



**CITY OF SOUTHPORT
BOARD OF ALDERMEN
REGULAR MEETING AGENDA**

113 W. Moore Street

May 5, 2023

9:00 AM

Agenda

Please turn off all cell phones

Meetings are open to the public. Face masks and social distancing may be used at the discretion of each individual. The Board of Aldermen reserve the right to make changes to this policy, as needed to help prevent the spread of the Coronavirus.

If you are not able to attend the Board of Aldermen meetings in person, the meeting will be available for you to watch via live-stream on the City of Southport website (<https://cityofsouthport.com/board-of-aldermen-meetings/>), Facebook page, and YouTube channel.

- A. Call to Order**
- B. Invocation**
- C. Pledge of Allegiance**
- D. Approval of Agenda**
- E. Agenda**
 - 1. Introduction of Alliance Code Enforcement (Chris Curry, Chief Inspector)
 - 2. Right of Way Discussion Continued
 - 3. Amendments to Chapter 2 and Chapter 13: Boards, Committees, and Commissions
 - 4. Review of May 11, 2023 Agenda
- F. Mayor's Comments**
- G. Board Comments**
- H. Adjourn**

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TOWN PLANNING / PERMITTING

ZONING ENFORCEMENT

ZONING ADMINISTRATION

CONSULTING / ORDINANCE UPDATES

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Alliance Code Enforcement LLC (ACE) is successful because we create an alliance with the town and its residents to rectify the current violations and to mitigate and abate future violations. Our goals are realistic and we will not convolute things with grandiose ideas. Rather, ACE will take a Law Enforcement approach and will not be manipulated or soft handed in its enforcement of the Ordinance and applicable State Laws. ACE will utilize understanding and work with the residents, but standards will be set ensuring excess time is not wasted without any progress seen. ACE wishes to become a respected pillar in the community and to be able to work hand in hand. Not only to enforce the code, but also help expedite the abatement process by providing education and solutions. Alliance Code Enforcement LLC seeks to have a fair and balanced investigation with enforcement coming swiftly and impartial.



Strategic Planning

Here at ACE, we pride ourselves on having a plan and sticking to it. We properly plan, so that we can ensure our work is as efficient as possible.



Common Goal Driven

We identify the common goals wanted by each individual Town and we ensure that all of our efforts get us closer to achieving those goals.



Network Development

Not only do we identify violations and enforce the Ordinance, but we help make connections to expedite the abatement process.

For General Inquiries

[**Info@alliancecodeenforcement.com**](mailto:Info@alliancecodeenforcement.com)



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Allow us to be your additional workforce, we can custom fit to any budget!

We specialize in:

- **Minimum & Abandoned Housing Investigation & Enforcement**
- **Minimum Standard for Non-Residential Structures Investigation & Enforcement**
 - **Overgrown Lots**
 - **Accumulation of Junk, Trash & Debris**
 - **Open Storage**
 - **Animal & Vegetation Putrescence**
- **Junk, Nuisance & Abandoned Vehicles; Abandoned White Goods**
 - **DOT Right-of-Way Sign**

- **Banner & Flag Management**
- **Zoning Violations**
- **Updating/Writing New Ordinance**
- **Special Projects**
- **And Much More!**

We also offer Town Planning & Zoning Administration services.

We have access to a proprietary database which allows us to track down those individuals that cannot be located. This ensures that those individuals who own properties in your Town, are identified & properly notified.

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Brandon T. Emory

President / BS / MS / Certified Housing Code Official / Planner / Zoning Admin

Brandon is the owner of Alliance Code Enforcement LLC (ACE). He spent most of his career in the Law Enforcement and Security field. He was a Sworn Law Enforcement Officer with most of his career being a Criminal Investigator. He obtained his Advanced Law Enforcement Certification and was also a General Instructor. In addition, he possesses both a Bachelor's of Science Cum Laude Degree and a Master's of Science Degree in Criminal Justice. He transitioned into Code Enforcement because he saw a gap. There was a service that needed to be provided that Municipalities were unable to fulfill



Christopher Curry

Chief Inspector / Certified Housing Code Official / FTO

Chris graduated from Guilford Technical Community College. As an experienced Code Enforcement Inspector, Chris started his career as a Sworn Law Enforcement Officer. He also possesses extensive customer service experience and the highest level of professionalism. Chris is an effective communicator and has developed the skill of working with individuals from all walks of life to ensure a positive outcome for all.



BOARD OF ALDERMEN

MEMORANDUM

To: Mayor Joseph P. Hatem, Members of the Board of Aldermen
From: Development Services Staff
Date: May 5, 2023
Re: Right-of-Way Encroachments – Recommendations & Request for Direction

Background and Impetus for Study

Over time, City Staff have encountered numerous issues with regard to what is and is not allowed to be placed within City rights-of-way. It has become readily apparent that different rules have applied to different citizens over time and that there is no uniform standard for how existing Ordinances have been enforced, if they were enforced at all. This experience led Staff to begin the process of addressing this issue with input once and for all, in an effort to ensure that we have clear direction with regard to permitting and enforcement and that the public has clear and concise guidelines as to what they are and are not allowed to do within City rights-of-way.

City of Southport Staff respectfully submit the following as a recommendation for addressing encroachments within City rights-of-way. This recommendation has been drafted in an attempt to balance the traditional approach the City has taken with regard to rights-of-way and the needs of emergency services and infrastructure maintenance and installation as the City continues to modernize and grow.

Recommended Ordinance Amendments

Currently, City regulations prohibit anything to be placed within the right-of-way that extends above the horizontal plane of the ground, as referenced both within the Code of Ordinances and within the Unified Development Ordinance. Following feedback from the Board of Aldermen, Staff have drafted language that clarifies what is intended by “horizontal plane of the ground” and provided other mechanisms to ensure that City ROWs remain clear and safe for vehicular and pedestrian movement.

