



Town of HOLLY RIDGE

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HOLLY RIDGE TOWN COUNCIL SPECIAL MEETING January 16th, 2024 4:00 P.M.

Mayor Jeff Wenzel called the Regular Meeting of the Holly Ridge Town Council to order at 4:00 p.m. at the Holly Ridge Town Hall. Council members present were Councilman Hines, Councilwoman Stanley, Mayor Pro-Tem Patti, and Councilman Misciagno, and Councilman Ritter. Also present were the Town Manager, Heather Reynolds; Deputy Clerk, Tracy Martin; Finance Director, Chuck Strickland; and Attorney Kyle Fountain.

Invocation and Pledge

Chaplain Jim Bowen for the Holly Ridge Police Department gave the Invocation and Mayor Wenzel led the Pledge of Allegiance.

Adoption of Agenda

Mayor Wenzel said Attorney Fountain reminded him even though this is acting as a normal monthly meeting because of the weather that made us cancel the Regular meeting last week, technically this is a special called meeting so technically nothing can be added to the agenda that is not already on the agenda.

A motion was made by **Councilman Hines** and seconded by **Mayor Pro-Tem Patti** to adopt the agenda as presented. **All Agreed.**

Persons Wishing to Address the Council

Derrik Sholar 417 S Hines Street said he would like to give his input on a couple of things that are on the agenda.

Mr. Sholar said under Old Business Shipping Containers he does not think there has been enough research done to make a positive act on that. Mr. Sholar said as we are doing that, keep in mind a lot of businesses use these. Mr. Sholar said he does not see this as a big

problem right now, but please make sure we take everything into consideration because it could cause a lot of businesses to have a long-term effect.

Mr. Sholar said he thinks it is great that we have a Bee Committee, however some want to move it from the municipal park to Sound Road. Mr. Sholar said in past years, we had festivals at the Fire Department. This was a great place to hold festivals because there is plenty of parking and the fire department could move their fire trucks outside and we could also have that space to use as well as outside. This would also eliminate the closing of Sound Road also. Mr. Sholar said it could also be a win for the fire department because they could also raise money.

Mr. Sholar said as he was reading about the mobile vendors and do private subdivisions not have to have permits from the town? Mr. Sholar said if that is the case, Mr. Sholar said he would not think there would be any difference between anyone else's property and a subdivision. Mr. Sholar said you need to treat everyone the same whether it is private or not.

Mr. Sholar thanked Mayor Pro-Tem Patti for the letter he wrote concerning the insurance rates.

Mr. Sholar said one thing that is not on the agenda that he would like to see on the agenda soon is the fact that there is no affordable housing in Holly Ridge. Mr. Sholar said he has people that want to come and work for them but there is no affordable housing for them. Mr. Sholar said he knows the residents that were located at Holly Plaza Apartments are having problems. Mr. Sholar said there is nothing in the multiple listings and we must do something to bring affordable housing to the area.

Town Manager Report

Manager Reynolds said the Police Admin, Vickie Morrison, Major Waddell, and Manager Reynolds attended the Four Town Meeting hosted by the Town of Surf City and there was discussion that they would be reducing the Four Town meetings to twice a year. Manager Reynolds said there would be one before the season and one after the tourist season for the beach town. They are going to continue to have the April meeting and the next one after that will be in October. Manger Reynolds said next year there will be one most likely in April and one in October. Manager Reynolds said there was also discussion about having guest speakers at these meetings. Surf City Clerk of Court, Carla Citarelli volunteered to reach out to the other clerks and put together a game plan for the upcoming April meeting.

Manager Reynolds said the stop light at Drag Strip Road and Highway 17 was formally approved.

Manager Reynolds said for February we have a Public Hearing coming up for Lot 18 in the Camp Davis Industrial Park and this will be an Economic Development Public Hearing to make sure the purchaser of that property is meeting the Economic Development requirements in order for the Town to privately negotiate a sale of those lots as a requirement.

Manager Reynolds said there will be a Ribbon Cutting tomorrow morning at 10:00 a.m. at the new restrooms located at Morris Landing. Coastal Federation will also be in attendance.

Mayor Wenzel requested a list of all the meetings for the Town Council so they could get them in their calendars.

Councilman Misciagno said regarding Drag Strip Road he remembers prior to the new Town Council coming on board there was disparity on the size of the street, and it went back to revision, is this all resolved where we can be brought up to speed. Manager Reynolds said we are planning to have that for discussion on the February agenda. Manager Reynolds said she received the updated appraisals last week and Manager Reynolds has to go and talk with prior property owners before bringing this before the Town Council.

