of Aldermen Chamber, Planning Board, Board of Adjustment and any other committees meeting room.

Pointing out he was asked to look into Old City Hall being used for Administrative space. The Moseley report provided the following:

|   |                               |               |  |
|---|-------------------------------|---------------|--|
| ◆ | Current Administrative Space  | 7,700 sq. ft. |  |
| ◆ | Space Needs to 2044           | 8,800         |  |
|   |                               | sq. ft.       |  |
| ◆ | Proposed Courtroom            | 1,800         |  |
|   |                               | sq. ft.       |  |
| ◆ | Proposed Useable Office Space | 6,700         |  |
|   |                               | sq. ft.       |  |
| ◆ | Old City Hall                 | 8,500         |  |
|   |                               | sq. ft.       |  |

Pointing out she had specific architectural questions for Moseley Architects, and they were not present, Alderman Mosteller suggested tabling the discussion until the architects could be present. She sited as some of her concerns; have to go through the gun cleaning and bag and tag room to get to the sergeant's office and the proposed reduction in size of the Aldermen's Chambers.

Mayor Alt recommended moving the discussion to the Board's March meeting. He indicated he had questions also and suggested each Board member write down any questions they may have and provide those to Moseley. Mr. Zilinek to confirm the attendance of Moseley Architects at one of the March meetings.

Alderman Carroll shared his concern; "I think it is important for us to recognize the historical aspects of this structure as we continue to move forward and really trying to bring it back to what it really was. The two (2) wings on either side, I would like us to try to make those look better. A previous architect did some work on that to make it look a heck of a lot better, brought in bigger windows, make it look much better than it does today."

### 3. NC Wildlife Sunny Point Property Sale Extension Request (Agenda pages 18-24)

Mr. Ben Solomon addressed the Board regarding the Southport-White Springs acquisition (City of Southport 427 acre property adjacent to Military Ocean Terminal Sunny Point (MOTSU)).

Mr. Solomon emphasized why is it important to Conserve Land:

- ◆ to conserve North Carolina's wildlife resources and their habitats and provide programs and opportunities that allow hunters, anglers, boaters and other outdoor enthusiasts to enjoy wildlife-associated recreation
- ◆ Focus on Four (4) Categories
  - ◆ Protect Populations
  - ◆ Protect Habitat
  - ◆ Expand Public Land
  - ◆ Create Public Access

Mr. Solomon stated the Southport-White Springs property is unique in that it checks all four of the categories. He indicated that 14 acres of the tract are to be retained by the City and Brunswick County.

Mr. Solomon's presentation continued:

#### Biological Overview

- Tract will be an addition to *Green Swamp Game Land*
- Extremely biodiverse and ecologically significant property
- Home to one of seven remaining *Carolina Gopher Frog* populations in North Carolina,
- Several other non-game species have been documented on the tract including *Eastern Chicken Turtle* and *Red-Cockaded Woodpecker*
- The adjacent Swain Tract of Green Swamp Game Land is a reintroduction site for the federally endangered *Magnificent Rams Horn Snail*

Mr. Solomon pointed out that the property is a very fragile ecosystem that Wildlife has a high interest in conserving and managing into perpetuity. Any industry, hydrology altering activity would undoubtedly change the nature of the habitat that is currently on the tract. Any mining or wells that alter the water table would have a detrimental impact on this one of seven Carolina Gopher Frog populations.

#### Acquisition Timeline

- Acquisition has received final approval from NCWRC Board of Commissioners
- Council of State review is scheduled for early March
- NCWRC has been awarded three grants (federal and state) to purchase the property at appraised value \$637,535
- One of the funding sources (NC Land and Water Fund) requires the grantee to complete a boundary survey with updated legal description
- Survey work is also required to complete two sub-divisions for parcels retained by the

## City and County

Mr. Solomon reported that a surveyor has been contracted. He explained that they had a hard time finding a surveyor that would take on the property. That is not uncommon for Brunswick County, it's a problem statewide. The surveyor is actually coming from Troy, North Carolina to complete the survey, he was on site last week and he is making good progress. The estimated completion date of the survey is mid March. Title work has been contracted and is underway with expected completion mid March also.

### Acquisition Timeline

Items needed to close

- Complete boundary survey
- Council of State approval
- Title report
- Attorney General's Office Review
- Closing

Extending the option agreement will allow time to complete due diligence and close by September.