At the Board of Aldermen’s March 3, 2023 workshop, Staff presented the following Ordinance recommendations, which are reproduced here for context:

- The further refinement of the existing language within the Code of Ordinances and UDO to include the following:
 - It shall be unlawful for any person to place or cause to be placed on any public street, road, alley, sidewalk, or other public right-of-way within the city any wall, fence, gate, brick, stone, wood, rock, vegetation, or other structure, material, or substance above the horizontal plane of the existing ground.
 - For the purposes of this section, pervious pavement or gravel may be installed within a right-of-way for the purposes of driveways or parking in accordance with an approved Right-of-Way Encroachment Agreement (see below).
 - Existing trees shall be permitted to remain as of the date of adoption of this ordinance, vegetation other than grass shall not be permitted.
 - An explicit mention that parking is permissible within rights-of-way in a manner that does not violate other relevant sections of the ordinance.
 - Parking shall be allowable whether on pervious pavement as mentioned earlier or on grass/existing ROW conditions.
- Specific Unified Development Ordinance amendments:
 - Clarification with regard to non-conforming R-10 lots: These lots shall remain exempt from single-family parking requirements, but any parking within a right-of-way is in no way considered reserved for the home immediately adjacent to that section of right-of-way. Any signs or other attempts to reserve right-of-way parking shall be removed.
 - Required tree mitigation shall be required to be placed on the property requiring mitigation – such mitigation trees shall not be placed within a City right-of-way.
 - Improve all ordinance sections pertaining to outdoor seating.

Through the course of the discussion on March 3rd, the Board of Aldermen asked for potential options regarding regulations for surfacing standards within the right-of-way for parking installed by private property owners, as had been proposed by Staff. As a reminder, driveways are already permitted to enter a right-of-way to connect to the pavement. Furthermore, regardless of City allowances for surfacing of parking within rights-of-way, no right-of-way parking shall be reserved for the property owner and the City will not enforce any regulations to that effect. Additionally, the City would continue to maintain the right to conduct any necessary working within its rights-of-way, including the removal of any installed surfacing, and shall not be responsible for replacing said surfacing. Staff are presenting the following options to capture the breadth of available alternatives, with commentary on the impacts of each, and is seeking the Board's recommendation on which option to move forward with in the context of the overall right-of-way project.

Option 1: No Changes, Strict Interpretation

Under this option, the current ordinance language would remain in place and would be strictly interpreted to signify that no surfacing of any kind, other than for the purposes of establishing a driveway connection, may be made by private property owners within a

right-of-way for any reason. This option would be the most effective at keeping the City rights-of-way free of obstructions, permitting the easiest means of access generally to City infrastructure, as there would be less hardened surfaces that need to be removed. Unless improved by the City, the right-of-way areas would remain as they are today, in most cases leaving grass or some other natural surface as the only surface present next to the pavement.

Option 2: Gravel Only

In this option, the City would permit gravel as the only surfacing method available within a right-of-way other than leaving the parking area within the right-of-way as it exists. The City could impose a requirement here that all gravel must be of such type that it remains pervious, though maintaining the gravel in a pervious nature would likely prove challenging. There are examples of gravel-surfaced parking areas along city rights-of-way in a few areas, notably along N. Lord Street immediately north of E. Moore Street, along Bay Street, and others around the Central Business District. Gravel does have the benefit of generally being easier to move and replace, when compared to hardened surfaces, if City infrastructure projects necessitated such action.

Gravel does present some challenges, primarily around long-term maintenance and upkeep. Gravel requires edging in order to stay in place, as evidenced by the aforementioned gravel parking in some areas of the City, and even with edging, gravel can still easily end up being spread around outside of the edging, including onto the pavement and onto sidewalks. The expectation is that the property owner that installed the gravel would also maintain it, but the likelihood of maintenance issues is likely higher with this option than with any other. While only allowing gravel would generally fit in with the existing aesthetic of many parts of the City, it does have a number of drawbacks that would also less the aesthetic qualities of it, particularly if maintenance is lacking.

Option 3: Hardened Surface Allowance

In this option, the City would permit the installation of up to two (2) parking spaces, meeting all dimensional requirements of the Unified Development Ordinance as outlined in Section 3. within a right-of-way to be surfaced by asphalt, concrete, bricks, grass pavers, or other similar material. The City would not require any certification that the material is designed to be pervious, though could encourage its use. Due to the parking standards within the Unified Development Ordinance, it is recommended that this allowance only be designed for nonconforming residential lots within the R-10 zoning district, as those lots are exempt from the provision of off-street parking on the property. All other conforming residential lots, as well as non-residential uses requiring off-street parking, shall not be granted this allowance.

Staff have chosen two (2) parking spaces due to a single-family dwelling's off-street parking requirement of two spaces. Staff would also recommend that additional on-street parking spaces may be allowed in the case of a duplex sited upon a nonconforming R-10 lot, provided that the duplex has received Special Use Permit approval from the Board of

Adjustment. Staff do not recommend the allowance of any additional hardened surfaces beyond the minimum requirement for these uses.

Allowing hardened surfaces will increase the degree of difficulty in performing maintenance operations on buried City infrastructure, particularly in an emergency. As the City shall not be responsible for replacing these surfaces, and due to variations in materials, this option could lead to an aesthetically unpleasing situation along our rights-of-way, with many different material types across different parking areas and potentially within singular parking areas. While the City could mandate very specific types of surfacing materials, this would further increase costs for property owners and potentially make compliance impractical or impossible depending upon the situation.

Option 4: Pervious Surface Allowance

The last option is very similar to Option 3 – the only difference being the requirement that surfacing be certified as pervious by an engineer. While this option does provide some benefit from a drainage perspective, it is also the most onerous upon property owners, and when taken in the context of the City's lack of responsibility to replace infrastructure, would likely have the unintended consequence of these pervious surfaces losing at least some of their benefit over time. This is effectively the option presented in March and is presented again here for the purposes of documentation that this is an option. That said, it is likely too complex to be realistically successful.

