



**CITY OF SOUTHPORT
BOARD OF ALDERMEN – REGULAR MEETING
COMMUNITY BUILDING
223 E BAY ST, SOUTHPORT NC 28461
September 11, 2025 | 9:00 AM**

Present Members: Mayor Rich Alt, Rebecca Kelley, Marc Spencer, Frank Lai, Lowe Davis, Robert Carroll, Karen Mosteller

Absent Members:

Staff Present: City Manager Noah Saldo, City Clerk Tori Deviney, Public Information Officer ChyAnn Ketchum, Fire Chief Charles Drew, Battalion Chief Ralph Treadway, Parks and Recreation Director Heather Hemphill, City Planner Wendell Biddle

Others Present:

A. Call to Order

Mayor Alt called the meeting to order at 9:00 AM..

B. Invocation

Chief Charles Drew delivered the invocation.

C. Pledge of Allegiance

Mayor Alt led everyone in the Pledge of Allegiance.

D. Special Recognition - Southport-Oak Island Diamond Youth Baseball

Mayor Alt recognized the Southport Oak Island Diamond Youth Baseball Team with a proclamation honoring their championship victory at the 2025 Dixie Youth Baseball Division U12 World Series, held in West Columbia, South Carolina, where the team defeated KC West Columbia by a score of 8–0 on August 6, 2025. The proclamation acknowledged the contributions of each player and the

leadership of manager Charlie Morris and assistant coaches Wes Emmons and Doug Kiger.

E. Public Comment

Mayor Alt read the ethics statement. No conflicts of interest were declared.

Angelo Collins - 1107 N Caswell Ave

Mr. Collins addressed the Board on two agenda items: the historic district and city alleyways. Regarding the historic district, Mr. Collins expressed support for preservation efforts, noting that Southport's charm and architectural character are what attract visitors and filmmakers alike. He emphasized that the goal of the historic district is not to restrict existing homeowners but to protect against inappropriate future development. On the subject of alleyways, Mr. Collins shared his personal experience investing approximately \$8,000 to improve the alley behind his home and expressed concern that allowing residents to claim or fence off alleyways could deny access to others downstream. He also briefly commented on stormwater infrastructure, estimating significant costs to bring the city's system up to code, and expressed support for City Manager Noah Saldo's leadership and vision for Southport.

Paul Winter - 715 N Atlantic Ave

Mr. Winter addressed the Board concerning a structure at 109 East Owens that he believes encroaches into the city alleyway behind his vacant lot at 715 N Atlantic Ave. Mr. Winter described construction that began in late January 2024 that appeared to expand the encroachment into the alley. He noted the structure has sat unfinished for approximately 19 months, still showing plywood and exposed studs, and cited UDO Section 3.20(f), which he argued strips a nonconforming structure of its grandfathered status if unused for 180 days. He presented a written packet with photographs and requested the Board assign the matter to staff for action, suggesting three possible remedies: relocation of the structure onto its proper lot, demolition, or a land arrangement with the same property owner's adjacent parcels.

Emily Humphries - 204 E 8th St

Ms. Humphries informed the Board that the Board of Adjustment had recently approved a tattoo establishment's request for a special use permit in the Business District. She explained that when the ETJ was terminated in July 2024, the heavy industrial district designation—where tattoo and piercing establishments had previously been classified—disappeared, creating a gap in the UDO. She warned that until the Planning Board and Board of Aldermen approve updated UDO language, up to 12 unclassified land uses could seek similar special use permits in the Business District. She urged the Board to act quickly, recommending that tattoo and piercing establishments be placed in the highway commercial or light industrial district.

Larry Ashley - 637 Wild Rose Way

Mr. Ashley, Chair of the Planning Board, addressed the Board regarding an agenda item titled "Anticipated Planning Board Vacancy." Mr. Ashley stated he had no prior knowledge of this agenda item and only learned of it the day before through a neighbor. He noted that he had received no communication from the mayor, the aldermanic liaisons, or city staff. He clarified that no member of the Planning Board had submitted a letter of resignation as required by Section 13 of the Southport Code of Ordinances, and therefore no vacancy existed. Mr. Ashley cited the Planning Board's dedication and recent productivity and asked the Board to cease what he characterized as a pattern of interference with the board's operations, requesting instead open communication and collaborative engagement.