Mr. Solomon estimated that late April, early May is a realistic time line to get everything completed and send the property to close. He spoke about the option agreement extension that Wildlife feels is critical in order to have success serving this property. Without the extension Wildlife would be up against a tight time line window. So, the extension would move our option expiration date from March 21 to July 31, 2025 with a closing to occur on or before September 5, 2025.

In response to questions from Alderman Davis, Alderman Kelley, Alderman Lai, and Mayor Alt, Mr. Solomon explained that the property would be open to the public for archery-only hunting six days a week. He clarified that the archery-only restriction is due to the site's proximity to the Military Ocean Terminal Sunny Point (MOTSU). Enforcement of hunting regulations would be handled by Brunswick County game wardens.

Mayor Alt shared his frustration that the purchase transaction has taken over a year. Mr. Solomon explained the process the agency is required to follow.

Mayor Alt asked the Board to consider postponing this decision until the March Thursday meeting in order to get more information on the group *Unique Places To Save*. He stated the group came up just this morning when he was talking to multiple mayors in this area. Boiling Spring Lakes (BSL) had them. He provided a synopsis of what the group does; "the group goes out, they get the grants, they buy the property, and once they get the property, they deed it back to the jurisdiction to manage the conservancy. St. James is going to do it with 450 acres on NC 211. It is a conservancy, no basketball court, no playgrounds, no anything and basically the same configuration as this. I don't know the pros and cons enough to have that conversation

now and I would ask that we wait for 30 days to get more information to see where we are going because this has not been a high priority for the state of NC to take a year for this so another 30 days shouldn't hinder what they are doing, I'm not suggesting for a moment that we pull out of the agreement, I'm just saying that perhaps there are other options that we may want to take a look at since it is taking so long." Mayor Alt suggested having further conversations with the Mayors of BSL and St. James; the pros and cons.

Stating appreciation for all the dialogue, Alderman Mosteller said; "This is wholly different from what you are talking about because Wildlife already owns the two adjacent properties of White Springs National Heritage Area of which we are the third star and we actually are the most significantly valuable piece of the three. Wildlife gets our piece then they manage it along with those pieces. They have to know that we did sand mining and lost the \$1.6M grant because it had a conservation clause in it that we did not adhere to. So Wildlife has to spend money to repair that damage once they own it. So, there is nothing to wait on. This is absolutely the right thing to do for this parcel of property."

Alderman Mosteller, *"I want to make a motion to extend the expiration date of the option agreement Parcel ID # 1900002 to new expiration date of July 31, 2025 with closing to occur on or before September 5, 2025."* Alderman Carroll seconded the motion.

### Discussion

Alderman Davis indicated she would like to hear from Unique Places to Save, possibly a presentation made to the Board.

Alderman Mosteller; "What I would say is they are investing in all of this and we are hoping they will continue with this contract but we're saying now that we're going to entertain someone else. You do that at the end of the contract if it doesn't work. And, they are the ones that are going to manage it. They are going to do the burns, they are going to do all the things that need to be done to manage it. They are going to restore the damage that we created. To get somebody else to buy it to give it back to us, it needs to go into conservancy in perpetuity with Wildlife because it's part of that full ecosystem there."

Mayor Alt; "30 days is just to get all the data. As you remember when this was first proposed it was one shop stop, we never put this out for bid, we never looked at all the other conservancies, we never did anything. We went to this group and this group only and now they have had a year to play in this, they couldn't find a surveyor. I find that almost unbelievable. So that is all I'm suggesting you consider is that three week period to see what the pros and cons would be and if the cons outweigh the pros of this then we should move forward with this. All we're doing is postponing this decision for three weeks."

Noting the City is still under contract with Wildlife, Alderman Kelley stated; "I want to remind everyone that we are selling this property significantly less than what we purchased it for regardless. The City of Southport is making a huge investment into the conservation of this piece of land. I think 30 days to make sure we are doing the best thing for the citizens makes a whole lot of sense."

Alderman Lai stated; "You guys are going to go on asking for an extension. Why can't it? Why can't we do two things at a time and see if there's something else out there? I'm all in favor of what's going on, but if there is something else out there, I'd like to hear what it is and better educate myself."

Alderman Carroll suggested a compromise; “come together with a motion that would allow us to move forward with what Alderman Mosteller is suggesting with the exception that something could change.” Mayor Alt stated; “I don’t think so. It’s either get 30 days to consider other options or we go with the motion.”