Staff Recommendation and Next Steps - Surfacing

Based upon the options laid out above and after further study, including the consultation of the City's engineer, Staff recommends either Option 1 as the preferred alternative due to its relative simplicity and the ability of it to provide the easiest method for Public Services personnel and City contractors to access the City's infrastructure, while also reducing potential future conflicts with property owners and the new hardened surfaces they would have installed. However, this would also be a rather large shift from what has previously been allowed in Southport, and even with grandfathering, if property owner-installed parking areas were removed, they would not be permitted to be replaced.

To this end, if the Board desires to allow for some form of surfacing of parking areas within the right-of-way, Staff recommends the paradigm outlined in Option 3, as both gravel and pervious paving options present too many maintenance-related liabilities to be effective. If this is the chosen direction of the Board, Staff recommends the selection of a limited number of surfacing types in order to provide some uniformity to allowed parking areas, and is seeking direction from the Board as to what types of surfaces would be most desirable within the City. With the Board's direction, the next steps for Staff are to draft and present the formal ordinance amendments for adoption.

Additional Item to Address - Grandfathering

In addition to surfacing, Staff request direction from the Board with regard to the grandfathering of existing right-of-way encroachments. Specially, Staff request the direction of the Board as to

whether or not existing right-of-way encroachments will be permitted to be grandfathered in, only to be removed when a City project necessitates its removal or when the encroachment presents a threat to safety.

Multiple options exist with regard to grandfathering schemes as well, if the Board is willing to consider granting such. Specifically, if grandfathering is allowed, this grandfathering could allow existing encroachments to continue to exist until such point as a City project necessitates its removal, at which point the encroachment could not be replaced. Another option would be to allow those encroachments to be replaced upon the completion of the City project that necessitated its removal.

In either case, if the Board is willing to grant grandfathered status to right-of-way encroachments, Staff propose utilizing the previously discussed grace period as a method of capturing existing encroachments by requesting property owners to provide their own documentation as to existing right-of-way encroachments they or previous property owners have installed to the City. City Staff will also document encroachments as well and will work collaboratively with citizens throughout this process, but by also involving the public in the effort, Staff feel that we can more effectively capture all encroachments and ensure that we are reaching all citizens. At the same time, capturing this information should aide in infrastructure project planning as well, as the City will have documentation of all potential conflicts that may need to be addressed through the project and can more effectively prepare to address those conflicts.

With the Board's direction on surfacing and grandfathering, the next steps for Staff are to draft and present the formal ordinance amendments for adoption. Such amendments will be presented in accordance with City policy, State Statute, and the Board's direction. Enforcement provisions, presented to the Board previously, are provided as an appendix to this memorandum, and shall be updated as necessary to comply with the Board's recommendations.

Appendix A - Enforcement of Encroachments

The following information was presented to the Board at its March 3, 2023 meeting and is presented again in the same form for the purpose of providing additional context.

Allowable encroachments within City rights-of-way shall be reviewed and approved via a City-issued Right-of-Way Encroachment Permit. Any such Ordinance amendments within the Unified Development Ordinance shall include ordinance language outlining the permit process. Such permit shall be reviewed and approved by the following entities:

- UDO Administrator or Designee (could include City Planner, Permit Technician, and/or Code Enforcement Officer)
- Public Services Director or Designee
- Fire Marshal

Included within the permit process shall be a required acknowledgement to be made by the applicant that, should the City need to perform work within a right-of-way that impacts those encroachments, that the City will remove any encroachments necessary to perform the work and will not be liable for the replacement of those encroachments. Replacing those encroachments shall require the review and approval of a new encroachment permit should such a scenario come to exist. Additionally, such review authority shall also include the ability of Staff to utilize defined discretion in approving permit requests, such as when infrastructure projects are programmed for the subject area within a future city-adopted Capital Improvement Program, that would give Staff the legal authority to deny permit applications for projects which would immediately impact programmed and funded City projects.

In the case of existing right-of-way encroachments, Staff recommends the establishment of a grace period not to exceed six (6) months in order for citizens of the City to remove encroachments from the City's rights-of-way that violate the updated Ordinance language. The grace period shall include an aggressive public relations campaign to ensure citizens know of the new language, and Staff will begin the process of identifying Ordinance violations and attempting to work with citizens to begin the process of rectifying those issues either via removal or via permitting, if existing encroachments become allowable under updated language. The public relations campaign will be a joint effort between Development Services and Community Relations and can include, but is not limited to:

- Presentations to boards and community groups;
- Continuous social media engagement;
- Inclusion of fliers in other city mailers;
- Certified mailers to homes with identified violations in the grace period;
- Door-to-door engagement; and
- Anything else recommended by the Board, Community Relations, etc.

Beyond the grace period, City Staff, including Development, Emergency, and Public Services personnel, will work collaboratively on an active process to remove encroachments that cannot be permitted under the new ordinances. Enforcement of right-of-way encroachments shall be conducted via proactive enforcement methods in which Staff shall work to identify new violations and take action appropriately, with complaints from citizens also being fielded and investigated as needed in accordance with previously adopted policies and procedures. The goal with enforcement action remains voluntary compliance on the part of the offending party.



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 05/01/2023 DEPARTMENT: Administration

PRESENTED BY: Dorrie Dutton and Randy Jones

ITEM SPONSORED BY: Administration

ITEM/TOPIC: Amending the Code of Ordinances as it pertains to Boards, Committees and Commissions

COST: n/a BUDGET LINE ITEM: n/a

JUSTIFICATION: This amendment lists all the Committees, Boards and Commissions in the Southport Code of Ordinances and simplifies the terms, expirations, and process of appointment. There is sometimes confusion when terms expire and there might be gaps in between members.

