CITY OF SOUTHPORT
BOARD OF ALDERMEN – REGULAR MEETING
COMMUNITY BUILDING
223 E BAY ST, SOUTHPORT NC 28461
October 9, 2025 | 6:00 PM

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

Absent Members:

Staff Present: City Manager Noah Saldo, City Clerk Tori Deviney, Public Information Officer ChyAnn Ketchum
Police Chief Todd Coring, Fire Chief Charles Drew, Planning Services Director Maureen Meehan, City Planner Wendell Biddle

Others Present:
City Attorney Brady Herman

A. Call to Order

Mayor Alt called the meeting to order at 6:00 pm.

B. Invocation

Alderman Davis provided the invocation.

C. Pledge of Allegiance

Mayor Alt led everyone in the Pledge of Allegiance.

D. Public Comment

Larry Ashley
Larry Ashley addressed the Board and first spoke regarding the resolution adopted earlier in the meeting. Mr. Ashley referenced his own military service and noted that his daughter also served in the military.

Mr. Ashley then addressed the proposed Old City Hall/Courthouse project and encouraged the Board to move forward with the HDR contract. He stated that there would inevitably be questions about the project for which the Board did not yet have answers, but emphasized that the City could not begin obtaining those answers without first moving forward with the design process. He encouraged the Board to vote that evening so that the process could begin.

Mr. Ashley also referenced his involvement with the Courthouse Committee and emphasized the historic significance of the building. He acknowledged that restoring and adapting the historic courthouse would be an expensive undertaking and stated that, in the context of the overall project, the approximately $866,000 architectural contract represented only a portion of the ultimate cost. He encouraged the Board to take the necessary first step and proceed with the project.

Sue Hodgin
Sue Hodgin addressed the Board and began by commenting on the September 29 mass shooting. She reflected that, much like September 11, people would remember where they were when the tragedy occurred.

Ms. Hodgin then spoke regarding the Comprehensive Plan and expressed appreciation that the lengthy planning process was nearing completion. She noted that many residents had devoted considerable time to the process and described adoption of the plan as another important item the City could mark as completed.

Ms. Hodgin also referenced the Historic Preservation Commission and the upcoming meeting concerning historic preservation. She expressed hope that the City would ultimately move forward with historic preservation measures and stated that residents who had maintained and cared for their historic homes should be recognized for their efforts.

Ms. Hodgin then addressed the proposed HDR contract for the historic courthouse. She questioned how the proposed contract amount could have been negotiated substantially downward from the earlier estimate without eliminating services that had been included in the original scope. She expressed skepticism that such a significant reduction could be achieved without sacrificing some level of service and stated that the explanation did not make sense to her.

Ms. Hodgin concluded by referencing the upcoming municipal election and stated that, based upon media reports, she understood this to be the final regular Board meeting before the election. She encouraged honesty and transparency in the City's discussions and stated that the truth ultimately prevails.

Kevin Locklin
Kevin Locklin thanked the Board for the resolution adopted earlier in the meeting. He spoke personally about the September 29 tragedy, explaining that his family knew one of the individuals who was killed and had also been connected with others directly affected by the incident. He expressed appreciation for the Board's

recognition of the victims and their families.

Mr. Locklin then discussed the municipal election and expressed concern regarding the tone of the electoral process. He stated that candidates and elected officials should compete on their merits and on truthful information rather than for political gain.

Mr. Locklin also addressed the ongoing discussion concerning an alleyway, stating that he disagreed with characterizations being made about the property and noting that a house had been constructed in the area being discussed. He further addressed statements concerning whether he intended to move from Southport.

Mr. Locklin acknowledged that his home was for sale but explained that he and his family were considering purchasing a smaller condominium near the water and that he would notify the appropriate parties if he intended to leave the community.

Mr. Locklin stated that he believed false or misleading statements during the election process were inappropriate. He referenced his experience working with members of the Board and with local government and encouraged everyone involved in the election to use good judgment and common sense in their public statements.

Emily Humphries
Emily Humphries addressed the Board regarding the proposed UDO amendments and specifically the zoning of tattoo and body-piercing establishments following the loss of the City's ETJ.

Ms. Humphries stated that if the former Heavy Industrial zoning district was no longer available, she did not believe the appropriate response was to place tattoo establishments within the Business District. She encouraged the Board to consider the hierarchy and character of the City's remaining zoning districts and suggested that Highway Commercial would be a more logical location for the use.

Bonnie Bray
Bonnie Bray addressed the Board regarding the proposed HDR contract for the Old City Hall/Courthouse project and the City's long-term facility needs, particularly those of the Police Department.

Ms. Bray stated that the Fire Department had a facility capable of serving its needs for many years but expressed concern that the proposed courthouse project would not provide a similarly long-term solution for the Police Department. In her opinion, the Police Department could outgrow the proposed space within approximately seven years.

Ms. Bray discussed the potential financial implications of the project and expressed concern that the City did not yet have grant funding committed and did not know the final construction cost. She referenced financing information prepared by staff based upon an approximately $8 million project and discussed the potential long-term debt-service costs associated with financing the project over fifteen or twenty years.

Ms. Bray stated that the City also needed a plan for what would happen if the Police Department outgrew the courthouse facility. She expressed the opinion that the Police Department deserved a facility capable of meeting its long-term needs and suggested that construction of a new building should be considered.

Ms. Bray also discussed the cost of proceeding with architectural and construction documents before the City knew whether it would ultimately undertake the project. She compared the proposed HDR costs with previous architectural contracts associated with the building and questioned the differences between those figures.

E. Board Comments

Alderman Lai commented on the importance of mental health and reminded residents that resources are available for those who may be struggling or need assistance. He encouraged individuals to seek help and utilize the resources available within the community.

Alderman Kelley responded to questions raised regarding the HDR contract for the Old City Hall/Courthouse project. She referenced a discussion held earlier in the week and clarified that the approximately $866,000 contract amount would take the project through the construction-document phase. She explained that part of the reduction from the earlier proposal resulted from removing services that City staff could perform internally, including the furniture design package. Alderman Kelley also asked Mr. Locklin to convey the Board's condolences to the family affected by the September 29 tragedy.

