



Town of HOLLY RIDGE

PO Box 145 * Holly Ridge, NC 28445 * Phone (910) 329-7081 * Fax (910) 329-1593

HOLLY RIDGE TOWN COUNCIL REGULAR MEETING July 11th, 2023 6:30 P.M.

Mayor Jeff Wenzel called the Regular Meeting of the Holly Ridge Town Council to order at 6:32 p.m. at the Holly Ridge Town Hall. Council members present were Councilman Sholar, Mayor Pro-Tem Hall, Councilman Hines, Councilwoman Stanley, and Councilwoman Bragg. Also present were Town Manager, Heather Reynolds; Deputy Clerk, Tracy Martin; Community Development Director, Nate Rhue; and Attorney, Kyle Fountain.

Invocation and Pledge

Councilman Hines gave the Invocation and Mayor Wenzel led the Pledge of Allegiance.

Adoption of Agenda

A motion was made by **Councilman Sholar** and seconded by **Councilwoman Bragg** to adopt the agenda as amended. *All Agreed.*

Persons Wishing to Address the Council

Ken Bradshaw – 134 Beacon Woods Drive – said there are water issues at the Town of Holly Ridge. Mr. Bradshaw said they did a great job on the buffer as far as backing up to the Camp Davis Industrial Park. Mr. Bradshaw said he and his neighbors are having a problem with water approaching their properties. Mr. Bradshaw said he thinks the builder has dropped the ball and can do a better job. Mr. Bradshaw said Manager Reynolds and Councilman Hines came and looked at the situation. Mr. Bradshaw said he knows everyone is aware but now is the time to address this because it looks like the builder is building it up and it appears to be higher than it was. Mr. Bradshaw would like someone from the town to come a look at the situation because he is receiving complaints from neighbors across the street.

Danny Ferucci, - Executive Director Onslow United Transit System, Inc gave a presentation on transportation services to the Outs service area. This service provides transportation for

people who do not have any other way to attend doctor's visits, jobs, education, retail, and entertainment in our communities.

- Demand-Response is defined daily, weekly, and/or monthly scheduled appointments.
- Subscription Service is defined as a service in which passengers register for rides for a predetermined period i.e., work, school, dialysis, or daily events.
- General Public/Private refers to those individuals whose trip will not be paid for by an agency or Medicaid.
- Daily Service is Monday-Friday 6:00 a.m. to 9:00 p.m.
- Saturday-Sunday 10:00 a.m. to 8:00 p.m.
- Out of County Transportation:
 - Wilmington – Thursday
 - Kinston/Greenville – Tuesday
 - New Bern – Friday
 - Morehead City – Friday
 - Fayetteville – Wednesday
 - Beulaville – Monday-Wednesday-Friday
 - Chapel Hill-Duke-and Raleigh-Durham – Monday-Friday coordinated with Down East Express only.
- The service area consists of 763 Land Square miles and population is 207,298.
- Funded by the State and grants.
- This is a large Transit van – twenty-two feet long.
- The van has fifteen seats and can accommodate two wheelchairs.
- The van makes fourteen trips a day.
- The cost ranges from \$2.00 to \$5.00 and out of the county it is \$15.00.
- Drivers are required to have State mandatory training which covers Defensive driving, and CPR.

Public Hearings

Discussion and Possible Approval of the Proposed Text Amendment for the Town of Holly Ridge for Updates to Chapter 21 Flood Damage Prevention Ordinance related to development within Special Flood Hazard Areas.

Nate Rhue said this is not changing maps, this is just primarily to the ordinance the Town has approved by FEMA from a federal and state level. These are amendments that have come to our attention from an updated perspective. Mr. Rhue said in May, the town was part of a Community Assistant Visit (CAV) from the state representative for FEMA to see how the town is enforcing the ordinances, looking to see what is being done physically and to make sure we are complying with all those guidelines. Mr. Rhue said the town is doing a good job enforcing those regulations and promoting safety aspects and things related to the ordinance.

Mr. Rhue said there are five amendments in Chapter 21 that were recommended by FEMA.

- Article 5-Section 3 suggests removing the unnecessary sentence. ~~Subsequent Letter of Map Revisions (LOMR's) and/or Physical Map Revisions (PMRs) shall be adopted within 3 months.~~ Removal of the noted sentence would also eliminate the requirement

to “adopt within 3 months” as verbiage exists in the prior sentence that automatically adopts such revisions.