Consent Agenda

A. Approval of the Following Minutes

- October 27th, 2023
- December 21st, 2023

B. Department Head Reports

- Finance Department
- Fire Department
- Police Department
- Planning & Zoning Inspections Report
- Parks and Recreation
- Grants Report

C. Committee Reports

- Planning Board
- Board of Adjustment
- ONWASA
- Busy Bee Committee
- Eastern Carolina Council (ECC) of Government

A motion was made by *Mayor Pro-Tem Patti* and seconded by *Councilman Ritter* to approve the Consent Agenda. *All Agreed.*

Old Business

Update Concerning Request by Holly Ridge Town Council to Potentially Establish Regulations for Shipping Containers

Nate Rhue said this was discussed at last month's Planning Board meeting and the Planning Board wanted to propose some verbiage and after this meeting, the Planning Board will be looking into a text amendment for Town Council's consideration.

Mayor Pro-Tem Patti said he agrees with Mr. Sholar that there is not enough information as far as Conex containers and how they are used. Mayor Pro-Tem Patti said we need to find some ordinances that are out there already, looking at the language figuring out residential and non-residential. Mayor Pro-Tem Patti said it seems no one is prepared to have an ordinance written or ready in less than a month. Mayor Pro-Tem Patti said there has been discussion about containers being used for dwellings in general and he thinks we need to dive deep before we have discussion on this. Mayor Pro-Tem Patti said it is more than painting a container, it could be more than that.

Councilman Misciagno said he will add because of the real estate piece it is real and talking about affordable housing as Mr. Sholar just mentioned, believe it or not if you go to Wilmington, there is an industrial district that is entirely constructed out of shipping containers. Councilman Misciagno said in talking with city planning in Jacksonville, they are legally bound to build a shipping container home along certain residential lots if they meet current code and as you go through normal permitting processes, and you get your normal inspections. Councilman Misciagno said it is going to happen soon.

Councilman Misciagno said he looks forward to the affordable piece of this coming place when it's done into a residential meeting requirement and setting ordinances. Councilman Misciagno said it is new right now and it scares people to see it. Councilman Misciagno said if you have not been to the industrial park in Wilmington, Councilman Misciagno highly recommends going, it feels like you are in Star Wars movie.

Mayor Pro-Tem Patti said why not be proactive and investigate that and have that language in our ordinances as well.

Mayor Wenzel said he investigated storage boxes as well. Conex boxes developed in 1950 shipping freight across the ocean. They were the first residential use that people could find was 1978. Mayor Wenzel said they get very hot and cold and there are questions about how efficient they are as far as the heat and all that stuff too. Mayor Wenzel said they are a valuable tool for businesses. Mayor Wenzel said we had a company in the Industrial Park who were taking storage containers and building pools out of them. They would cut them in half and the part that had the doors they would make it a step-down pool and underneath the pool is where all the self-enclosed pumps and filters would be in heaters. They would also customize them for colors, and they would put in plexiglass windows also.

Mayor Wenzel said they cost around \$50,000.00 to \$60,000.00 for the pool. That is entrepreneurs stepping outside of the box on how we can use these. This is an emerging technology with a lot of possibilities. Mayor Wenzel said Gulfstream has a large one and if you see a bunch of shipping containers all painted the same color and stacked up, then business is good. Mayor Wenzel said they buy these multi-trip containers that have some

dings and rust and then they outfit those for a lot of their clients are military. Mayor Wenzel said it is big business for Gulfstream here in Holly Ridge.

Mayor Pro-Tem Patti asked if the Planning Board would be like an information gathering? Mr. Rhue said this was for proposed language, the Planning Board would like to dive into this, and Mr. Rhue will let the Planning Board know about this meeting as well just to see if there is any more verbiage they would like to add.

Councilman Misciagno said we should be with our other municipalities that already have this in place and there is no reason to recreate the inspections. Councilman Misciagno said it is like a normal house, but it is a shipping container. Councilman Misciagno said he has been in them, and they are 8 feet wide and 40 feet long. Councilman Misciagno said the one he went into the ground level was a small business and the person lives in the upper level. Councilman Misciagno said if it meets current code for single family residential shipping containers are fine.

Mr. Rhue said when you get into those engineering is involved because you are changing that. Mr. Rhue said that would be the case here if someone designed one of those for a single dwelling if it had the current ordinances, it would be accepted. Councilman Misciagno said this goes right back to private property rights as a normal homeowner. Councilman Misciagno said we could drive through Holly Ridge and see campers everywhere with big garages and they are living in their campers. Councilman Misciagno said he thinks it would be more aesthetically pleasing to him but again it is all a matter of opinion and learning something new.

Councilman Ritter said it depends on how far the Town Council wants to go. Councilman Ritter said he thinks it is just information and gathering at this point and just a couple of courses of action may be present to see how far we want to go with it.