Alderman Davis commented on the public hearings scheduled for later in the meeting. She stated that she wanted the Board to move forward on important matters but reiterated a commitment she had made not to vote on an item on the same evening as its public hearing. She explained that public hearings are intended to provide an opportunity for the Board to listen to residents and consider the information presented before making a decision.

Alderman Davis also addressed a rumor regarding the possible widening of Stuart Avenue to Fourteenth St to four lanes. She asked whether any member of the Board was aware of such a proposal. Mayor Alt responded that, according to comments circulating on social media, the proposal had apparently been attributed to him. Alderman Kelley, who stated that she had previously lived on Stuart Avenue, indicated that she would have significant concerns with such a proposal. Alderman Davis stated that she wanted to clarify the matter publicly and was satisfied that the Board was not pursuing such a proposal.

Alderman Mosteller commented on the amount of staff time required to prepare matters for Board consideration. She noted that the Comprehensive Plan had already been discussed and reviewed on multiple occasions and stated that staff had devoted considerable time to preparing the item for the Board. She indicated that she had one modification she wished to discuss when the Comprehensive Plan came before the Board.

A motion to close public comment was made by Alderman Kelley and seconded by Alderman Spencer. The motion passed unanimously.

F. Mayor's Comments

Mayor Alt then addressed comments concerning the HDR contract and emphasized that the proposed architectural services involved considerably more than simply preparing building drawings. He noted that the work included engineering and coordination with the State, the State Historic Preservation Office, grant-related efforts, and the complexities associated with adapting modern governmental functions within a historic building. He cautioned against evaluating the proposal based solely on individual dollar figures without considering the complete scope of professional services involved.

Mayor Alt also addressed the alleyway matter raised during Public Comment. He discussed a declaration of withdrawal that had been brought to his attention and stated that he subsequently consulted with the City Manager and attorneys regarding the proper process. He questioned whether similar procedures should be consistently available to other property owners with comparable alleyway interests and emphasized the importance of applying City processes consistently rather than differently from one property owner to another.

Mayor Alt concluded by emphasizing the importance of relying on subject-matter experts and maintaining integrity in the Board's decision-making process.

Prior to beginning the public hearings, Alderman Kelley disclosed that she owned a hotel and raised the question of whether that created a conflict of interest regarding the upcoming Bed and Breakfast text amendment. City Attorney Herman and the Board determined that no conflict existed that would prevent Alderman Kelley from participating in the matter.

G. Approval of Agenda

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

H. Approval of the Consent Agenda

A motion to approve the consent agenda was made by Alderman Kelley and seconded by Alderman Lai. The motion passed unanimously.

1. Minutes of the April 29, 2025 Special Aldermen Meeting

2. A RESOLUTION IN SUPPORT OF EXPANDED MENTAL HEALTH SERVICES FOR VETERANS AND INDIVIDUALS IN CRISIS, AND THE IMPLEMENTATION OF COMMON-SENSE PREVENTION MEASURES THAT PROVIDE FOR PUBLIC SAFETY

I. Agenda

1. Public Hearing—Southport 2050 Comprehensive CAMA Plan (Planning Services Director Maureen Meehan with Jake Petrosky and Andrea Radford, Stewart Consultants, Pgs.

   Mayor Alt opened the public hearing regarding the Southport 2050 Comprehensive Plan/CAMA Land Use Plan.

   Planning Director Maureen Meehan opened the discussion and provided introductory remarks regarding the Comprehensive Plan and the process leading to its consideration by the Board. Director Meehan then introduced Jake Petrosky, with Stewart, who provided an overview of the proposed Plan.

   Jake Petrosky, with Stewart, presented the proposed Comprehensive Plan and provided an overview of the extensive planning and public engagement process undertaken to develop the document. He explained that the Plan was intended to provide long-term policy guidance for the City and establish a framework for future decisions related to land use, transportation, infrastructure, historic preservation, resiliency, parks, housing, and development. He emphasized that the Plan itself did not amend the Unified Development Ordinance (UDO), but identified areas where future UDO amendments could assist in implementing the Plan's recommendations.

   Mr. Petrosky discussed regional growth and the development pressures affecting Southport and Brunswick County. He reviewed transportation recommendations, including access management along major corridors, encouraging more walkable forms of development, improving sidewalk and greenway connections, and providing additional bicycle and golf cart parking. He also discussed opportunities to improve connections between neighborhoods, parks, the waterfront, and other public spaces.

   Historic preservation was identified as a significant theme throughout the public engagement process. Mr. Petrosky stated that the Plan recommended consideration of a local historic district and local landmark designations, pursuing Certified Local Government status, and increasing recognition of Southport's history through educational programs, signage, and community activities. He explained that, unlike a National Register designation, a local historic district can provide protections through locally adopted standards. He noted that continued development pressure could result in the gradual loss of historic structures if proactive measures were not considered.

Mr. Petrosky also reviewed recommendations related to resiliency, stormwater management, flooding, critical infrastructure, the Yacht Basin, waterfront access, public spaces, emergency services, and coordination with Brunswick County. He explained that the implementation section of the Plan identified priorities involving zoning updates, parks and conservation, historic preservation, walkability, parking, housing, infrastructure, and long-term fiscal considerations.

The Board discussed several recommendations contained within the Plan. Alderman Kelley asked whether the action matrix included the UDO amendments referenced during the presentation. Mr. Petrosky confirmed that those items were included in the action matrix and were also addressed narratively within the Plan.

Alderman Kelley asked about the recommendation to limit building height within the Midtown area. Mr. Petrosky explained that the recommendation was intended to address concerns regarding the scale of future development and to ensure that new development remained compatible with Southport's existing character.

Alderman Kelley asked about property-value data contained within the Plan. Mr. Petrosky explained that the information was derived from county tax parcel data and acknowledged that assessed values may lag behind actual market values.