IMPACT IF NOT APPROVED: All terms will remain the same. The Ordinances will remain the same.

DEPARTMENT HEAD COMMENTS: This amendment simplifies the process of reappointment and will make it easier to keep track of when terms expire. Also, it formally recognizes all the Boards/Committees and Commissions by adding them to the Code of Ordinances.

All recommended changes made at the April agenda review meeting have been applied to the drafts. All updates are highlighted.

CITY MANAGER COMMENTS: Since I have been here, there have been times when questions have arisen as to whose term is up, how to go about filling a vacancy, and making sure all Boards and Commissions have the same process in filling the empty slots. This will make it easier and equitable in knowing the terms for everyone and how to fill vacancies.

ATTACHMENTS: Comparison spreadsheet, proposed amendments, term spreadsheet with revised expirations.

REQUESTED ACTION: Please consider approving the amendments to Chapter 2 and Chapter 13 of the Southport Code of Ordinances. This will make it easier for everyone to keep up with term expirations and all Boards and Committees will follow the same procedures.

A public hearing is not required for Code of Ordinance amendments, unless the Board prefers.

PROPOSED MOTION: I make a motion to approve the proposed amendments to Chapter 2 and Chapter 13 of the Code of Ordinances to make all the Boards, Committees, and Commissions follow the same procedures for appointments, term length and expirations.

OR:

I make a motion to set a public hearing for the May Board meeting on the proposed Chapter 2 and Chapter 13 Ordinance amendments.

AN ORDINANCE AMENDING CHAPTER 2. OF THE CITY OF SOUTHPORT CODE OF ORDINANCES AS IT PERTAINS TO BOARD, COMMITTEES AND COMMISSIONS

BE IT ORDAINED, by the Board of Aldermen of the City of Southport that Chapter 2, Article IV, of the Code of Ordinances entitled “Board, Committees and Commissions” is hereby amended to remove, replace, and add the following:

CHAPTER 2. ADMINISTRATION

ARTICLE IV. BOARDS, COMMITTEES AND COMMISSIONS

DIVISION 1: PARKS AND RECREATION COMMITTEE

Sec. 2-161. Creation and Purpose.

That there is hereby created a committee to be known as the Parks and Recreation Committee of Southport. The Parks and Recreation Committee shall advise on matters pertaining to Southport’s parks and recreation facilities and programs. The Committee shall work with the Parks and Recreation Director to recommend new rules and policies that provide guidance governing the operation and appropriate conduct by the public at the City’s recreation facilities including public parks, playgrounds, athletic fields, and gymnasiums.

Sec. 2-162. Membership and term.

Membership in the Parks and Recreation Committee shall consist of six (6) residents from within the City limits, and one (1) resident from the ETJ area. The six (6) City members shall be composed of three (3) members from Ward 1, three (3) members from Ward 2, and one (1) from the ETJ. The Parks and Recreation Director shall attend all meetings of the Parks and Recreation Committee and serve as the City staff liaison. In the absence of the Director, the Assistant Director shall attend the meeting.

Open positions on the Committee will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by April 30th. All new applicants will be interviewed by the Chair, Vice Chair, and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Parks and Recreation Committee shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Committee for the remainder of the term. After the thirty (30) days, the Chair and Board liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Committee. Parks and Recreation Committee members shall serve without compensation. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

	JUNE	2023	2024	2025	2026
CITY	Ward 1		1		
	Ward 1		1		
	Ward 1		1		
	Ward 2			1	
	Ward 2			1	
	Ward 2			1	
ETJ	ETJ			1	

(terms 3-years to expire in June of the third year)

Sec. 2-163. Officers and Duties.

The recreation committee shall appoint from its membership a Chair, Vice-Chair, Secretary, and such other officers as it may deem necessary for the orderly procedure of its business. Officers will be nominated by the Committee each year during the first meeting of the term (July), or within sixty (60) days after a mid-term vacancy of an officer. The Committee may adopt by-laws, rules and regulations governing its procedure not inconsistent with the provisions of the state laws.

The duties for each position are as follows:

1. The Chair shall preside over all meetings, sign all official papers, appoint sub-committees, and call special meetings when necessary.
2. The Vice-Chair shall serve in the absence of the Chair.
3. The Secretary shall take the minutes of all meetings.
4. The Parks and Recreation Director shall submit a report of all activities and administration at each regular meeting.

Sec. 2-164. Meetings and Authority.

The regular meeting of the Committee shall be held on the second (2nd) Tuesday of each month. Special meetings shall be called by the Chair. The purpose of the special meeting shall be stated in the notice and given at least forty-eight (48) hours in advance of the meeting date.

Acceptance of an appointment to this Committee signifies an obligation of the appointee. It is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a member misses three regular meetings without a reasonable explanation, the Committee shall request the resignation of said member.

More than half of all appointed members of the Committee shall constitute a quorum for the purposes of conducting official meetings. At the discretion of the Chair, a meeting may proceed with less than a quorum in order to conduct routine matters.

After determining a quorum is present, the meetings shall include the following:

1. Call to Order by the Chair

2. Approval of minutes of previous meeting
3. Report from Parks and Recreation Director and any special committees
4. Old business
5. New business
6. Adjournment

Sec. 2-165. Responsibilities.

The Parks and Recreation Committee shall help provide, maintain, promote, and generally advise the parks, playgrounds, athletic fields, and recreational centers owned or controlled by the City of Southport.

Sec. 2-166. Amendments

The Parks and Recreation Committee may amend their By-Laws at any Regular meeting of the Committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

Sec. 2-167 through 2-174. Reserved.

DIVISION 2. BEAUTIFICATION COMMITTEE

Sec. 2-175. Purpose.

The purpose of the Beautification Committee shall be to review and recommend action on public beautification projects, in general, and to maintain specific public areas exclusively, including weeding, planting, mulching, pruning, and, in some cases painting and staining.