Laura Sharkey - 432 Cades Trail

Ms. Sharkey addressed the Board regarding the Cades Cove HOA Board of Directors' continued pursuit of road privatization and neighborhood gating despite the Board of Aldermen's denial of that request in February 2025. Ms. Sharkey described how the HOA board had hired an attorney and sent correspondence to the City Attorney in July without sharing the document with residents—information she obtained only through a Freedom of Information Act request. She asked the Board of Aldermen to authorize the City Manager to hold an informational meeting with Cades Cove residents at Indian Trail Hall, with questions submitted in writing in advance, so that residents could receive accurate information about road standards and the costs of various paths forward.

Carolyn Tabarini - 501 Lord Thomas Ave

Ms. Tabarini, also a Cades Cove resident, corroborated Ms. Sharkey's account and provided additional historical context. She stated that research into Board of Aldermen and HOA meeting minutes confirms that the performance bond associated with the neighborhood's original construction was properly released, contrary to the HOA board's longstanding implication that the city bears responsibility for road completion. Ms. Tabarini noted that the HOA has spent tens of thousands of dollars on permitting and legal fees, and recently authorized a \$25,000 attorney retainer, without a demonstrated financial plan. She expressed support for Ms. Sharkey's request for a city-sponsored informational meeting and urged that the community work cooperatively with the city to bring roads up to standard and transfer them to city ownership, as was the original plan.

City Clerk Tori Deviney read three written public comments into the record:

- A letter from Jon Langley describing a confrontation at 708 North Howe Street in which the property owner of an adjacent lot claimed the alleyway behind his wife's business was private property. Mr. Langley stated the homeowner had constructed a deck blocking the alley and requested city officials intervene to restore access.

- A letter from Bridget Riechhart and Andrew Laing of 6217 Pebble shore Lane detailing a protracted two-and-a-half-year experience with the Planning Board regarding their "Bullfrog" project in downtown Southport. The letter described a series of successive and, in their characterization, bad-faith requests by the Planning Board that delayed a project they contend had met all applicable requirements from the outset. The letter was sharply critical of the board's conduct, alleging abuse of process and overreach.
- A letter from Liz Fuller, President of the Southport Historical Society, requesting that the phrase "Home of the Salubrious Breezes" be included on the city's welcome signs. The letter provided the historical origin of the phrase, traced to town founder Joshua Potts in 1786, and noted that modern science supports the health benefits of ocean breezes that Potts experienced. Ms. Fuller asked the Board to reconsider its prior rejection of the phrase.

F. Approval of Agenda

A motion to approve the agenda was made by Alderman Kelley and seconded by Alderman Carroll. The motion carried unanimously.

G. Approval of the Consent Agenda

Mayor Alt noted that Consent Agenda Item 5 (the Peace Day Proclamation) would be presented separately. A brief clarifying discussion was held regarding the Osprey Landing Phase Four Annexation Petition, with Mayor Alt explaining that the consent action initiates the statutory process by directing the City Clerk to investigate the sufficiency of the petition and certify it to the Board, after which a public hearing would be scheduled. Alderman Lowe Davis inquired about the number of homes in Phase Four; Mayor Alt and Alderman Mosteller estimated approximately 40 units out of a total project of approximately 200 homes.

A motion to approve the Consent Agenda was made by Aldermen Kelley and seconded by Alderman Mosteller. The motion carried unanimously.

Peace Day Proclamation: Mayor Alt read the Peace Day Proclamation at the podium, joined by Alderman Mosteller and Marjorie Jones, who is leading local promotion of the International Day of Peace. The proclamation designated September 21, 2025, as Peace Day in the City of Southport. Alderman Mosteller

noted that Parks and Recreation has organized numerous related events throughout the month, including tai chi and mindful walking on the Garrison Lawn, and encouraged residents to consult the city's online calendar. Alderman Davis noted a recent Peace Day gathering at Kingsley Park.