Mayor Wenzel said when you head downtown to Wilmington, they are located on Queen and 16th or 17th street.

New Business

Possible Approval of a Resolution to Authorize Finance Director, Chuck Strickland to Apply for a \$50,000.00 Credit Card from Coastal Bank

Manager Reynolds said the Town has been with Bank of America for close to 2 decades. Manager Reynolds said the current credit line is \$50,000.00 and Bank of America will no longer provide credit cards to municipalities. Bank of America contacted us to let us know we would need to look for a different provider.

Manager Reynolds said most of our banking is through Coastal Bank and Trust. Finance Director, Chuck Strickland went to Coastal Bank, and this is just a formality to move along with that process.

Mayor Pro-Tem Patti asked how the amount of \$50,000.00 chosen? Mayor Pro-Tem Patti said this amount seems high to him for a municipality.

Finance Chuck Strickland said our credit card use to be \$35,000.00 limit. Over the last two years we have had to raise that limit or speak to Bank of America because at the end of Budget Season large purchases are typically made at that point. Mr. Strickland said it is only maybe once or twice a year it gets in that high range and then it goes back down.

Mayor Pro-Tem Patti asked what kind of purchases we are talking about? Mr. Strickland said the Christmas tree was \$30,000.00 and most of the purchased are made with a credit card over the phone because they don't do invoicing. Mayor Pro-Tem Patti asked if the Christmas Tree was not budgeted or spoken about during budget season. Mr. Strickland said it is budgeted. The expense is still budgeted, this is how we pay for it. Mr. Strickland said we do not get to determine what payments methods they are willing to take. They will not deliver the trigger until payment is made and we cannot get an invoice until they deliver the tree. Mr. Strickland said it is a preferred method of payment for some of the vendors.

Mayor Pro-Tem Patti asked if the Town Council gets to see the line items and stuff for the credit card account or is it like we just spent \$40,000.00? Mr. Strickland said every month we do a reconciliation of the credit card with receipts. Every department head gets a credit card to run their department with and at the end of the month Mr. Strickland gets the credit card statement and he goes through all the receipts for their purchases and make sure everything is balanced and then the bill is paid. Mr. Strickland said no one can spend more than \$2500.00 unless it has been approved by the Town Council. Mr. Strickland said there is a procurement policy in place.

Manager Reynolds said just for clarification when a department head turns in a receipt, they are required to put what account number it is going to be charged to which is all the accounts you have in your budget performance. This helps Chuck to be able to do his job more efficiently to make sure that it is coded to the right department and for the right use.

Mr. Strickland said we use the Edmunds system, and it keeps a running total of the line items.

A motion was made by *Councilman Misciagno* and seconded by *Councilman Hines* to approve a Resolution to Authorize Finance Director, Chuck Strickland to apply for a \$50,000.00 Credit Card from Coastal Bank. *All Agreed.*

Consideration of a Request from the Bee Committee to Move the Location of the 1st Annual Bee Festival from the Municipal Park back to a Street Fair on Sound Road

Manager Reynolds said during the December Busy Bee Committee it was discussed to make a formal request to the Town Council to change the location from the park back to the street fair. Manager Reynolds said there are some members of the Bee Committee here as well as the chairwoman. Manager Reynolds said a letter was submitted by Dawneva Evans and she would like Mayor Wenzel to read the letter aloud.

Manager Reynolds read the letter aloud to the audience which pertained to the location of the Busy Bee Festival.

Councilman Misciagno said he has been thinking about this a lot and he remembers Mayor Pro-Tem Hall saying it needs to go back to the park. Councilman Misciagno said he got here in 1995 and he remembers going to a lot of festivals and most of these festivals have been held in the streets. Councilman Misciagno this is the first year for the bee festival and he is torn. When he thinks about this being year number one, the vendor piece for him is the most important part. Councilman Misciagno asked when you talk to a vendor does the question get asked is this going to be in the streets or Sound Side Park. Councilman Misciagno said when he thinks about the flotilla that just happened in Surf City where there were 40 vendors, why are we not trying to capture the same vendor relationship and what can we do differently to capture all those vendors because we should have that same draw. Councilman Misciagno said there is a part of him that thinks that draw might be on the street.

Councilman Misciagno said on his military mind set, he goes to police, protection, egress, ingress, has all that been worked out logistically?

Major Waddell said if this event is going to be in April, you need to apply with the Department of Transportation within the next two weeks. Major Waddell said it may take the Department of Transportation 2 months for them to get back to Major Waddell to survey everything and let us know if it is a go. Councilman Misciagno asked if they have spoke with EMS and Fire. Major Waddell said once the request is made to the Department of Transportation, he must have the routes and they cannot block the road that EMS can get through. Major Waddell said EMS could go down a side street off Sound Road to access any calls that may come in. Major Waddell said they would also have police officers on Highway 17 to keep people from turning onto Sound Road.