Mayor Alt discussed the list of potential UDO amendments that had been gathered from staff, the Planning Board, members of the Board of Aldermen, and citizens. He stated that the Board would need to prioritize, or "rack and stack," the proposed amendments rather than sending all of the items to the Planning Board at once. He indicated that a future work session would be appropriate to review and prioritize those items.

Alderman Kelley asked about accessory dwelling units (ADUs) and the relationship between lot size, density, and impervious surface coverage. Mr. Petrosky explained that the City could consider whether its existing lot-size requirements appropriately reflected established development patterns while also implementing performance-based standards addressing impervious surface coverage. He stated that ADUs could provide additional housing opportunities without significantly altering neighborhood character, but acknowledged that they may not be appropriate for every property, particularly where existing development or impervious coverage could contribute to stormwater concerns.

Mr. Petrosky further explained that determining an appropriate impervious surface standard would require additional analysis of existing neighborhood conditions. The Board noted that the City was already undertaking additional work related to stormwater and impervious surface considerations.

Mayor Alt sought clarification regarding the role of the Comprehensive Plan and emphasized the importance of ensuring that future Boards and the public understood that the document was intended as policy guidance rather than an inflexible set of regulations. Mr. Petrosky confirmed that the Comprehensive Plan was intended to provide policy guidance and was not a static document. He explained that the Board could amend the Plan in the future if circumstances changed or if clarification was necessary.

During public comment, Charles Drew addressed the Board regarding historic preservation. Mr. Drew stated that the presentation reinforced concerns he had previously expressed regarding the potential loss of Southport's historic character. He noted that historic preservation had consistently ranked among the community's primary concerns during the planning and public engagement process and encouraged the Board to recognize its importance when considering the City's future.

With no additional speakers, the public hearing was closed by unanimous vote.

> *Alderman Mosteller made a motion to adopt the Southport 2050 Comprehensive Plan/CAMA Land Use Plan. The motion was seconded by Alderman Spencer.*

During discussion of the motion, Alderman Davis acknowledged her previously expressed preference not to vote on an item on the same evening as its public hearing; however, she stated that she supported taking action because the Comprehensive Plan had been under development and review for an extended period, the Board had received the document previously, and no opposition had been expressed during the hearing.

Alderman Kelley noted that the first portion of the document contained the policy guidance intended for use by the City, while the remaining portion documented the public engagement process and responses received. She acknowledged concerns that had been expressed regarding the same consultant's involvement with both the Comprehensive Plan and historic preservation planning efforts, but stated that the public responses demonstrated that preservation and protection of historic sites and buildings were among the issues most important to participants.

The previous motion passed unanimously.

2. Public Hearing– Special Events at Bed and Breakfasts Text Amendment (Planning Services Director Maureen Meehan, Pgs.
Planning Director Maureen Meehan introduced the proposed text amendment, 24-05, concerning special events at bed and breakfast establishments. She explained that the amendment had been reviewed by the Planning Board and was intended to provide additional clarification regarding events and gatherings associated with bed and breakfast operations.

The Board discussed the proposed language and the distinction between activities that are incidental to a bed and breakfast stay and events that would constitute a separate commercial use of the property. Discussion focused particularly on whether guests staying at a bed and breakfast should be permitted to invite a limited number of family members or other visitors to the property.

John Mann addressed the Board and expressed concern that the proposed language could be overly restrictive. He provided the example of a guest staying at a bed and breakfast who wanted to have parents or family members visit during their stay, explaining that the proposed language could prevent even a small gathering of that nature. He also referenced situations in which guests might want to hold a small daytime gathering or meeting at the property. Mr. Mann stated that small gatherings involving and benefiting registered guests could occur without being disruptive to the surrounding neighborhood and could remain consistent with the character and charm associated with a bed and breakfast.

The Board discussed the difficulty in establishing language that would distinguish a reasonable gathering of registered guests and their visitors from a separately operated event venue. Members expressed concern that language allowing events could unintentionally permit activities beyond the traditional operation of a bed and breakfast, particularly because these establishments are located within residential neighborhoods.

Alderman Davis discussed the original intent of the proposed amendment and expressed support for language that would allow reasonable activities associated with registered guests while preventing bed and breakfasts from functioning as independent event venues. The Board discussed whether the regulations should focus on the relationship between the event and registered guests rather than attempting to prohibit all gatherings.

Discussion also focused on occupancy and whether an appropriate limitation could be established based upon the permitted occupancy of each bed and breakfast. The Board considered whether attendance could be limited to a multiple of the establishment's approved occupancy rather than establishing one number applicable to every property.
Fire Chief Charles Drew discussed the relationship between occupancy and fire safety. He suggested that staff review the individual bed and breakfast establishments and determine their respective approved occupancy limits so that the Board could better evaluate an appropriate standard. The Board also discussed whether outdoor tents or similar temporary areas could affect occupancy calculations.

The Board expressed general support for finding a reasonable middle ground that would allow customary activities associated with a bed and breakfast while ensuring that the properties did not become event venues within residential neighborhoods.

A motion was made by Alderman Spencer to close the public hearing, which was seconded by Alderman Kelley. The motion passed unanimously.

Alderman Spencer expressed concern regarding selective enforcement and stated that he was opposed to regulations that could be enforced inconsistently.

Alderman Davis asked Mr. Mann to provide examples of the types of activities he envisioned occurring outdoors, noting that several of the examples previously discussed involved indoor activities. Mr. Mann stated that outdoor activities could include guests having coffee together, playing croquet, holding a small wedding ceremony or elopement, or having one person play acoustic music. He stated that outdoor activities at his establishment operated under an honor rule and concluded by approximately 7:30 p.m. He also noted that neighboring residents lived nearby and that he was mindful of the impact on them.

Alderman Davis asked whether Mr. Mann understood the permitted operation of a bed and breakfast and the limitations associated with that use when he purchased the property. Mr. Mann responded that he did and that he had reviewed the Unified Development Ordinance prior to purchasing the property. He distinguished a bed and breakfast from a short-term rental and emphasized that the property was also his home. He stated that he had a personal interest in protecting the property and ensuring that guests did not create problems or damage his home.