**Ayes: Mosteller, Davis, Carroll**

**Nay: Lai, Kelley, Spencer**

**Mayor: Nay**

**4-3**

**Motion Failed.**

Responding to a query from Alderman Mosteller, Mr. Solomon indicated they would continue forward with the survey and their due diligence. As long as the City agrees to uphold the current option agreement, we will do everything in our power to purchase the property by the option deadline.

Mayor Alt; “And I will give you the best commitment I can that we will get you an answer as quickly as we can. I do not want this to drag on. It is unfair to all sides.”

Alderman Carroll asked if Wildlife may be able to close by the date currently in the contract. Mr. Solomon responded it would be very difficult and it was prudent to request an extension in advance of the option expiration.

#### **4. Concession Agreements (Agenda pages 24-48)**

Ms. Allayna Taylor, Director of Community Relations, spoke to the Board regarding two (2) Concession Agreements the City has with the Southport Historical Society; the Old Jail and the Susie Carson Research Room. She indicated the Old Jail is a lease because the Historical Society gets the use of the entire property. The concession agreement for the Susie Carson Research Room is for an archivist and research space in Fort Johnston. Both agreements are due for renewal she said.

Responding to a questions from Alderman Davis, Ms. Taylor stated that the Southport Historical Society is local to Southport and it is a non profit whose mission is to preserve the history of Southport.

Mayor Alt asked about the Ft. Johnston Gift Shop. Ms. Taylor indicated that Mr. Phil Fravel had run the gift shop and research center up to his passing. In talks with the Historical Society, the society chose to leave the gift shop out of the Concession Agreement. The current Concession Agreement is for the Susie Carson Research Room only, it does not have specific hours, it is run by Southport Historical Society volunteers which are different from the volunteers that the City has to run the Visitors Center. She stated that the Concession Agreement would maintain the status quo and would not be changing anything City Staff does.

Alderman Kelley asked about the gift shop. Ms. Taylor responded that the gift shop is not in operation. “After Phil’s passing, the Historical Society and my department talked about my

department taking back over the gift shop and starting to run it through the City. Those talks were being had with the previous City Manager. Unfortunately by January 1, 2025, an agreement had not been made so instead the Historical Society pulled out and we currently do not have a gift shop next door.”

Board members speculated on if the City needed a gift shop and asked if volunteers are being sought for that role. Ms. Taylor spoke about the fantastic job the current volunteers are doing talking to visitors and sharing the history of Southport every day but not operating a gift shop. Alderman Carroll asked if the City made any income from the gift shop. Ms. Taylor indicated that any profits made had to go back into the building per the State Historic Preservation Office (SHPO) standards.

Mayor Alt pointed out there was nothing that would prevent the Historical Society from operating a gift shop in the future. Ms. Taylor concurred and stated a separate agreement would have to be adopted saying so.

Alderman Carroll asked why an agreement on operation of the gift shop had not been made. Ms. Taylor stated that Phil’s passing was sudden, it was holiday time and the Historical Society wanted to have things in place by January 1 for sales tax reasons. At that time, the Historical Society was uninterested in continuing the gift shop. They felt it was beyond their bandwidth without Phil.

Alderman Mosteller made a motion to approve the Susie Carson Research Room Concession Agreement between the City of Southport and the Southport Historical Society which grants the Southport Historical Society exclusive use of the easternmost exhibit room in the Garrison House for archival storage and research in accordance with the terms outlined with the agreement. Alderman Kelley seconded the motion.  
**Unanimous vote; motion carried.**

Ms. Taylor pointed out that two (2) changes to the Old Jail agreement were made by the City Attorney:

- Be clear about the insurance and liability that the City requires
- Shorten the term to a 5-year from a 10-year

Alderman Carroll asked about the details of the insurance. Ms. Taylor indicated the details are in the lease agreement, what they are currently carrying and has been looked over by the City Attorney.

Mayor Alt questioned who is in charge of looking at the leases/agreements, etc. for the variety of different buildings leased oftentimes for a dollar a year. City Manager Saldo stated there was not a formalized review process other than when it comes up for renewal which is handled by the specific department handling it. He added that a process can be something staff puts in place though his office, City Attorney, and department heads. Mayor Alt pointed out there should be a yearly update to determine the lessee is maintaining the required insurance coverage.

Stating he did not know you could insure a building you did not own, Alderman Carroll pointed out that the Historical Society is carrying fire hazard and casualty insurance on the structure. Ms. Taylor stated the insurance was difficult to get but because of the agreement language, the insurance entity was assured the Historical Society has the sole use of the building and they open it for tours as well.