1. Set a Public Hearing for October 9, 2025, for the Southport 2050 Comprehensive Plan
2. Set a Public Hearing for October 9, 2025, regarding Zoning Text Amendment - Special Events ZTA-24-05
3. Minutes of the June 2, 2025 Aldermen Meeting
4. Osprey Landing Phase Four Annexation Petition
5. Peace Day Proclamation

H. Agenda

1. Southport Welcome Signs

Alderman Carroll opened discussion by stating that in his view, the signage question should never have come before the Board at all, and that moving forward, matters of this operational nature should be delegated to staff. He expressed confidence in City Manager Saldo and city staff to handle such decisions.

Alderman Davis addressed the controversy surrounding the phrase "salubrious breezes," clarifying that a prior remark about possible sexual connotation had been a lighthearted joke referencing an old story attributed to Joshua Potts. She emphasized that her own objection to the phrase on signage was purely practical: the welcome signs are viewed by passing motorists at speed, and smaller type cannot be read. She compared the issue to unreadable historic markers along Route 133 and argued that cluttering the signs with additional text, however meaningful, defeats their purpose.

A motion was made by Alderman Davis that the sign include the City seal and "Location of the NC 4th of July Festival Since 1795" at the bottom of the sign. A second was made by Alderman Lai.

After brief discussion, Alderman Carroll made a motion to send the matter to staff on the content of the sign and the number of signs to be replaced, rescinding the Board's August 4th vote. A second was made by Alderman Lai. The motion passed unanimously.

2. Article 6: Stormwater Regulation Ordinance

City Engineer Tom Zilinek presented a follow-up to the public hearing held at the prior meeting. He reported a typographical error in the definition of "major development": two references to 2,500 square feet should have read 5,000 square feet, while a third reference to 2,500 square feet pertaining specifically to regulated motor vehicle surface area was correct. Alderman Kelley additionally noted that several passages referenced "regulated motor vehicle" without the word "surface" following, which could create confusion, and suggested a comprehensive review to ensure consistent language throughout the document. Staff agreed to incorporate these corrections.

A motion to adopt the amendment to Article 6 of the Stormwater Regulation Ordinance, including the consistency statement and the correction of "vehicle" to "vehicle surface" in applicable references, was made by Alderman Kelley and seconded Alderman Carroll. The motion carried unanimously.

3. Capital Improvement Plan

City Engineer Bob Jarvis presented the Fiscal Year 2026–2031 Capital Improvement Program (CIP), now in its third year of preparation. Mr. Jarvis explained that the CIP is a six-year multi-year planning document intended to define the scope, schedule, and financing of major capital projects. He emphasized that adopting the CIP does not authorize spending in future years but provides a legitimate guiding document that supports grant applications, Local Government Commission financing approvals, and bond ratings. He noted the list of FY2026 projects had already been modified to reflect the Board's budget deliberations during the current fiscal year.

A motion to adopt the Fiscal Year 2026–2031 Capital Improvement Program was made by Alderman Kelley and seconded by Alderman Lai. The motion carried unanimously.

4. Business Advisory Board

Alderman Carroll introduced the item, explaining that City Manager Saldo had been convening informal monthly meetings with local business owners since taking office and that the proposal was to formalize this group as an official Business Advisory Board by ordinance. Alderman Carroll stated the

intent was to create institutional continuity so that the dialogue with businesses would persist regardless of future management changes.

Mayor Alt expressed the importance of keeping politics separate from the board's work.

City Manager Saldo confirmed that the meetings have been well-attended—averaging approximately 20 business owners per session—and that the operational format would remain substantially the same. He noted that official board members would be appointed through an application process, with the mayor appointing aldermen as liaisons, while other business owners would continue to attend and provide input. City Manager Saldo indicated that participants at recent meetings had been supportive of formalizing the structure.

Alderman Kelley expressed enthusiasm for the concept but raised a concern about preserving the current roundtable atmosphere, in which all participants engage as equals rather than as audience members before a board table. City Manager Saldo confirmed that the physical meeting format would not need to change and that the ordinance did not prescribe a particular seating arrangement. Alderman Davis echoed the concern about bureaucratic structure potentially dampening the organic dialogue that has made the informal meetings successful.