Sec. 2-176. Membership and Term.

Membership of the Beautification Committee will be limited to nine (9) full members appointed by the Board of Aldermen. All members shall be residents of the greater Southport area, as designated by the zip code 28461. A minimum of six (6) members shall live within the legal City limits. The Mayor shall appoint an Aldermen to the Committee to act as a liaison(s) between the Beautification Committee and the Board of Alderman. There will also be a City staff liaison assigned by the City Manager to support the Committee.

Open positions on the Committee will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All new applicants will be interviewed by the Chair, Vice Chair, and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. **In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.**

Any member desiring to resign from the Beautification Committee shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Committee for the remainder of the term. After

the thirty (30) days, the Chair, Vice Chair, and Board Liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Committee. Beautification Committee members shall serve without compensation. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
City Resident (6+)		4	1	
Other Member (3)			3	

(terms 3-years to expire in June of the third year)

Sec. 2-177. Officers and Duties

The Officers of the Committee shall be Chair, Vice-Chair, Secretary and Treasurer. Officers will be nominated by the Committee during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.

The duties for each position are as follows:

1. The Chair shall issue an agenda prior to each meeting, shall preside over all meetings, sign all official papers, call special meetings as necessary, approve all expense reimbursements in advance of individual outlay, and perform all such duties usually bestowed upon a Chairman.
2. The Vice-Chair shall serve in the absence of the Chair.
3. The Secretary shall maintain and publish complete minutes of each meeting, be responsible for all Committee correspondence, and keep and maintain a membership attendance record.
4. The Treasurer shall maintain and publish a financial report at each meeting, which keeps track of expenses incurred and budgeted funds remaining to spend and be responsible for submitting check requests to the City Finance Director for individual reimbursement of approved expenses incurred.

Sec. 2-178. Meetings and Authority

The regular meeting of the Committee shall be held on the third (3rd) Monday of each month. Special meetings shall be called by the Chair. The purpose of the special meeting shall be stated in the notice and given at least forty-eight (48) hours in advance of the meeting date.

Acceptance of an appointment to this Committee signifies an obligation of the appointee. It is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a member misses three regular meetings without a reasonable explanation, the Committee shall request the resignation of said member.

More than half of all appointed members of the Committee shall constitute a quorum. At the discretion of the Chair, a meeting may proceed with less than a quorum in order to conduct routine matters.

After determining a quorum is present, the meetings shall include the following:

1. Call to Order by the Chair
2. Approval of minutes of previous meeting
3. Report of standing or special committees
4. Old business
5. New business
6. Adjournment

Sec. 2-179. Amendments

The Beautification Committee may amend their By-Laws at any Regular meeting of the Committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

Secs. 2-180 through 2-191. Reserved.

DIVISION 3. HISTORIC PRESERVATION COMMISSION.

Sec. 2-192. Creation and Appointment

There is hereby created, pursuant to G.S. § 160D-303, a historic preservation commission, hereafter referred to as the “Commission.” The Commission shall consist of seven (7) full members and two (2) alternate members, who shall be appointed by the Board of Aldermen. All members appointed to the Commission shall, before entering their duties, qualify by taking an oath of office as required by G.S. § 160D-309. Initially appointed terms shall be staggered so that two (2) members serve a one-year term, three (3) members serve a two-year term, and two (2) members serve a three-year term. Thereafter, the Board of Aldermen shall appoint members to terms of three (3) years. (Refer to Table A below for the initial term expiration dates).

Table A. Scheduled Staggered Term Expirations.

June	2023	2024	2025	2026
Full Members		2	3	2
Alternates				2

(all terms become 3-year after the original term expires)

Open positions on the Commission will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. Members who are active and in good standing on the Commission may be given preference for reappointment at the end of their term. All new applicants will be interviewed by the Chair, Vice Chair and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. The Board of Aldermen will appoint the

member(s) from the pool of all prospective applicants. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. The Commission will strive to have the same interview committee for every interview.

Any member desiring to resign from the Commission shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Commission for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair and Board liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

The alternate members will not have regular voting privileges unless specifically indicated by a majority of regular members. In the absence of a full member, the corresponding (City or ETJ) alternate may be voted in with voting privileges. If the corresponding alternate is absent, either alternate may be voted into the meeting with full voting privileges. All full and alternate members of the Historic Preservation Commission must be residents within the corporate limits of the City of Southport.

The Mayor will appoint one (1) member of the Board of Aldermen to serve as the liaison to the Historic Preservation Commission. The liaison is not a voting member but can observe and discuss ongoing reviews. At least one (1) member of the City's Planning Department staff will be assigned to serve as administrator to ensure and facilitate enforcement of the provisions of this ordinance.

Sec. 2-193 Qualification of Members

A majority of the members of the Commission shall have demonstrated education, experience, special interest, or a combination thereof, in historic preservation, history, architecture, architectural history, archaeology, cultural anthropology, planning, or related field.

Sec. 2-194 Rules of Procedure

a. The Commission shall adopt rules of procedure necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. The rules of procedure shall provide for at least the following:

1. Selection of Commission officers.
 - i. The Officers of the Commission shall be Chair, and Vice-Chair. Officers will be nominated by the Historic Preservation Commission during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.
2. Time and place of regular meetings, and calling of special meetings.
3. Procedure for conduct of public hearings.
4. Keeping of minutes and Commission records.
5. Conduct of voting.
6. Conflicts of interest policy.
7. Attendance policy.

8. Forms to be used in applying for Certificates of Appropriateness.
 9. Sufficient project information to make sound determinations regarding applications for Certificates of Appropriateness.
 10. List of minor work for which the City Staff may issue Certificates of Appropriateness.
- b. The Commission shall meet at least quarterly. All meetings shall be conducted in accordance with the North Carolina Open Meetings Law, G.S. Chapter 143, Article 33C (G.S. §§ 143-318.9 to 318.18).
 - c. The Commission shall annually present to the Board of Aldermen a report of its activities, budget, findings, recommendations, and actions, which shall be made available to the public.