Alderman Davis discussed the definition and traditional operation of a bed and breakfast and stated that allowing special events could represent an entirely different level of use. She noted that there were four bed and breakfast establishments operating within the City and expressed concern that the Board needed to consider not only the current owners but also how the properties could be operated in the future. She explained that an approval associated with the property could remain relevant after a property was sold and that the City could not assume a future owner would operate an establishment in the same manner as the current owner.

Alderman Davis stated that she would like to see revised language clearly distinguishing activities permitted as part of a bed and breakfast operation from a separate event-venue use. She also expressed concern regarding enforceability, noting that the City had previously adopted regulations that were difficult to enforce. She questioned how staff would practically monitor or count attendees and stated that the Board should consider whether the proposed requirements could reasonably be administered before adopting them.
The Board then discussed enforcement of noise regulations. Mayor Alt noted that enforcement ultimately rested with the City.

Alderman Kelley stated that noise complaints were a recurring issue and discussed whether the City could establish a more objective method of determining whether noise from music, conversations, or other activities was appropriate for the surrounding area. She suggested that staff investigate the use of a decibel meter and measurable noise standards rather than relying solely on subjective determinations.

Alderman Davis questioned reliance on a "reasonable person" standard. Alderman Kelley strongly disagreed that such a subjective standard would provide an adequate basis for enforcement. City Attorney Brady discussed concerns regarding the reliability and consistency of noise enforcement methods among different law enforcement agencies.

Discussion then turned to Fire Code requirements and occupancy. Alderman Kelley asked Fire Chief Charles Drew to explain how occupancy requirements could apply to bed and breakfast establishments.

Mr. Mann stated that he supported having the Fire Marshal inspect his establishment and establish an appropriate occupancy rating. He noted that City staff had previously visited the property and stated that he was comfortable complying with applicable Fire Code requirements.

Alderman Kelley noted that, as the operator of a hotel, her establishment was subject to Fire Marshal inspections and occupancy requirements. Chief Drew explained that occupancy is determined based upon applicable Fire Code requirements, including the square footage and use of the space, and that an approved occupancy could be identified through a placard.

Alderman Davis asked whether rezoning would be necessary to address the proposed use. Chief Drew clarified that his comments concerned occupancy and Fire Code requirements rather than zoning.

Alderman Mosteller stated that her concern was that the proposed amendment could effectively create a second use, an event venue, on residential property. She stated that she was not opposed to continuing to explore an appropriate solution but emphasized that the properties under consideration were located within residential neighborhoods.

Alderman Kelley discussed her own experience operating a lodging business and noted that businesses are held to a higher standard regarding impacts on neighboring properties. She referenced occasions when neighbors had raised concerns regarding noise and stated that she would like additional information from the Fire Marshal regarding what an occupancy-based approach might look like before the Board established a standard.

Mayor Alt stated that the discussion had provided perspectives that changed how he viewed the proposal. He noted that an activity might be responsibly managed by a current owner but could create different concerns under future ownership. He stated that the discussion demonstrated how the review process should work by identifying issues that may not have been apparent when the amendment was initially considered. Mayor Alt suggested returning the matter for additional review to determine whether a reasonable middle ground could be developed.

> *Alderman Mosteller made a motion to return the proposed amendment to the Planning Board for further consideration and bring it back to the Board of Aldermen.*

During clarification of the motion, Alderman Davis questioned whether the issue being presented was properly the responsibility of the Planning Board and stated that the Board should provide clearer direction regarding the desired language. She expressed support for language clarifying that a bed and breakfast should operate as a bed and breakfast and not as a separate event venue.

> *Alderman Mosteller clarified that the motion was to return the amendment for further consideration, including Alderman Davis' comments regarding bed and breakfast operations and further clarification of what constitutes a bed and breakfast use.*

Planning Board Chair Larry Ashley asked the Board to clarify what it wanted the Planning Board to consider and the anticipated timeline for bringing the matter back.

Alderman Spencer asked about the occupancy of the establishment, and the Board discussed whether an attendance limitation could potentially be established based upon the approved occupancy of the individual property, including consideration of a multiple of that occupancy based on what the Fire Marshal says .

Chief Drew suggested reviewing each existing bed and breakfast establishment individually to determine its approved occupancy and then comparing those figures with the characteristics and size of the respective properties. The Board also discussed whether the use of outdoor tents or similar temporary areas would affect occupancy considerations. Chief Drew confirmed it would.

Alderman Spencer seconded the motion. The motion passed unanimously.

A motion to close the public hearing was made by Alderman Kelley and seconded by Alderman Mosteller. The motion passed unanimously.

3. Public Hearing- UDO Article 3&8 Zoning Text Amendments (City Planner Wendell Biddle & Planning Services Director Maureen Meehan & , Pgs.
Mayor Alt opened the public hearing regarding proposed text amendments to the Unified Development Ordinance (UDO).

Planner Wendell Biddle presented the proposed amendments and reviewed the recommendations forwarded by the Planning Board. The Board proceeded through the proposed amendments individually and discussed questions and concerns associated with several of the provisions.

Mobile Food Truck Vendors

Mr. Biddle explained that under the existing process, much of the responsibility for obtaining a food truck permit rested with the property owner. Staff viewed that requirement as a barrier to food truck operations. Under the proposed amendment, the responsibility for obtaining and maintaining the permit would instead be placed primarily on the food truck vendor.

Mayor Alt asked how the permitting process would work when a food truck operated at different locations. Mr. Biddle explained that a vendor with the appropriate license and approvals could obtain a permit and operate at approved locations using separate site plans. The intent was to avoid requiring a vendor to obtain an entirely new permit and Fire Department inspection each time it operated at another approved location.

Mayor Alt asked about the turnaround time for the permitting process and whether food truck operators had been receptive to the proposed regulations. Mr. Biddle stated that the regulations had been well received and reiterated that the process would generally involve one permit and one Fire Department inspection. The Board also discussed food trucks participating in City special events, including the Fourth of July festivities, and staff explained that those events would continue to be coordinated through the City's special-event process.