Alderman Marc Spencer noted that the ordinance specifically calls for the board to provide input on the city's economic development strategy, small business development, commercial revitalization, and business recruitment—areas he said the city currently lacks a formal approach to addressing. Alderman Frank Lai observed that the existing participants bring direct, practical knowledge and that he could see no downside to formalizing their advisory role.

A motion to adopt the Business Advisory Board ordinance as presented in the meeting packet was made by Alderman Carroll and seconded by Alderman Lai. The motion carried unanimously.

5. City Alleyways

Mayor Alt provided context, noting that the Board had believed it adopted an alleyway policy in December 2023, but the matter had never been properly forwarded to the Planning Board as intended, meaning no formal policy was ever in place. He clarified that under police and general governance authority, the Board may adopt this policy directly without planning board referral.

The proposed policy would allow property owners—not limited to residents—to petition the city to maintain and use the alleyway adjacent to their property. The alley would remain city property, and no use could block the free flow of public access through it. Improvement standards would be consistent with existing right-of-way standards. Alderman Mosteller noted that staff had already been operating informally in this manner, as evidenced by approvals granted earlier in the year, and suggested the policy be incorporated into the existing right-of-way permit process.

Alderman Davis recalled public comment from prior discussions in which Black community members noted a historical pattern of unequal access to alleyways, with requests from Black residents more frequently denied. She stressed the importance of a clear, uniform, and equitable written policy.

Alderman Carroll emphasized that alleyway improvements should adhere to the same standards already in place for right-of-way work and noted the potential for certain alleyways to serve stormwater management purposes. City Planner Wendell Biddle clarified that vegetation clearing alone would not constitute a code violation and would not trigger enforcement. Alderman Davis added that the policy should not be interpreted as automatically granting the right to remove trees; tree removal would remain subject to the city's existing permit process.

Alderman Spencer raised the commercial potential of certain alleyways—particularly the corridor between Owens Street and the hospital—as pedestrian pathways linking downtown businesses, and cautioned against limiting those possibilities by requiring only basic stone and border improvements. Mayor Alt affirmed that alleyways were historically meant to be clear and that the current policy is intended as a baseline, with broader possibilities remaining open for the future.

The motion was amended to replace "residents" with "property owners" to ensure business owners were not excluded.

A motion to allow property owners to petition the city to maintain and use alleyways adjacent to their property, with alleyways remaining city property and subject to right-of-way standards, and with the condition that no use may block the free flow of public access, was made by Alderman Carroll and seconded by Alderman Mosteller. The motion carried unanimously.

6. Discussion Regarding Next Steps Related to The Southport Historic District and Standards

Mayor Alt stated that the item was placed on the agenda to discuss the status of the Historic Preservation Commission's recommendations

regarding the historic district standards. He emphasized the importance of moving the process forward and keeping the public informed.

City Manager Saldo reported that staff was finalizing a clean copy of the Historic Preservation Commission's recommendations and anticipated releasing the document to the Board and the public within the next several days.

Mayor Alt asked for the Board's input regarding the next steps in the process, including the possibility of scheduling a public hearing once the document was available. Alderman Carroll stated that he believed the next step should be a joint workshop between the Board of Aldermen and the Historic Preservation Commission to allow for discussion and questions regarding the recommendations. He noted that the document could still require revisions before proceeding to a public hearing. Alderman Kelley agreed that a joint workshop should occur before scheduling a public hearing.

Mayor Alt summarized that the public had already provided significant input throughout the process and asked whether the Board's next step was to have a discussion with the Historic Preservation Commission. Alderman Mosteller agreed and suggested scheduling the workshop. Board members discussed potential dates and tentatively agreed to schedule a joint workshop with the Historic Preservation Commission on September 29, subject to confirmation of member availability.

7. Anticipated Planning Board Vacancy

Mayor Alt addressed this item directly, explaining that the agenda entry stemmed from information that a Planning Board member was expected to close on the sale of their home and would no longer be a Southport resident, which would create a vacancy. He noted that the anticipated closing did not occur and the property is back on the market, meaning the member remains a city resident and no vacancy exists.