Sec. 2-195 through Sec. 2-199 are unchanged from the current Code.

Sec. 2-200. through Sec. 2-204. Reserved.

DIVISION 4. FORESTRY COMMITTEE

Sec. 2-205. Purpose

The purpose of the Forestry Committee shall be to review and recommend actions to preserve and enhance the community's trees. Recognizing that the historical personality of the City is in part defined by its trees, in particular the live oaks. The Committee's actions will include:

1. Protection of existing trees;
2. Tree replenishment;
3. Public Education;
4. Other functions related to the community's forest environment.

Sec. 2-206. Membership and Terms

Membership in the Forestry Committee is limited to seven (7) full members as appointed by the Board of Aldermen. The Board of Aldermen can appoint "alternate" members, at the recommendation of the Committee Chair. The alternate members will not have regular voting privileges unless voted in by a majority of regular members. **In the absence of a full member, the corresponding (City or ETJ) alternate may be voted in with voting privileges. If the corresponding alternate is absent, either alternate may be voted into the meeting with full voting privileges.** All full and alternate members of the Forestry Committee must be residents of the City or the ETJ area.

The Committee may also retain "consulting members" who have particular skills or expertise beneficial to the Committee's purpose. Any person possessing these skills or expertise, including City employees, may serve on the Committee as a "consulting member" with the approval of the Committee Chair. The Mayor shall appoint an Alderman/Aldermen to the Forestry Committee to act as a liaison(s) who shall be entitled to all privileges except making a motion, voting, or holding office. There shall also be a City staff liaison assigned by the City Manager to support the Committee.

Open positions on the Committee will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All applicants will be interviewed by the Chair, Vice-Chair and Board of Aldermen liaison, who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. **In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. The Commission will strive to have the same interview committee for every interview.** The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants.

Any member desiring to resign from the Committee shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Committee for the remainder of the term. After the thirty (30) days, the Chair and Board liaison will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Committee. Forestry Committee members shall serve without compensation. (Refer to Table A below for term expiration dates.)

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
City/ETJ Resident (7)		1	6	
Alternates		1	1	
Consultants	Serve at their will with approval of the Forestry Committee Chair			

(terms 3-years to expire in June of the third year)

Sec. 2-207. Officers and Duties

The Officers of the Committee shall be the Chair, Vice Chair, and Secretary. Officers will be nominated by the Forestry Committee during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.

The duties for each position are as follows:

1. The Chair shall issue an agenda prior to each meeting, shall preside at all meetings, sign all official papers, call special meetings as necessary, and perform all such duties usually bestowed upon a Chairman.
2. The Vice-Chair shall serve in the absence of the Chair.
3. The recording Secretary shall maintain and publish complete minutes of each meeting, be responsible for all committee correspondence and keep and maintain membership attendance records.

Sec. 2-208. Meetings and Authority

The regular meeting of the Forestry Committee shall be held the second Tuesday of each month, at 5:00 p.m., at the Indian Trail Meeting Hall. Special meetings shall be called by the Chair. The purpose of the special meeting must be stated in the notice and there shall be at least (48) hours before the meeting date.

Acceptance of an appointment to this Committee signifies an obligation of the appointee, and it is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a member misses three regular meetings without a reasonable explanation, the Committee shall request the resignation of said member and shall request the Board of Aldermen to fill the vacancy.

Four members of the Committee shall constitute a quorum.

After determining a quorum is present, the meetings shall include the following:

1. Call to Order
2. Approval of Minutes of the previous meeting
3. Report of standing or special committees
4. Old/Recurring Business
5. New Business
6. Adjournment

Sec. 2-209. Amendments

The Forestry Committee may amend its By-Laws at any Regular meeting of the Committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

Secs. 2-210. through 2-214. Reserved

DIVISION 5. LOCAL ABC BOARD

Sec. 2-215. Purpose

The local ABC Boards serve the City responsibly by controlling the sale of spirituous liquor and promotion customer friendly, modern, and efficient stores.

Sec. 2-216. Membership and Terms

The City of Southport local ABC Board shall consist of five (5) members, who are appointed by the Board of Aldermen. The Board of Aldermen shall appoint members of a local board based on the appointees' interest in public affairs, good judgement, knowledge, ability, and moral character. The Mayor shall serve or appoint an Aldermen to serve as a liaison between the ABC Board and the Board of Aldermen. The Store Manager shall serve the local board in an administrative role.

Open positions on the Board will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All new applicants will be interviewed by the Chair, Vice Chair, and Board of Aldermen liaison, who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. **In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. The Commission will strive to have the same interview committee for every interview.** The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants.

Any member desiring to resign from the ABC Board shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the ABC Board for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair, and Board liaison will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Board. Officers of the ABC Board shall be the Chair, which will be nominated by the ABC Board. The Chair shall preside over all meetings, call special meetings as necessary, and perform all duties usually bestowed on a Chair. The ABC Store Manager shall act as Secretary of the Board. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
Full Members (5)	1		2	2

(terms 3-years to expire in June of the third year)

Sec. 2-217. Duties of ABC Board

A local ABC Board is governed by North Carolina General Statute Chapter 18B: Regulation of Alcoholic Beverages. The local governing board appoints the members and reviews all sales reports, and store updates. General operation of the store and personnel matters is the responsibility of the ABC Store Manager and members of the local ABC Board.

All other regulations and responsibilities of the ABC Board are included in Chapter 18B, Articles 7 and 8 of the North Carolina General Statutes.

NOW, THEREFORE, BE IT ORDAINED by the City of Southport Board of Aldermen that the proposed Code of Ordinances amendment of Chapter 2, Article IV: Boards, Committees and Commissions, is hereby adopted and shall become effective immediately. All provisions of any City ordinance or resolution in conflict with this Ordinance are hereby repealed.