Councilman Misciagno asked if Sound Road would still be an option in five years from now. Mayor Pro-Tem Patti asked how far down Sound Road can we go? Major Waddell said maybe from the Town Hall to Highway 17 without a problem.

Councilman Ritter said there is a lot of traffic that goes down Sound Road so we would need to figure out what the detour would be. Dorothy Royal said Main Street stays open parallel Sound Road is just as wide and no one would have any problem. Major Waddell said construction could take Hines Road and Highway 50. Major Waddell said the only thing you would need to worry about is parking.

Dorothy Royal said for the Camp Davis Days event, they did close off Sound Road and part of Kraft and if it came to the point people needed extra parking, people went to the park and parked. Ms. Royal said there would be high visibility from Highway 17 and the park is off the beaten path and if you are not looking for it, you are not going to find it. Ms. Royal said they want to get as many people as possible to come to this event and it is really a street fair kind of event. Ms. Royal said she does not have a list of Surf City vendors and that would be something that the Holly Ridge Parks and Recreation would have to work out with Surf City.

Ms. Royal said they have a ton of interested people who want to participate in this. Ms. Royal said her goal is to put them in an environment where they have a sturdy surface underneath and they are not worried about mud, fire ants or anything else and easy to clean up when it is done. Ms. Royal said a street festival is what we need.

Councilman Hines said we talked about this at our December meeting. This is a Town sponsored event for all practical purposes, and we wanted to build our park up. Councilman Hines said you do not know the grief he heard about shutting the road down during the Liberty Festival. Councilman Hines said there is electricity and bathrooms located at the park. Councilman Hines said he has been to festivals all over the state and some were on the road, and some were off the road, but people found their way to them. Councilman Hines said we need to gear towards what the Town has to offer and not a certain location that would benefit certain people. Councilman Hines said he thinks this event should be at the Town Park because it is a Town sponsored event.

Ms. Royal said she is the one who complained about the road being closed during the Liberty Festival because it puts her out of business on that day because there is no signage until this year even saying we were having a festival. People would come down Sound Road and see it was blocked off by law enforcement everywhere and think the pie plant was going to blow up. Ms. Royal said this is different, people will be able to come and go. Main Street is not going to be closed. Ms. Royal said Councilman Hines, you were at the Camp Davis event all most all day. Ms. Royal said a street festival would bring people in and they could not see us from the park.

Mayor Pro-Tem Patti said he understands both sides, but it is time to look at the community and see what the community wants. Mayor Pro-Tem said it's time for the town to have some kind of main street and work towards that. Having a street festival is a step towards that direction. Liberty Festival was amazing, and it belongs in the park, but we need to diversify as we grow and as we have more festivals, do some different things. Mayor Pro-Tem Patti said he is confident Major Waddell will figure out the street closures. The safety things, the idea about the fire department absolutely but the street festival will bring people in because it is a different feel. Mayor Pro-Tem Patti said he is all for the main street idea that people want because it is a step in the right direction. Mayor Pro-Tem Patti does not believe parking is going to be an issue and he thinks it is very important to change things up. Mayor Pro-Tem Patti said if we begin to show case something like this, people will start noticing Holly Ridge. Mayor Pro-Tem Patti thinks it is a good idea to be proactive and change things up.

Councilman Hines said we have a main street in Holly Ridge, and we do not have to ask permission to close it off and it is adjacent to Highway 17.

Maxton Sholar – 111 Wilmington Highway said he has been listening to everyone talk about wanting to be seen coming down Highway 17, wanting to be on the street, wanting power, looks like to Mr. Sholar in front of the Holly Ridge Fire Department would be the best place. There you have your visibility on Highway 17, you have power and the street in front of the fire department is as long as where you want to have it on Sound Road. Mr. Sholar said the

fire department can move their trucks out of the building and put vendors inside. Mr. Sholar said it seemed to him all the problems would be solved by having the event at the fire department.

Mr. Sholar said he still thinks this event needs to be held at the park because the town has spent money on the park but if you want to do something else the fire department is also a perfect place.

A motion was made by *Mayor Pro-Tem Patti* and seconded by *Councilman Misciagno* to relocate the Bee Festival to Sound Road.

Voting was as Follows:

Councilman Hines – No
Councilman Misciagno – Yes
Mayor Pro-Tem Patti – Yes
Councilwoman Stanley – No
Councilman Ritter – No

Motion Fails

Councilman Ritter said he wish he knew if there was a plan or how to mitigate any safety issues coming off the highway. Councilman Ritter said he would like to discuss it further for other options.