Planning Director Maureen Meehan clarified that the proposed amendment would not permit a food truck to randomly park along a City street and begin operating. An appropriate location and site approval would still be required.

The Board discussed businesses that regularly host food trucks, including Tap & Cellar. Mr. Biddle explained that an approved site plan would remain valid for one year and would approve the designated food truck location on the property.

Alderman Mosteller asked how the regulations would apply to a resident in the older portion of the City who did not have sufficient space on private property to accommodate a food truck for a private gathering. Director Meehan stated that staff would encourage the resident to contact the Planning Department to review the specific circumstances. She explained that there may be situations where use of the adjacent right-of-way could be considered, similar to other circumstances in which a property owner requires temporary use of the right-of-way.

Swimming Pools and Accessory Structures

The Board next discussed proposed changes to swimming pool setbacks. Staff explained that the setback would be measured from the pool coping surrounding the pool, with the intent of preserving additional side and rear yard space.

Mayor Alt questioned how the proposed provisions related to the City's stormwater requirements and expressed concern that someone reviewing the UDO should be clearly directed to any additional regulations that could affect development of the property.

Alderman Mosteller suggested an additional provision to the proposed exception in Section 3.9(B)(1), discussing whether a four-foot setback would be more appropriate than five feet for swimming pools. Mr. Biddle clarified that the proposed amendment addressed both swimming pools and accessory structures. Alderman Mosteller stated that she was primarily interested in applying the exception to swimming pools rather than accessory structures.

Alderman Davis also sought clarification regarding protective fencing surrounding swimming pools, and the Board discussed the applicable maximum fence height.

Salvage Yard

Mr. Biddle explained that salvage operations were among the land uses affected by the loss of the ETJ. Salvage operations had previously been permitted by Special Use Permit within the Heavy Industrial zoning district. Because that zoning district was no longer available, staff reviewed whether the use should be reassigned to another district.

Mr. Biddle stated that staff did not recommend reincorporating salvage operations into the UDO, explaining that there was no appropriate zoning district for the use and staff did not see a benefit to relocating it to another district. The proposed amendment therefore removed salvage operations as an available land use within the City.

Drive-Through Uses

Alderman Mosteller asked about language permitting drive-through uses within the Business District and requested clarification regarding what such a use would entail.
Director Meehan explained that the UDO did not currently contain specific standards governing drive-through facilities and that standards would need to be established if such a use were permitted.

Alderman Kelley questioned whether drive-through uses could instead be restricted to the Highway Commercial District. Alderman Mosteller expressed support for prohibiting drive-through uses in the Business District.

Alderman Kelley stated that a drive-through use adjacent to residential or more traditional commercial development would not necessarily be compatible with the character the City was seeking to maintain. The Board discussed how similar communities addressed drive-through uses and the potential effects on traffic and neighborhood character.

Mr. Biddle noted that certain development could trigger a Traffic Impact Analysis. Alderman Kelley cautioned against relying solely on that threshold because some developments with significant localized impacts might not meet the criteria requiring a Traffic Impact Analysis.

Uses Affected by Removal of the ETJ

The discussion then turned to land uses affected by the City's loss of extraterritorial jurisdiction (ETJ). Alderman Davis asked whether removal of certain zoning districts meant that uses previously permitted within those districts would no longer be permitted anywhere within the City's jurisdiction.

Mr. Biddle explained that several uses had effectively been left without an applicable zoning district following the loss of the ETJ and that the City needed to determine whether those uses should be eliminated or assigned to another appropriate zoning district.

The Board discussed adult establishments, and Mr. Biddle explained that Highway Commercial appeared to be the most logical district if the use were retained. The Board discussed requiring a Special Use Permit, which would require review by the Board of Adjustment.

Tattoo and body-piercing establishments were also discussed. Alderman Kelley expressed a preference that those uses be limited to Highway Commercial rather than also being permitted within the Business District. Staff discussed retaining the Special Use Permit requirement consistent with the process that existed prior to the loss of the ETJ.

The Board then discussed vape shops. Alderman Kelley suggested that vape shops be treated similarly to tattoo and body-piercing establishments and restricted to the Highway Commercial District with additional review. Alderman Mosteller indicated that she would support such an approach. Staff noted that vape shops were not among the original uses under consideration but could be addressed through a subsequent text amendment.

Flagpoles, Signs, and Other Amendments

Mr. Biddle reviewed proposed provisions relating to signs and flagpoles, including a standard based upon the relationship between the height of a pole and the required setback.
Planning Board Chair Larry Ditton explained that the proposed flagpole provision was intended primarily as a courtesy to neighboring property owners, including concerns associated with the noise generated by a flagpole located immediately adjacent to another residence.

Mayor Alt asked whether the City had received significant complaints concerning flagpoles.

Mayor Alt expressed concern about establishing specific dimensional standards that could inadvertently create nonconformities on smaller lots and stated that he did not support the proposed flagpole regulation as presented.

The Board also discussed proposed revisions to Article 8 and the removal of definitions that were no longer applicable following changes associated with the ETJ. Mr. Biddle stated that the amendments before the Board were only a portion of the work being undertaken and that additional revisions to the UDO remained necessary.

Mayor Alt also questioned proposed language concerning unimproved lots and requirements for maintaining access or a cleared path along property lines. The Board discussed the practical effect such language could have on property owners.

A motion by Alderman Spencer to open public comment was made and seconded by Alderman Kelley. The motion passed unanimously.

Public Comment

Planning Board Chair Ashley encouraged the Board not to allow the desire for a perfect ordinance to prevent progress on amendments that were ready for action. He noted that the Planning Board had been working on the proposed amendments since July and emphasized that delaying action could leave certain uses without clear zoning provisions.

Mayor Alt expressed concern about adopting amendments before the Board was comfortable with their implications and stated that a special meeting could be held if additional consideration was necessary. He suggested that the Board identify those amendments it was prepared to approve and separate them from provisions requiring additional review.