The foregoing Ordinance, having been submitted to a vote, received the following vote, and was duly adopted this the ____ day of April 2023.

Ayes: _____

Noes: _____

Absent or Excused: _____

Joseph P. Hatem, M.D., M.P.H.
Mayor, City of Southport

ATTEST:

Dorothy Dutton
Assistant City Manager/City Clerk
City of Southport

DRAFT

AN ORDINANCE AMENDING CHAPTER 13. OF THE SOUTHPORT CODE OF ORDINANCES AS IT PERTAINS TO THE PLANNING BOARD AND BOARD OF ADJUSTMENT

BE IT ORDAINED by the Board of Aldermen of the City of Southport that Chapter 13 of the Code of Ordinances entitled “Planning” is hereby amended as follows:

CHAPTER 13. PLANNING

ARTICLE II. PLANNING BOARD

Sec. 13-26. Membership and vacancies. (revised section)

The Planning Board shall consist of seven (7) members and two (2) alternate members. Five (5) members and one (1) alternate member shall be citizens and residents of the City and shall be appointed by the Board of Aldermen. Two (2) members and one (1) alternate member shall be citizens and residents of the extra-territorial jurisdiction of the City as described pursuant to G.S. § 160D-201 *et seq.* and shall be appointed by the County Board of Commissioners pursuant G.S. § 160D-307. Alternate members shall not be entitled to vote on matters before the Planning Board except when a regular Planning Board member is absent from a duly called meeting. In that situation, the city alternate shall serve as a regular city member and the ETJ alternate shall serve as a regular ETJ member. Both shall have the same privileges as the regular members and may count for quorum purposes and vote if the absent member is a city member. In the instance that the City or ETJ alternate is unavailable, the other may be voted in as a full member. All members appointed to the Planning Board shall, before entering their duties, qualify by taking an oath of office as required by G.S. § 160D-309.

All Planning Board members shall serve a term of three years. The terms are staggered and run from July through June of the third year. (Refer to Table A at the end of this section for the term expiration dates). The Mayor shall appoint up to two (2) Aldermen to the Planning Board as liaisons.

Open positions on the Planning Board will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by April 30th. All applicants will be interviewed by the Chair, and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. . In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Board shall submit his/her resignation in writing to the City Clerk. Applications for the open position shall then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Board for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair, and liaison will interview all applicants, and will make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

Faithful attendance at the meetings of the Planning Board is considered a prerequisite for the maintenance of membership on the Board. A vacancy shall exist on the Board if a member is absent

from twenty-five (25) percent or more of the Board's meetings within a twelve (12) month period of time and said vacancy may be declared and filled by the Board of Aldermen.

The Officers of the Planning Board shall be the Chair and Vice Chair. Officers shall be nominated by the Planning Board during the first meeting of the new term (July), or within sixty (60) days after a mid-term vacancy.

Table A. Scheduled Staggered Term Expirations

	JUNE	2023	2024	2025	2026
CITY	FULL # to exp		1	3	1
	ALT # to exp				1
ETJ	FULL # to expire		2		
	ALT # to expire	1			

(terms 3-years to expire in in June of the third year)

Sec. 13-27 through 13-37 are unchanged.

ARTICLE III. BOARD OF ADJUSTMENT (new article)

Sec. 13-31. Membership and vacancies.

The Board of Adjustment shall consist of seven (7) members and two (2) alternate members. Five (5) members and one (1) alternate member shall be citizens and residents of the city and shall be appointed by the Board of Aldermen. Two (2) members and one (1) alternate member shall be citizens and residents of the extra-territorial jurisdiction of the City as described in G.S. § 160D-201 *et seq.* and shall be appointed by the County Board of Commissioners pursuant to G.S. § 160D-307. Alternate members shall not be entitled to vote on matters before the Board of Adjustment except when a regular Board of Adjustment member is absent from a duly called meeting. In that situation, the city alternate shall serve as a regular city member and the ETJ alternate shall serve as a regular ETJ member. Both shall have the same privileges as the regular members and may count for quorum purposes and vote if the absent member is a city member. In the instance that the City or ETJ alternate is unavailable, the other may be voted in as a full member. All members appointed to the Board of Adjustment shall, before entering their duties, qualify by taking an oath of office as required by G.S. § 160D-309.

All members shall serve a term of three years. The terms are staggered and run from July through June of the third year. (Refer to Table A at the end of this section for the initial term expirations dates). The Mayor shall appoint an Alderman to serve as the Board of Adjustment liaison.

Open positions on the Board of Adjustment will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by April 30th. All applicants will be interviewed by the Chair, Vice Chair, and Board liaison, who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the

interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Board of Adjustment shall submit his/her resignation in writing to the City Clerk. Applications for the open position shall then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Board for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair, and liaison will interview all applicants, and will make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

Faithful attendance of the meetings of the Board is considered a prerequisite for the maintenance of membership on the Board. A vacancy shall exist on the Board if a member is absent from twenty-five (25) percent or more of the Board's meetings within a twelve (12) month period of time and said vacancy may be declared and filled by the Board of Aldermen.

The Officers of the Board of Adjustment shall be the Chair and Vice Chair. Officers shall be nominated each July when the new terms begin, or within sixty (60) days of a mid-term vacancy of an officer.

Table A. Scheduled Staggered Term Expirations

	JUNE	2023	2024	2025	2026
CITY	FULL # to expire		1	3	1
	ALT # to expire				1
ETJ	FULL # to expire		2		
	ALT # to expire	1			

(terms 3-years to expire in June of the third year)

Sec. 13-32. Organization, rules, meetings, records.

Within thirty (30) days after appointment, the Board of Adjustment shall meet and elect its Officers. Other Officer positions may be created as needed. The Board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its findings, conditions imposed and recommendations, which record shall be a public record. The Board shall hold meetings as needed on a monthly basis. The regular meetings shall take place on the fourth Tuesday of each month, and the meetings shall be open to the public. There shall be a quorum of four (4) members for the purpose of taking any official action required by this article.