Possible Creation of an Ordinance Review Committee and consideration of Possible Members

Manager Reynolds said prior to the new Town Council coming on board, the Town Council and Planning Board had a workshop to discuss a lot of the ordinances and it ended with a lot of unanswered questions. Manager Reynolds said when Nathan Rhue came back to work for us, Manager Reynolds gave all the information to Mr. Rhue and asked him for his assistance. Manager Reynolds said there has been some dialogue between some Town Council members, Manager Reynolds, and Mr. Rhue because on a staff level we do not feel like the Planning Board and Town Council workshop is beneficial. There has been some discussion to try and put together an ordinance committee that is tasked in going through the ordinances to make sure they are updated as well as other issues. Manager Reynolds said that is the ask for today.

Manager Reynolds said through e-mail we had discussed possible makeup of the committee, and we received a quote from the Cape Fear Council of Governments about possibly doing a UDO and updating our Land Use Plan. Mr. Rhue wants to hold this until budget time but wanted to include so the Town Council was aware of the cost associated with an update that size.

Mayor Pro-Tem Patti asked for an explanation of UDO. Community Development Director Nate Rhue said your UDO is going to combine your zoning and sub-division ordinances into one versus being all over the place. Mr. Rhue said when you do something like that it is taking the steps of having a committee to make sure that all the ordinances are current and how the board wants to see the Town grow based on their input also to make sure they are all included in that one document.

Mayor Pro-Tem Patti asked if this was a common thing to do. Mr. Rhue said that is correct. Mr. Rhue said it is based on what the Town Council wants to see and what the Planning Board wants to see based on trends, growth, and problems.

Mayor Pro-Tem Patti asked if the Cape Fear Council of Governments would take the lead. Mr. Rhue said when it comes to something like that and it is such a huge project that involves public outreach and meetings and making sure everyone is on the same page as far as the vision, it is usually done through a consultant level where they hire different consultant agencies.

Mayor Pro-Tem Patti said we pay dues to Eastern Carolina Council so why is the Eastern Carolina Council not involved. Mayor Pro-Tem Patti asked why we would go to Cape Fear Council of Governments instead of Eastern Carolina Council.

Manager Reynolds said we also pay dues to the Cape Fear Council of Governments because they allowed us to be an honorary member of their Council of Government. Manager Reynolds said they have gone through quite a few executive directors throughout the early years. Manager Reynolds said all their meetings are held in New Bern and it has been an ongoing conversation between the towns at this end of their district because they do not move around at all. Manager Reynolds said we have contracted with the Cape Fear Council of Governments in the past and they are familiar with our ordinances.

Councilman Hines said the Cape Fear Council of Governments have sent representatives to help us on several projects. The manager said we have a great relationship with the Cape Fear Council of Governments.

Mayor Pro-Tem Patti asked if there was anything stopping us from just using Cape Fear Council of Governments. Manager Reynolds said we are not within their district. Manager Reynolds said there is also monetary reasons we belong to the Council of Government because when funds come through like the economic development an agency which are federal funds, they typically must go through whatever council of government you belong to.

Mr. Rhue said he has a relationship with Wes MacLeod with the Cape Fear Council of Governments and this a sample of one estimate and it will be presented to you as a budget request and Mr. Rhue said he would also investigate Eastern Carolina Council as well. A motion was made by **Councilman Ritter** and seconded by **Mayor Pro-Tem Patti** to create an ordinance review committee. **All Agreed.**

Mayor Pro-Tem Patti said he does not think a Town Council member needs to be on this committee. Mayor Pro-Tem Patti said he thinks we should give this opportunity to the community.

Mayor Wenzel asked Attorney Fountain if you can disqualify previous and current Town Council members. Attorney Fountain said he would have to review this and get back to the Town Council.

Councilwoman Stanley said she did not think that is a good idea because we have a lot of previous council members who may be interested in this, and they have a lot of knowledge they could pass on to other people.

Mayor Wenzel requested this item to be discussed at the February meeting to determine what the makeup will be.

Councilman Misciagno said he is coming up with five members. Two residential, two commercial and depending on the content of the ordinance review you would increase by one if it is residential based and one if it is commercial based. When it comes to ordinances the subject expert is going to be our Planning Board.

Mayor Pro-Tem Patti said we can keep it at five, Mayor Pro-Tem Patti was thinking it would be a sub-committee to the Planning Board. If it is not a committee member, perhaps a liaison because in essence both committees will be working off each other.

Councilman Hines thinks seven members because there will be times someone will not be able to make the meetings.

Manager Reynolds asked if there could be an ETJ member on this committee.

Mayor Wenzel asked Manager Reynolds to start the advertising and we will determine the makeup at the February meeting.