Mayor Alt acknowledged that the item's framing on the agenda lacked adequate context and that the poor communication was his responsibility. Alderman Mosteller noted that agenda items of this nature typically benefit from a summary page explaining the purpose of the discussion.

Alderman Carroll confirmed that a vacancy process has been defined and would be followed if and when a vacancy arises.

No action was taken.

I. Committee Reports

Parks and Recreation (Alderman Davis): Alderman Davis noted the Parks and Recreation Advisory Committee has changed its meeting to the third Tuesday of each month at 5:30 PM at the Parks and Recreation Building on North Atlantic. She also recognized the Crab Derby as a terrific success, sharing a story about constituent enthusiasm for the event.

Planning Board / HPC Liaison (Alderman Carroll): Alderman Carroll commended the volunteers of the Historic Preservation Commission for their work under difficult public scrutiny, noting they had been criticized and yelled at during recent public meetings but had listened carefully and continued their work with dedication.

Beautification Committee (Alderman Mosteller): Mayor Pro Tem Mosteller reported that the most recent monthly cleanup involved 31 volunteers contributing more than 65 man-hours. Activities included sanding and staining lumber donated by a film production company to build a new waterfront park gazebo swing and six benches, laying remaining commemorative bricks at Fort Johnston, installing a new cover on the boat display at Castle and West Bay, staining benches and tables at Taylor Field, and weeding flower beds at the Garrison Lawn, Waterfront Park, and Nash Street substation. The next Beautification Committee meeting is Monday, September 15 at 5:00 PM at Indian Trail Meeting Hall. The next volunteer cleanup is Saturday, October 4 at 9:00 AM at the jail annex on Rhett Street.

Forestry Committee (Alderman Mosteller): Mayor Pro Tem Mosteller announced that the Forestry Committee is accepting nominations for its Tree Champion Award, recognizing individuals and organizations who demonstrate exceptional stewardship of Southport's urban forest. Nomination forms are available on the city website. The committee is also compiling locations for the next annual tree planting and will conduct an on-site tree survey at John N. Smith Cemetery on September 27. The committee meets the second Tuesday of each month at 5:00 PM at Indian Trail Meeting Hall; the next meeting is October 14.

1. ABC Board

Alderman Lai reported that the ABC Board had another strong month, with sales down only approximately \$2,000 from the prior period. He noted the store continues to perform well.

Alderman Spencer raised the concern addressed during public comment by Emily Humphries regarding the UDO gap created by the loss of the Extraterritorial Jurisdiction (ETJ). City Planner Wendell Biddle clarified that the Board of Adjustment's use of the "unclassified" land use category is a legitimate planning tool, not a loophole, though he acknowledged the situation exposed a gap in the current UDO. He confirmed that the Planning

Board's pending text amendment directly addresses these issues and noted that certain land uses—including adult entertainment and manufactured homes—carry statutory requirements that the city must provide zoning for. Biddle indicated he would provide a full staff presentation on these matters at the October 9 Board of Aldermen meeting. Mayor Alt requested that item be placed on the agenda for that meeting as a matter of urgency.

J. Manager's Report

City Manager Noah Saldo provided the following updates:

- **Lowe White Bridge:** Construction is complete. Building inspections are anticipated within the coming days, after which the bridge will officially reopen. A press release will be issued at that time.
- **Southport Weather Tower:** The tower is in the fabrication stage and is expected to be assembled on site in the near term.
- **Waterfront Stabilization Project:** Currently in the permitting stage with state and federal agencies. Consultants are simultaneously advancing the bidding phase to ensure the project is ready to proceed upon permit approval, with the goal of meeting the state-mandated deadline.
- **Financial Audit:** The audit team completed on-site work at City Hall the prior week and is now finalizing reporting, with the expectation that the FY2025 audit will be submitted to the Local Government Commission on time.
- **Southport Business Group:** The next monthly meeting is Thursday, September 18 at 4:00 PM in City Hall.
- **Southport Specialty License Plate:** The project has surpassed 130 applicants. Residents were encouraged to spread the word so the required threshold can be met for approval.