Sec. 13-33. General powers and duties.

It shall be the duty of the Board of Adjustment, in general, to:

1. Decide whether variances from the requirements of the Unified Development Ordinance should be granted.
2. Hear, review, and decide appeals from any final order, final decision of this ordinance, or official determination made by the UDO Administrator. Administratively review appeals from interpretation and enforcement of the UDO by an official.
3. Hear and decide applications for Special Use Permits, as specified in the UDO.
4. Pass upon, decide, or determine such other matters as may be required by the UDO.

Sec. 13-34. Quasi-Judicial Decisions

The Board of Adjustment shall make decisions based on the competent, material, and substantial evidence submitted into the record and subject to the procedures of G.S. § 160D-406. Each quasi-judicial decision shall be put into writing and signed by the Chairman. The quasi-judicial decision is effective upon filing the final written decision with the Clerk to the Board of Adjustment. The decision shall be delivered to the applicant or other parties of interest by personal delivery, electronic mail, or first-class mail. When first-class mail is used, an additional three (3) days shall be added to the time. The final decision of the Board of Adjustment is subject to an appeal process with the superior courts by filing a petition for writ of certiorari pursuant to G.S. § 160D-1402. All appeals shall be filed with the clerk of superior court within thirty (30) days after the Board of Adjustment's decision is filed with the Clerk to the Board or delivered to the applicant, whichever is later.

Sec. 13-29. Conflict of Interest.

Pursuant to G.S. § 160D-109(d), a member of the Board of Adjustment shall not participate in or vote on any quasi-judicial matter in a manner that would violate an affected persons' constitutional right to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote on the objection. Vacant positions and Board members who are disqualified from voting shall not be considered "members of the board" for calculation of the requisite majority if there are no qualified alternates available to take the place of such members. In addition, members of the Board of Adjustment shall not engage in any ex parte communications with the applicant(s), or any other involved party.

Sec. 13-31. Zoning ordinance.

The Board of Adjustment may initiate, from time to time, proposals for amendment of the zoning ordinance, based upon its studies and review of the UDO.

NOW, THEREFORE, BE IT ORDAINED by the City of Southport Board of Aldermen that the proposed Code of Ordinances amendment of Chapter 13: Planning is hereby adopted and shall become effective immediately. All provisions of any City ordinance or resolution in conflict with this Ordinance are hereby repealed.

The foregoing Ordinance, having been submitted to a vote, received the following vote and was duly adopted this the ____ day of April 2023.

Ayes: _____

Noes: _____

Absent or Excused: _____

Joseph P. Hatem, M.D., M.P.H.
Mayor, City of Southport

ATTEST:

Dorothy Dutton
Assistant City Manager/City Clerk
City of Southport

DRAFT



**CITY OF SOUTHPORT
BOARD OF ALDERMEN
REGULAR MEETING AGENDA**

223 E. BAY STREET

May 11, 2023

6:00 PM

Agenda

Please turn off all cell phones

Meetings are open to the public. Face masks and social distancing may be used at the discretion of each individual. The Board of Aldermen reserve the right to make changes to this policy, as needed to help prevent the spread of the Coronavirus.

If you are not able to attend the Board of Aldermen meetings in person, the meeting will be available for you to watch via live-stream on the City of Southport website (<https://cityofsouthport.com/board-of-aldermen-meetings/>), Facebook page, and YouTube channel.

ETHICS STATEMENT:

"If any members know of any conflict of interest or the appearance of a conflict of interest concerning matters on the agenda, please so state at this time."

A. Call to Order

B. Invocation

C. Pledge of Allegiance

D. Public Comment

E. Approval of Agenda

F. Approval of the Consent Agenda

1. Minutes of the Agenda Review Workshop April 11, 2023
2. Minutes of the Regular Board of Aldermen Meeting April 13, 2023
3. Minutes of the Board of Aldermen Budget Workshop April 21, 2023
4. Minutes of the Board of Aldermen Budget Workshop April 24, 2023

G. Special Recognition

1. Proclamation for National Nurses Week
2. Proclamation for National Police Week
3. Proclamation for Military Appreciation Month
4. National Hurricane Preparedness Week

H. Agenda

1. Budget Summary Presentation (B. Therrien)
2. Recommendation of Contractor for 2023-2025 Phase II: Dangerous Trees and Hanging Limbs Removal and Disposal Contract (D. Dutton, T. Stanley)
3. Recommendation of Contractor for 2023-2025 Phase II: Vegetative Debris Removal/Disposal and C & D Debris Removal (D. Dutton, T. Stanley)
4. Selection of Audit Firm (B. Therrien)
5. Off Duty Management-Police, Fire, EMS Departments (B. Therrien, Chief Coring, Chief Drew)
6. Oakton Preliminary Plat (T. Henley)
7. Prices Creek Townhomes Preliminary Plat (T. Henley)
8. Osprey Landing Phase 1 and 2 Final Plat (T. Henley)
9. Social Media Policy (B. Herman)
10. Ordinance Amendments for Boards/Committees/Commissions: Chapters 2 & 13 (D. Dutton and R. Jones)
11. System Development Fee/Utility Rate Study Engineer Selection

I. Committee Reports

1. ABC Board
2. Planning Board
3. Beautification Committee
4. Board of Adjustment
5. Forestry Committee
6. NCEMPA

J. Manager's Report

K. Mayor's Comments

L. Staff Reports

1. Police Department
2. Fire Department
3. Parks and Recreation
4. Animal Protective Services
5. Public Services
6. Development Services and Inspections
7. Community Relations
8. Finance

M. Board Comments

- N. Closed Session N.C.G.S. 143-318.11 (a) (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.**

O. Adjourn