Discussion and Possible Approval of a Proposal for community Development Software

Manager Reynolds said following the swearing in at the Town Council meeting last month, several members of the Town Council inquired about updating the Town's website and the permitting community development software so that it could interface with the residents, be more user friendly and a host of other reasons. Manager Reynolds said staff has been working on obtaining a quote to update the website. Manager Reynolds said we have the same vendor as Surf City, but they have the Cadillac plan where we have the Ford Pinto plan. Manager Reynolds said Parks and Recreation Coordinator Audrey Madia worked very hard to update the colors to match the new Town seal.

Manager Reynolds said we currently use Edmunds for our finance software as well as our Community Development software. Computer Warriors, which is contracted for our IT along with staff, have been working to try and get the online portal up and running for the

Community Development Department. This has gone on for years and it has reached the point where we will be asking Attorney Fountain to send a letter for the monies we paid returned to the Town.

Mr. Rhue obtained three quotes from different vendors for community development software. One of the vendors submitted a proposal, one for Enterprise and one for department and as of today the other two vendors have not responded.

Mayor Pro-Tem Patti said this is extremely important. Updating this website and making it newer, interactive where you can pay things will eliminate a lot of issues that we have had, especially with compliance issues. Mayor Pro-Tem Patti said he hopes we can get more than one proposal. Mayor Pro-Tem Patti asked that we reach out to other towns our size to see who they use.

Manager Reynolds said we will hold this until we receive additional quotes.

Councilman Hines said Fire Chief Brandon Longo at the Fire Department that he discussed with the Town, are you familiar with that. Manager Reynolds said his system is for a pre-fire plan, but it can also log fire inspections. Manager Reynolds said we must have something that integrates with our finance software which was originally \$30,000.00 along with an annual fee.

Councilman Misciagno asked if Edmunds the software company was not willing to upfit this software program. Manager Reynolds said the Town of Surf City has Edmunds for their finance, but they also use Intergov for their Community Development, permitting and contract reports. Manager Reynolds said those two programs talk to one another. Councilman Misciagno said there is an extra layer involved.

Finance Director, Chuck Strickland said the finance software works fine. It is the zoning and permitting part that Edmunds does not have a cutoff for it. Mr. Strickland said we tried them, but they could never get that part implemented correctly. After three or four years it has become a waste of time. Mr. Strickland said Surf City, Topsail Beach, N. Topsail Beach, Pender County, Onslow County, there are several other software's we have looked at as far as municipalities we have looked at. The vendor for Surf City and Pender County called us back but we have never heard from the other two vendors. Mr. Strickland said we did a presentation with them and as far as the ease of use from the citizen and contractor side it is there. Mr. Strickland said the talking to the finance side is not there, but they can run a daily report which can be handed to Mr. Strickland, and he can input the data.

Mayor Wenzel said if we are looking for a solution and you must manually enter data, we need to get one that talks to both sides.

Councilman Misciagno said in the end it is going to help the Town make money and it will be more efficient for the citizens. Mr. Strickland said he thinks we are talking about two different things.

Mr. Strickland said the software we are taking about is Planning and Zoning. When you are taking citizen input such as making payments on Parks and Recreation that is just basic merchant services that we will get from the bank, that will be in-house where we can attach to the website. Mr. Strickland said the citizen part such as payment fees, things that a citizen would have to deal with is totally separate from the software we are talking about.

Mayor Pro-Tem Patti said he would like to avoid talking about this again in the future. Mayor Pro-Tem Patti said we are five years down the line in hopes both things are talking to each other. We can get the best that we can possibly get right now so we do not have to revisit this in the future.

Mr. Strickland said just to make sure he is correct instead of looking for pieces to fix the need, the Town Council has directed staff to find an all-in-one software system.

Mayor Wenzel said staff that should be an option that you look at.

Direction was given to Manager Reynolds to continue to research this.

Discussion Concerning the Mobile Vendor Ordinance Section 7-4-16.

Manager Reynolds said Mayor Pro-Tem Patti requested that the vendor ordinance be added to the agenda for discussion at the January meeting. The ordinance was amended by 2020 in the height of the pandemic. Mayor Pro-Tem Patti had previously stated that it should be revisited so, it is in line with the current trends, neighboring communities and be more small business friendly. Manager Reynolds said staff is asking for direction from the Town Council pertaining to a possible amendment.

Mayor Pro-Tem Patti said Holly Ridge is not Surf City and it seems like it is inline with Surf City and currently there is one business that has mobile vendors come to their establishment. Mayor Pro-Tem Patti said the way this is written and the price of \$240.00 deters mobile vendors from coming to the Town of Holly Ridge. It deters businesses from using them. Mayor Pro- Patti said we need to scale back the process and make it more appealing by dropping the fee and putting the onus on the business owners, uploading the online website we have. Mayor Pro-Tem Patti said vendors and food trucks are very popular, more so than they were in 2020.