The Board discussed whether the amendments should be divided into separate categories. Mayor Alt emphasized that the immediate issue created by the loss of the ETJ was that certain uses no longer had a zoning district in which they were permitted. He encouraged the Board to remain focused initially on resolving those "orphan uses."

Alderman Spencer questioned how swimming pool setbacks had become part of the ETJ discussion. Mayor Alt explained that the broader list of amendments had been presented so that the Board could review and prioritize the various items rather than allowing unrelated amendments to move forward without adequate discussion.

Alderman Mosteller discussed the reasoning behind the proposed swimming pool setbacks and the need to preserve adequate yard area. Other comments expressed concern that the Board should have additional information regarding stormwater and impervious surface coverage before adopting those provisions.

Alderman Davis suggested dividing the amendments into separate parts so that the Board could act on the ETJ-related provisions while continuing consideration of the remaining amendments at a future meeting.

Dickie Gephardt, 611 North Lord Street, addressed the Board specifically regarding the proposed swimming pool setback amendments. Mr. Gephardt stated that he was a home builder and also lived on a 33-foot-wide lot with his family. Although he did not currently have a swimming pool, he hoped to have one in the future.

Mr. Gephardt expressed concern that adopting new swimming pool setback requirements at that time would be "putting the cart before the horse." He noted that the City's recently adopted stormwater regulations had only gone into effect on September 11 and stated that there was still uncertainty regarding how those requirements would be implemented. He explained that he had contacted staff shortly after the regulations became effective and that some of the information necessary to fully understand their application was still being developed.

Mr. Gephardt stated that he was not opposed to reconsidering swimming pool setbacks but believed the Board should have a better understanding of the City's stormwater requirements before making additional changes. He specifically noted the distinction between pervious and impervious surfaces and stated that, for example, a wooden deck could have a different than concrete placed near a property line. He encouraged the Board to table the swimming pool amendments until additional information regarding stormwater and impervious surface requirements was available.

A motion was made by Alderman Spencer and seconded by Alderman Kelley to close public comment. The motion passed unanimously.

ETJ-Related UDO Amendments

Alderman Davis made a motion directing Mr. Biddle to identify the proposed amendments involving uses that no longer had an applicable zoning district as a result of the loss of the ETJ so that the Board could vote on those items separately. Alderman Kelley seconded the motion.

Mr. Biddle reviewed the twelve land uses that had been left without an applicable zoning district following the loss of the ETJ. These included manufactured homes on individual lots; adult establishments; private garbage collection and landfill-related uses; liquid petroleum bottle and bulk storage; general manufacturing; intensive manufacturing; motion picture production and distribution; salvage operations; outdoor shooting ranges; solar farms; and tattoo and body-piercing establishments. Mr. Biddle explained that nine of the twelve uses were recommended for elimination, while manufactured homes on individual lots, adult establishments, and tattoo and body-piercing establishments were recommended for reassignment to appropriate zoning districts.

During the review, the Board clarified that an outdoor shooting range was not considered appropriate and discussed retaining only an indoor shooting-range use where applicable.
The Board determined that nine of the identified orphan uses should be eliminated from the UDO and that the remaining uses should be assigned to appropriate zoning districts.

Alderman Mosteller made a motion to eliminate the nine uses recommended for elimination. Alderman Spencer seconded the motion.

Alderman Mosteller read the applicable consistency statement, finding the proposed amendments consistent with the City's adopted land-use plan and its policy of continually maintaining its official planning documents.

The motion passed unanimously.

Alderman Mosteller then made a motion to adopt the recommended realignment of the remaining uses, including manufactured homes on individual lots to the applicable PUD and single-family provisions, adult establishments to the Highway Commercial District, and tattoo and body-piercing establishments to the Highway Commercial District. Alderman Spencer seconded the motion. The motion passed unanimously.

Alderman Kelley made a motion to consider the remaining proposed UDO amendments at another meeting. Alderman Spencer seconded the motion.

The Board discussed whether the remaining items should wait until the November 3, 2025 meeting or whether an earlier special meeting was warranted. Alderman Mosteller expressed concern about delaying some of the amendments and noted that certain provisions, including swimming pool standards, warranted timely consideration. Alderman Spencer noted the relationship between some of those provisions and the City's ongoing stormwater work.

Planning Board Chair Ashley encouraged the Board to address drive-through uses before concluding its action, expressing concern regarding the potential impact of drive-through facilities in residentially oriented areas if the regulations remained unchanged.

Alderman Kelley made a motion to restrict drive-through uses to the Highway Commercial and Planned Unit Development districts, subject to the applicable consistency statement. The motion was seconded by Alderman Carroll and passed unanimously.

Alderman Kelley then made a motion to refer regulations concerning vape shops to the Planning Board for consideration of limiting the use to the Highway Commercial District.The motion was seconded by Alderman Carroll and passed unanimously.

The Board agreed that the remaining proposed UDO amendments would be brought back for further consideration at the November 3, 2025 meeting.

4. Old City Hall/ Courthouse

City Manager Noah Saldo presented the proposed HDR contract for the Old City Hall/Courthouse project, which had been moved to the regular meeting agenda following the Board's discussion at its previous meeting.

Manager Saldo reviewed the components of the proposed architectural contract. He explained that the estimated costs included approximately $350,000 for schematic design and design development, $237,000 for construction documents, $42,000 for permitting and bidding, $211,000 for construction administration and closeout, and $49,000 for other services, for a total contract amount of approximately $860,000. He emphasized that the contract represented a comprehensive approach and included more than architectural design, including bidding and construction administration as well as grant application and administration services.

Manager Saldo also reviewed potential financing considerations for the overall project. He explained that HDR had provided a preliminary construction estimate ranging from approximately $6 million to $8 million; however, the actual construction cost would not be known until the design process progressed and more current construction pricing was available. He further explained that the City's ultimate financial obligation would depend on several factors, including the final project design, potential State appropriations, available grants, and financing terms. The financing information included in the agenda packet was therefore intended only to illustrate what financing could potentially look like if the City were required to finance the project without grants or State appropriations.