Responding to a query by Alderman Carroll, Ms. Taylor state the building is insured at \$1M per occurrence and \$2M aggregate and indemnity.

Mayor Alt directed the City Manager to make sure in other agreements for buildings, the insurance coverage reflects the true value of the building.

Alderman Mosteller made a motion to approve the lease agreement as presented between the City of Southport and the Southport Historical Society for the management, maintenance, and operation of the Old Jail Building. Alderman Spencer seconded the motion.

**Unanimous vote; Motion carried.**

## **5. Potential UDO Updates**

Mayor Alt explained his intentions of putting UDO Updates on the agenda for the audience; “When I put this on the agenda for the updates, some of this has already been set into motion, some of it has not. What happened is that policies and procedures are, we building out and we didn’t realize that every year the legislation could change but we never updated it. So, our UDO is out of sync in a number of different places. There are a number of things that need to be done. There are a number of others, i.e. stormwater, and Mr. Zilinek has given us an update on some of that. Most of it is in some form of forward progress. And then there’s the other outstanding issues. I’d like to get the seal of the Board about getting a small work group together that would be staff, there are a couple of citizens are really subject matter experts on this and a couple of elected officials to start the process of finally getting everything together that we think we need to look at and what does that look like. It may mean that we need to go out for a contract. It may mean a lot of different things. I don’t know what it means but I know we’ve talked about it for a long time and I think we need to look at how we do that. Now I could just do that because the power of the Mayor allows it, but if there is no will of the Board, I don’t want to waste the time and money to do that so I am asking you for a nod of your head or something that says should we go forward with that.”

Alderman Davis stated her support and suggested publicly advertising for volunteers.

Alderman Mosteller expressed confusion. Mayor Alt stated he was not suggesting a comprehensive update of the UDO; “to look at the UDO, to work with the Manager, to look at what is out of date, what needs to be done, prioritize those things and start moving forward, the low hanging fruit we could start addressing relatively quickly.”

Pointing out that staff is responsible for UDO amendments, etc. Alderman Mosteller emphasized; “Staff should be able to go through the UDO. That’s part of their job is to recommend updates. If you’re talking statutorily and statutory changes and that sort of thing, that’s a staff function. What happens is that when we updated it in 2020, there were legislative things in the old UDO that we corrected. That happens and all we need is to say to staff that on an annual or session basis, review session law and propose UDO updates because these are text amendments and go through the process. This is really a staff function.”

Mayor Alt shared his experiences that citizens have expressed concerns about the UDO to him. Alderman Lai questioned if citizens should first reach out to the City Manager. Alderman Kelley concurred and she stated her opinion that asking citizens for input is always a good opportunity. Expressing confusion, Alderman Carroll asked if the point of the discussion was just UDO statutory updates or more. City Manager Saldo responded; "I think there are two conversations that we can pursue. The first is the legislative changes that have been made and need updated in the UDO and Code of Ordinances. Then as we identify issues in the UDO, bring those to the Board. I'll work with staff and any concerned citizens."

Alderman Carroll asked if there was a specific timeline as to how often the UDO should be updated. Alderman Mosteller indicated that last major update was 2020; "we tasked the Planning Board with going section by section, reviewing and updating." She pointed out that a major UDO update is also a budgetary item. She recalled submitting potential updates to the Planning Director six (6) or eight (8) months ago.

Mayor Alt stated; "I understand the complexity of doing an entire UDO rewrite. I'm suggesting something less than that. There's some real low hanging fruit we can chat about. We have good intentions, but we never seem to move forward. I'm looking for helping all of us, get focused, staff get focused and if it's every quarter, they come to us. I think the manager has a good point, we let him work with staff and citizens, he brings suggestions to the Board and we direct the Planning Board to take action." Similar to Alderman Mosteller, Mayor Alt recalled submitting ideas to the Planning Director. Alderman Davis did as well. Alderman Mosteller stated her support for a quarterly review.

Board consensus for the City Manager to work with staff, any concerned citizen and determine the best course of action for UDO amendments.

#### **G. City Manager's Report**

City Manager Saldo reported he has had exceptional meetings with staff and community members during his first few days and indicated he would continue to work on key issues; "I look forward to moving the organization forward."

#### **H. Mayor's Comments**

Mayor Alt reported that a local and state government meeting is to be held in Raleigh February 26, two Board members are attending, and he reminded the Board to convey any thoughts and concerns to him prior to the 26<sup>th</sup>.

Mayor Alt shared his recent visit to Dublin County, a farming community. He stated the government buildings are spectacular, everything is new, they have a convention/auditorium that was all paid for by the State of North Carolina.