Mayor Pro-Tem Patti said if a business comes into Holly Ridge, they see they must jump through hoops to get things done. Mayor Pro-Tem Patti said this is not inviting for us and we must be proactive, so if we change the language now it will be enticing for future businesses, help small businesses and the food trucks are not being scaled back they are only going to increase.

Mayor Pro-Tem Patti said it should be here is my application, business owner provides what they need to provide, and they are good to go, and they can go everywhere for \$50.00.

Councilman Hines said one of the reasons we did not start that was we did not want them taken away from our brick and mortar that are paying taxes in town.

Mayor Pro-Tem Patti said the food trucks are paying taxes as well. Other Holly Ridge businesses are using them for their business. We cannot concentrate on certain types of businesses. We must keep our options open to everyone.

Councilman Hines said our food businesses that are here, they will have to compete, but they will not have to pay the money. The food vendors charge \$10.00 to \$12.00 for a sandwich. Councilman Hines said \$20.00 for a day or \$240.00 for a year to come anywhere in Town, Councilman Hines said he does not see where that is a big deterrent for them.

Mayor Pro-Tem Patti said a private business that does not sell food, but they could start selling food could be the same argument that you are making. Mayor Pro-Tem Patti said but now they are competing as well with the other business. All they have is something on the side for food. There is nothing stopping the one business owner who uses it who from starting to sell food and that will make the argument null and void because that is competition for the other brick and mortar. All they are doing is providing the food aspect.

Councilman Hines said you are not stopping that person from having that business, the business is the one who would pay the fee. Councilman Hines said you are not deterring that business. Councilman Hines said it is like Summerhouse, there are vendors in Summerhouse all the time. Councilman Hines said he does not think the vendors are charged to go into Summerhouse.

Mayor Pro-Tem Patti said he does not see a lot of food trucks in Town and the feedback he is receiving is a lot of red tape to jump through and people are not even bothering with Holly Ridge to do anything like this. Mayor Pro-Tem Patti said unless we want to be in the hole and avoid the current trends and what is popular out there that is where you are going to be.

Councilman Hines said the restaurants are taxpayers here and that is who he is looking out for. Anyone that comes here with a food truck that serves barbeque is going to take away from Smokey Tony's or any other restaurant in town.

Councilman Misciagno said at the last meeting Mr. Rhue apologized to the Sandpiper owner because it took awhile to get the proper authorization, is that resolved.

Mr. Rhue said he has not heard any issues to be resolved. Mr. Rhue said from what he was told there were some difficulties at staff level. Mr. Rhue said he has not spoken with the owner Ashley about what the issues were but from the permitting process itself he has not received anything as far as where the problem lies.

Councilman Misciagno said he is fine with businesses having to get a permit and from what he understands Homeowners Associations regardless of neighborhoods, you must have the Homeowners Association approval to serve in that neighborhood prior to even obtaining a

permit. Councilman Misciagno said Summerhouse is no different because he knows of other neighborhoods that have sought food trucks to come into their neighborhoods that are not tied to Summerhouse. They had to go through the same process of HOA approval first because of the restrictive conveyance and once they approve you can have a food truck in the neighborhood come and apply for the permit which gives you twelve months of serving food for that vendor.

Mr. Rhue said this is the same with any property owner as well. From the commercial standpoint if you have received permission from the property owner, same permit, same length of time. Councilman Misciagno asked to get this permit filled out for approval would take how long. Mr. Rhue said with all the information maybe one day.

Councilman Patti asked if the vendor must come to Holly Ridge to do all the processes because that is one of the deterrents. Mr. Rhue said we can email all the information to the customer, and they can email everything back.

Councilman Misciagno said he thinks this is a failure to communicate with this one event that has led to all this. Councilman Misciagno said what is being said sounds simple and easy it's just whether the information is out there for every food truck owner. Councilman Misciagno said he thinks Southern Roots in in the same position. They will get their food trucks up and running and with five restaurants in Holly Ridge, we are trying to grow and there is enough business for everybody. We all should be working together regardless.

Mayor Pro-Tem Patti said he thinks \$240.00 is inline with other towns and we are not other towns. There are not many options for mobile vending in Holly Ridge. Mayor Pro-Tem Patti said it is about making it attractive.

Councilman Misciagno asked that the Town reach out to Ashley the owner of Sandpiper to see if her issue has been resolved.

Mr. Rhue said from what he had been told she was contacted regarding those things and there was no reply.

Mayor Pro-Tem Patti said he was told by Ashley that she was told that the vendor had time to come into the Town Hall and Marsha the Planning and Zoning admin had a thirty-minute window for you could go in.

Councilman Ritter asked if there was away a vendor could come into pay for one event. Councilman Hines said it is pro-rated.