K. Mayor's Comments

Mayor Alt asked that the Planning Board, in coordination with Board of Aldermen members, compile a prioritized list of UDO changes in need of fast-track attention—including known conflicts and gaps—to be presented at the October 9 Board meeting. He noted one specific example: a right-of-way provision that appears in two places in the UDO and was updated in only one location. Planning Board Chair Larry Ashley noted that a prior list of UDO items had been held pending the Comprehensive Plan and offered that staff could retrieve and update that list. City Manager Saldo confirmed staff would prepare the most current version.

Mayor Alt also made the following community announcements: a Pause for Cause event hosted by APS on September 20 at Taylor Field from 10:00 AM to

1:00 PM; and a Halloween Bowser Bash pet costume event on Saturday, October 25 from 10:00 AM to 12:00 PM on the Fort Johnston Garrison Lawn.

L. Staff Reports

Staff reports were included in the agenda packet.

1. Development Services

M. Board Comments

Alderman Davis announced with regret the passing of Jenna Fountaine, a longtime member of the Board of Adjustment whom she described as a vibrant, enthusiastic, and valued member of the Southport community.

Alderman Kelley thanked the Police and Fire Departments, and specifically Chief Treadway, for organizing the annual 9/11 memorial, calling it a meaningful tribute that reflects well on the city.

Alderman Spencer reflected on the Cades Cove situation, stating that his original vote against the gate was driven by concerns about neighborhood connectivity rather than opposition to the residents themselves. He encouraged City Manager Saldo to arrange a meeting with Cades Cove and other neighborhoods where unresolved issues remain. He also recognized Planning Board Chair Larry Ashley's work ethic and dedication to the cemetery committee, expressing personal friendship despite past disagreements. Alderman Spencer concluded with a personal reflection on the importance of civil discourse and caring for one another as neighbors, prompted by a conversation with his son about a recent public figure's death and the polarization it revealed.

Alderman Lai agreed with Alderman Spencer's comments on Cades Cove, emphasizing connectivity as his primary concern in voting against the gate. He expressed optimism about the Planning Board's current productivity, noting that new members have brought fresh energy and that the board is developing a "cliff notes" summary of the UDO to make the document more accessible.

Alderman Mosteller echoed her colleagues on Cades Cove and encouraged the City Manager to move forward with arranging a meeting with the neighborhood as soon as possible.

Alderman Davis offered a dissenting note on the Cades Cove discussion, suggesting the city wait until the HOA has internally resolved its differences and reached a clear majority position before engaging, given the contested nature of road ownership history in that neighborhood.

Alderman Carroll responded that the core issue is dispelling misinformation that residents have received, and that a city-provided informational meeting is the appropriate tool regardless of the HOA's internal dynamics.

Mayor Alt noted that the city has previously walked the Cades Cove streets and reviewed stormwater infrastructure, and that the city's position on road acceptance has been communicated before—though he acknowledged it has not always reached all residents. He reported a potential breakthrough regarding The Hammocks neighborhood and the connectivity issue, noting that a contractor capable of performing the necessary core sample has been identified and that City Manager Saldo has already begun providing the technical specifications the HOA would need to properly commission that work.

N. Closed Session NCGS 143-318.11

A motion to go into closed session was made by Alderman Carroll and seconded by Alderman Spencer. The motion passed unanimously.

The Board entered closed session at 8:35 pm.

A motion to come out of closed session was made by Alderman Kelley and seconded by Alderman Lai. The motion passed unanimously.

The Board came out of closed session at 9:43 pm.

1. Motion to go into Closed Session pursuant to NCGS 143-318.11-
 - (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 terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.
 - (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee

O. Adjourn

A motion to adjourn was made by Alderman Spencer and seconded by Alderman Kelley. The motion passed unanimously.

The meeting adjourned at 9:44 pm.

Joseph P Hatem MD
Dr. Joseph P Hatem, Mayor

ATTEST:

Tori Deviney
Tori Deviney, City Clerk