#### **I. Board Comments**

Alderman Spencer commented; "From what I've heard this meeting, we have to decide how

we move forward. We see our country moving towards more of a protective state, blocking our borders, protecting ourselves, taking away giving to the outside and turning inward. I think that is a fair assessment of what's happening around the nation. We're no different. We've got to decide are we going to have our arms wide open or are we going to be protective about our properties? Cut them, shut them down to traffic and keep them for ourselves. And it has to be a decision of what is right for the future of Southport. I am conflicted with connectivity. It's a double edged sword. The more connectivity you have, the more we allow people to flow through our roads that don't pay the bills. And it is a tough position to be in. I'm proud that people come to my hometown, but I'm tired, it's sort of like visitors. After a while, you just want to go home and stay there. We have more difficult conversations in the 2050 Comprehensive Plan. And, if I'm the only one that wants to sort of slow down, then maybe, I need to be quiet. I want people to come out and speak their mind about what they want to see in Southport. I'm not so excited about the tourism economy, it doesn't feed anyone, it doesn't provide sustainable wage job for anyone. The only sustainable wage jobs we have are government and they are low paying jobs. So, all these decisions have to come from what we really want to be. I think that with the 2050 Comprehensive Plan we need to step up and look harder at that and be more detailed and more intent as to what we want in the future."

Alderman Kelley shared; "We have another new Southport resident. I want to congratulate my brother and sister-in-law on their daughter, Palmer, who was born last Thursday. I want to welcome Noah to the table with us. I want to tell you how excited I am, I think we all have quite a vote of confidence in you, and we're excited to watch you help us move forward without having a break in anything that we are doing. I think there is value in the fact that you know what's been going on in our City, and you'll make this transition for us as a Board, as well as for our staff and all the citizens and businesses as easy as possible."

Alderman Davis spoke; "I read and heard a bit about last Thursday night when we came out of closed session and appointed Noah Saldo as Interim City Manager. There was reaction about what happened to the previous city manager. Was there lack of transparency about whatever happened to him? That it occurred in closed session and our city attorney was with us and advised us that it was a personnel matter and that we did not have the right to say anything about it. It would be up to him, the fact that he had tendered his resignation. Ultimately, there was a press release from the City, which he had approved, so there was no lack of transparency."

Alderman Carroll stated; "I thought we had a great meeting today. This is how it's supposed to play out. And Noah, you stepped up to the plate and we appreciate that very much. This mayor, this Board are here to support you and to support our staff."

Alderman Mosteller; "I would just hope that the Cades Cove conversation will continue with regard to the roads, staff is going to be available to them to answer any questions and to work with them in the future for possible road assumption." Additionally, she echoed sentiments by Aldermen Kelley and Carroll towards Interim City Manager Noah Saldo.

**J. Closed Session NCGS 143-318.11 - 1:50 p.m.**

Alderman Kelley made a motion to go into Closed Session per NCGS 143-318.11 (3),  
(5). Motion seconded by Alderman Lai. **Unanimous vote; motion carried.**

- (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body,

- which privilege is hereby acknowledged.
- (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (I) the price and other material items of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; (ii) the amount of compensation and other materials terms of an employment contract or proposed employment contract.

Return to Regular Session - 2:30 p.m.

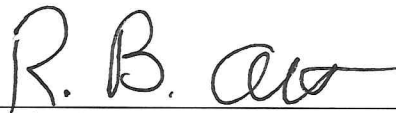
Alderman Spencer made a motion to close Closed Session and re-enter Regular Session. Alderman Kelley seconded the motion. **Unanimous vote; motion carried.**

Alderman Mosteller made a motion to appoint Fox Rothschild as special Shoreline Stabilization attorney and approve the underlying contract not to exceed \$40,000. Alderman Carroll seconded the motion. **Unanimous vote; motion carried.**

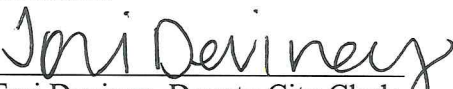
Alderman Kelley made a motion to adopt the Interim City Manager's contract. Alderman Lai seconded the motion. **Unanimous vote; motion carried.**

**K. Adjourn**

Alderman Spencer moved to adjourn the meeting at 2:34 p.m., seconded by Alderman Lai. **Unanimous vote; motion carried.**

  
Richard Alt, Mayor

ATTEST:

  
Tori Deviney, Deputy City Clerk