Councilman Hines asked how the Liberty Festival will work. Is there going to be a \$10.00 fee for that or a regular vendor fee for that?

Mayor Wenzel asked if someone is coming to Holly Ridge for the first time, are they are paying the mobile vendor food truck fee. Manager Reynolds said they would pay the vendor fee and registration fee.

Manager Reynolds asked just for clarification on how that would be rated. Mayor Pro-Tem Patti said that is why you lower the fee; it encompasses everything and as we grow, we increase the fee.

Manager Reynolds asked Mr. Rhue to drafting some language for existing businesses in Town they could pay some type of fee and they would be responsible for obtaining the health department certificates and then they could have as many vendors throughout the year as they wanted.

Mr. Rhue said there is no permit fee for existing brick and mortar if their truck is associated with their brick-and-mortar business. Mayor Pro-Tem Patti said Manager Reynolds was talking about if Sandpiper wants to have mobile vendors, she takes responsibility of collecting everything including paying the fee and she takes care of it. Manager Reynolds said then she is the permit holder, and it is her responsibility. Manager Reynolds said if it is outside of an established brick-and-mortar business then it would revert to the standing mobile vendor ordinance. Manager Reynolds said we should add a section for existing business where they can pay an annual fee at a discounted rate because they already pay taxes, and they can bring in those guest mobile vendors.

Possible Adoption of a Resolution Opposing a Rate Increase by the North Carolina Rate Bureau's Application for an Increase in Homeowners' Insurance Rates

Manager Reynolds said on January 3rd, 2023, the North Carolina Rate Bureau filed a rate increase request with the North Carolina Department of Insurance, and it is a substantial rate increase of 71.4 %. Mayor Pro-Tem Patti drafted a letter and Councilman Ritter drafted a Resolution as well as Deputy Clerk Tracy Martin. Manager Reynolds combined the two Resolutions and letter into one and it is opposing the rate increase for North Carolina.

Manager Reynolds said most of the other Towns have adopted theirs and they are going to make a call to action and Manager Reynolds said we would be involved at some point.

A motion was made by *Councilman Misciagno* and seconded by *Mayor Pro-Tem Patti* to approve a Resolution opposing an increase in Homeowners insurance rates. *All Agreed.*

Persons Wishing to Address the Council

Christina Asbury – 308 Folkstone Road said thank you so much for addressing the insurance rate increase. Ms. Asbury is the legislative chair this year and she will be at the insurance meeting opposing these rates. Ms. Asbury said the rates are broken down according to zip codes. Ms. Asbury would encourage everyone from a grass roots effort to join the North Carolina Homeowners Alliance that is actually North Carolina Realtors grassroots efforts to keep homeowners informed about policies and legislation that affects homeowners.

Ms. Asbury said as far as the new website portal, she must bring up the fact that realtors pull permits on properties that we are working on, and we can make sure that the properties are in

governmental compliance. Ms. Asbury said help the realtors help the homeowners, buyers and sellers not buy homes that are not permitted. Ms. Asbury said please help the realtors make it easier to get permits.

Ms. Asbury said in speaking about the UDO committee, typically in other municipalities they have neighborhood leaders with someone from the HOA or community. There will also be somebody from the real estate development or economic development committee to participate in the UDO groups. Advocacy and non-profit are also good to have on those committees as well as members of the ETJ who are regulated with our representation without taxation.

Ms. Asbury said affordable housing is important to our community. Ms. Asbury said Senate Bill 810 says “it is an unlawful discriminatory housing practice to discriminate land use decisions or in the permitting of the development based on race, color, religion, sex, national origin, handicapped conditions or acceptance otherwise provided by law the fact that development or proposed development contains affordable housing units for families or individuals of incomes above 80% of the area median income.” Ms. Asbury said it is not a violation of this chapter if land use decisions where permitting or development is based on consideration.

Town Council Comments

Announcements

Mayor Wenzel gave the following announcements:

- Tuesday, January 16th, 2024, Planning Board Meeting – beginning at 6:30 p.m. in the Council Chambers
- Wednesday, January 17th, 2024, - Ribbon Cutting Morris Landing Restroom Facility
- Tuesday, January 23rd, 2024, Board of Adjustment Meeting – beginning at 6:30 p.m. in the Council Chambers
- Thursday, January 25th, 2024, Bee Committee Meeting – beginning at 4:00 p.m. in the Council Chambers

Closed Session

Adjournment

A motion was made by *Councilman Hines* and seconded by *Councilman Misciagno* to adjourn at 5:50 p.m. *All Agreed.*

Attest:

Jeff Wenzel, Mayor

Tracy Martin, Deputy Clerk

These minutes were recorded and prepared by Deputy Town Clerk, Tracy Martin.