Alderman Mosteller asked several questions regarding the clarifications and assumptions contained within the HDR scope of work. She first asked about language excluding selective demolition services and investigations.
Manager Saldo explained that those services were not anticipated as part of the current scope and therefore were not included.
Alderman Mosteller then asked about the exclusion of programming, design, and detailing associated with holding cells or the detention of individuals

within the building. Manager Saldo explained that the proposed facility was not intended to contain a jail or holding cell. Individuals taken into custody would be transported directly to the appropriate detention facility, although the building itself could be secured temporarily if circumstances required it.

Alderman Mosteller also called attention to language stating that the City was not currently a Certified Local Government and that this could affect eligibility for certain competitive grants. She noted the relationship between Certified Local Government status and local historic preservation efforts and emphasized that such status could provide additional grant opportunities for the City.

Discussion then turned to the financial commitment associated with approving the contract. Alderman Mosteller sought clarification that approval that evening would allow the City to proceed through the approximately eight-month design process but would not commit the Board to constructing an $8 million building. She stated that once the design work was complete, the Board would need the opportunity to evaluate the construction cost, financing options, the City's overall budget, other municipal needs, and what projects or expenditures might have to be postponed before determining whether and when to proceed with construction.

Manager Saldo confirmed that understanding. He explained that although the overall HDR contract and associated budget amendment totaled approximately $860,000, the City's immediate obligation was essentially the approximately $350,000 schematic design and design-development phase. Once that work was completed, the City would have better construction-cost information to present to financial institutions and the Local Government Commission in order to determine the City's potential financing obligation. He emphasized that approval of the contract did not bind the City to future construction obligations.

Alderman Mosteller further asked whether the City could pause the project following the design phase and wait, even for as long as a year, before deciding whether to proceed. Manager Saldo confirmed that it could. Alderman Mosteller noted that completion of the design drawings would also be necessary in order for the City to pursue certain grant opportunities.

Alderman Davis referenced a question raised during public comment regarding how approximately $500,000 had been removed from the original project estimate. Manager Saldo explained that staff had reviewed the proposed scope and removed noncritical services that could be performed in-house. He cited furniture design and selection and landscape planning as examples, noting that Public Works were capable of handling those functions without paying an outside consultant. He stated that removing those services reduced the cost without compromising the essential design, construction, or administrative components of the project.

Alderman Kelley commended staff for reviewing and negotiating the contract rather than accepting unnecessary expenses. She stated that the City had a responsibility to taxpayers to identify services that could reasonably be completed in-house and remove unnecessary costs from government contracts.

Mayor Alt agreed and commended staff for identifying portions of the proposed scope that were unnecessary and reducing the overall cost while retaining the services needed to move the project forward.

A motion was made by Alderman Carroll to approve the HDR contract and the associated budget amendment. The motion was seconded by Alderman Kelley. The motion passed unanimously.

5. Updates to the Streetlight Policy

Alderman Mosteller presented proposed amendments to the City's Street Light Policy. She stated that street lighting is an important component of community health and safety as well as a design element that contributes to the overall appearance and character of the City. She noted that the City's policy utilizes dark-sky fixtures and explained that the proposed amendments were intended to update and clarify several provisions of the existing policy.

Alderman Mosteller first reviewed proposed changes to the coverage section of the policy. She explained that references to the City's former extraterritorial jurisdiction (ETJ) would be removed and that the policy would apply to outdoor areas within the municipal limits of the City. She also reviewed language addressing the phased implementation of the City's underground utility project. New fixtures and poles consistent with the Street Light Policy would replace existing street lights as the underground project progressed. Obsolete fixtures that failed prior to their scheduled replacement could be temporarily replaced with fixtures selected by the Public Works Department.

Alderman Mosteller then reviewed proposed changes concerning lighting along City-maintained streets. The proposed language clarified that new street light luminaires and poles could replace existing fixtures when necessary to achieve the illumination and foot-candle standards contained within the policy. The appropriate luminaire and pole type could vary depending upon the location, and new or replacement poles constructed of wood, concrete, or composite materials would be permitted.

Mayor Alt asked whether the policy would allow the City to address situations where the topography of a property caused a street light to shine into an elevated residence. Alderman Mosteller explained that such a situation could be addressed through the installation of a shield and clarified that nothing in the proposed policy prevented the City from installing shielding where appropriate.

Energy Manager Larry Ditton confirmed that approved shields were available for the City's luminaires and could be installed when necessary to prevent light from trespassing into a residence. He stated that the City had successfully used shields in other locations and maintained them in inventory. Mayor Alt asked how a resident could request consideration of a shield, and it was explained that the resident could contact the City Manager's office so the location could be evaluated by the Electric Department.

Alderman Mosteller next explained that the proposed amendments would eliminate the use of Audubon-style street lights in most areas of the City. Southport Special luminaires on concrete poles would instead become the standard in residential areas, continuing the fixture style already used along Howe Street and other portions of the City.

Alderman Mosteller then reviewed the provisions applicable to the waterfront and downtown areas. She explained that the proposed boundary for the Southport Special luminaire along Howe Street had previously extended to 14th Street and was being revised to extend to Robert Ruark Drive.

Alderman Kelley asked whether the City had authority over street lighting in areas extending beyond the municipal limits. Mr. Ditton explained that the City's electric utility service territory extends beyond the City limits and that the City maintains and controls street lighting in those areas because it is the electric service provider. He noted that the City's electric service extends into areas near Walmart, Robert Ruark Drive, and Jabbertown Road.

Alderman Mosteller also discussed eliminating the American Revolution LED fixture with glass. She explained that although the fixture was designed as a dark-sky fixture, the glass caused the light to diffuse outward rather than directing it downward as effectively as other available fixtures. Mr. Ditton confirmed the distinction and discussed the lighting characteristics of the fixtures.

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The Board further discussed the different fixture styles currently used throughout the City's electric system. Alderman Davis sought clarification regarding the terminology used for the various fixtures, including the Audubon, bell-shaped, and acorn-style fixtures. Mr. Ditton explained the distinctions among the fixtures and stated that the City was not proposing to replace existing functional fixtures immediately, but would discontinue purchasing and installing certain styles as replacements were needed. The Board discussed maintaining consistency in future installations while

allowing existing fixtures to remain until replacement became necessary.

Discussion then turned briefly to electrical service provided to vendors during special events. Alderman Davis questioned whether vendors utilizing City-provided electrical connections were being appropriately charged for that service and suggested that the City's Rate Committee consider whether the applicable rates should be reviewed.

Mr. Ditton explained that permanent businesses are metered in the normal manner, while special events present a different situation. For events such as the Fourth of July celebration along South Howe Street, the City provides electrical connections, including 50-amp circuits, for certain vendors. He understood that Community Relations had a method for addressing charges associated with electrical and water usage, although his department's primary responsibility was ensuring that the necessary and appropriate electrical connections were available for the event.

> *Alderman Mosteller made a motion to approve the proposed amendments to the Street Light Policy. The motion was seconded by Alderman Spencer. The motion passed unanimously.*

6. Public Comment Policy

Alderman Carroll introduced the proposed Public Comment Policy and explained that, following discussion at the previous month's meeting, he had asked City Manager Noah Saldo to determine whether the City already had a formal policy governing public comment. Manager Saldo confirmed that no formal policy was currently in place and prepared a draft for the Board's consideration.

Alderman Carroll stated that he believed establishing a written policy would provide clearer guidance for how public comment is conducted at Board meetings. He noted that the draft included provisions such as a time limit for speakers; however, the specific time limit had intentionally been left blank so that the Board could discuss and determine an appropriate length before adopting the policy. He stated that his intent was not necessarily for the Board to adopt the policy that evening, but rather to begin the discussion and allow members time to review the proposed language.

Mayor Alt expressed support for establishing a consistent policy and asked whether the same time limitation imposed on individuals speaking during public comment should also apply to written comments submitted for the Clerk to read aloud. He noted that some written submissions could be lengthy and suggested that, if speakers were limited to a specified amount of time, written comments read into the record should be subject to the same limitation.

The Board agreed that additional time was needed to review the proposed policy and consider the appropriate time limits and procedures.

Alderman Carroll made a motion to continue consideration of the Public Comment Policy to the November 3, 2025 meeting to allow the Board additional time to review and refine the proposed policy. The motion was seconded by Alderman Spencer. The motion passed unanimously.

J. Committee Reports

1. ABC Board
   Alderman Lai reported that the ABC Store had another solid month and continued to perform well. He noted increases across sales categories, including mixed beverage sales, and stated that the store remained in a strong position.

K. Manager's Report

Manager Saldo first reminded the Board of the rescheduled joint meeting between the Board of Aldermen and the Historic Preservation Commission, scheduled for Wednesday, October 15 at 11:00 a.m. at the Community Building. He stated that the purpose of the meeting was to review and discuss the proposed Southport Historic District and associated design standards.

Manager Saldo also recognized National Fire Prevention Week and reported that the Southport Fire Department had already participated in more than 20 fire and life-safety programs during the week. He stated that the programs had focused on preschool children, daycare facilities, schools, and senior citizens.

He noted that the year's fire-prevention messaging included an emphasis on lithium-ion battery safety, including avoiding overcharging batteries and unplugging chargers when they are not in use or when residents are away from home. Manager Saldo encouraged residents with questions regarding fire prevention or fire safety to contact the Southport Fire Department and reminded the public to remain mindful of preventable fire hazards.

L. Mayor's Comments

Mayor Alt commented on the community's continued healing efforts and recognized the support being shown by local businesses and organizations. He noted that numerous businesses had held fundraisers to assist those who were injured, the families of those who lost their lives, and affected employees.

Mayor Alt announced another fundraiser planned for October 18 in the Yacht Basin area. He stated that the event was expected to last most of the day and include approximately seven bands. He encouraged those who were available to attend and support the fundraising effort.

M. Staff Reports

1. Development Services

2. Community Relations

3. Parks and Recreation

N. Board Comments

Alderman Davis reminded the public that the Parks and Recreation Advisory Board had changed its regular meeting schedule. She stated that the Board would now meet on the third Tuesday of each month rather than the second Tuesday, and that the meeting time had changed from 6:00 p.m. to 5:30 p.m. The meeting location remained unchanged.

Alderman Davis reminded everyone that the Southport Wooden Boat Show would be held on the first Saturday in November. She noted that the event is traditionally well attended and encouraged the public to attend.

Alderman Kelley added that it would be a particularly busy weekend in Southport, noting that the Stede Bonnet Regatta and the U.S. Open King Mackerel Tournament were also scheduled for that weekend. She further noted that the Southport Cougars football team championship was expected to take place that weekend.

There were no additional Board comments.

O. Closed Session NCGS 143-318.11

1. Motion to go into closed session pursuant to NCGS143-318.11 (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.
   Mayor Alt entertained a motion to enter Closed Session pursuant to North Carolina General Statute § 143-318.11(a)(3) to consult with an attorney employed or retained by the City in order to preserve the attorney-client privilege between the attorney and the Board.

   A motion was made to enter Closed Session by Alderman Spencer and was seconded by Alderman Kelley. The motion passed unanimously, and the Board entered Closed Session.

The Board entered closed session at 9:51 pm.

A motion was made to come out of closed session by Alderman Kelley and seconded by Alderman Lai. The motion passed unanimously, and the Board entered Closed Session.

The Board came out of closed session at 10:51 pm.

P. Adjourn

Mayor Alt announced that Jack Hilberg would be holding a fundraiser on November 1 at Morning Star Marina.

Alderman Mosteller made a motion to adjourn. Alderman Spencer seconded the motion. The motion passed unanimously.

The meeting adjourned at 10:52 pm.

Joseph P Hatem MD

Dr. Joseph P Hatem, Mayor

Attest:

Tori Deviney

Tori Deviney, City Clerk

CITY OF SOUTHPORT CORPORATE SEAL 1792 NORTH CAROLINA