- Article 5 Section B(4)(c)(iv): ~~The bottom of all required flood openings shall be no higher than one (1) foot above the higher of the interior or exterior adjacent grade.~~
The bottom of all required flood openings shall be no higher than one (1) foot above the higher of the interior or exterior adjacent grade and where possible, below the Regulatory Flood Protection Elevation.
~~This is proposed to ensure the required flood vents, where possible, are installed below the RFPE.~~
- Article 5 Section B(5)(b): ~~Additions to pre-FIRM or post-FIRM structures that are a substantial improvement with no modifications/rehabilitations/improvements to the existing structure other than a standard door in the common wall, shall require only the addition to comply with the standards for new construction.~~
Additions to pre-FIRM or post-FIRM structures, not located in Coastal AE or VE zones, which are a substantial improvement with no modifications/rehabilitations/improvements to the existing structure other than a standard door in the common wall, shall require only the addition to comply with the standards for new construction.
~~This proposal follows FEMA guidelines by adding “not located in Coastal AE or VE zones. If such structures are proposing “substantial improvements”, as defined by the ordinance, and located in these two zones, it shall require the entire structure, and not just the addition, come into compliance with the applicable requirements.~~
- Article 5 Section B(9)(c): Above ground tanks that do not meet the elevation requirements of Article 5, Section B (2) of this ordinance shall not be permitted in ~~V or VE Zones.~~ V, VE, or Coastal AE Zones. Tanks may be permitted in other flood hazard areas provided the tanks are designed, constructed, installed, and anchored to resist all flood-related and other loads, including the effects of buoyancy, during conditions of the design flood and without release of contents in the floodwaters or infiltration by floodwaters into the tanks. Tanks shall be designed, constructed, installed, and anchored to resist the potential buoyant and other flood forces acting on an empty tank during design flood conditions.
~~This proposal adds the Coastal AE Zone to the list of areas that prohibit above-ground tanks unless they are elevated above the RFPE.~~
- Article 5 Section G(7)(d): ~~Elevator shafts/enclosures that extend below the RFPE shall be constructed of reinforced masonry block or reinforced concrete walls and located on the landward side of the building to provide increased protection from flood damage. Drainage must be provided for the elevator pit.~~
Elevator shafts/enclosures that extend below the RFPE shall be located on the landward side of the building to provide increased protection from flood damage. Drainage must be provided for the elevator pit.

This proposal is intended to provide the intent to FEMA's requirements associated with elevator shafts. As currently existing in our ordinance, the requirements for elevator shafts provide contradiction to the requirement of structural members being elevated above the BFPE.

Mr. Rhue said the Planning Board discussed this at their June 20th meeting and recommended approval of the proposed amendments of Chapter 21 of the Town's Code of Ordinances.

A motion was made by *Councilman Sholar* and seconded by *Councilwoman Stanley* to go into Public Hearing. *All Agreed.*

A motion was made by *Mayor Pro-Tem Hall* and seconded by *Councilwoman Bragg* to return to Regular Session. *All Agreed.*

A motion was made by *Councilwoman Stanley* and seconded by *Councilwoman Bragg* to Approve the Proposed Text Amendment for the Town of Holly Ridge for Updates to Chapter 21 Flood Damage Prevention Ordinance related to development within Special Flood Hazard Areas. *All Agreed.*

Discussion and Possible Approval of the Proposed Text Amendment for the Town of Holly Ridge for Updates to Section 7-3-26 to include additional uses within the Camp Davis Industrial Park Overlay

Mr. Rhue said in September 2022, the Town Council adopted a Camp Davis Industrial Park Overlay District, and at that time pointed out specific uses for an overlay district. Since this was originally done, there have been other requests and questions related to additional uses that may be favorable within the district.

Listed below are the additional Permitted Uses that were added:

- Boat repairs, sales, and service
- Industrial supplies and equipment sales
- Monument works/sales.
- Mobile vendor
- Truck, farm equipment, heavy equipment, sales, and service
- Blacksmith operations
- Contractor's office
- Heating and refrigeration repair shop
- Fire and Rescue (EMS)
- Hospital (human)
- Police Department
- Truck/freight terminal (6 or fewer trucks)
- Truck/freight terminal (more than 6 trucks)

Mr. Rhue said the creation of the Camp Davis Industrial Park Overlay affords protection of both heavy and light industrial uses by centrally locating the heavier industrial uses within the confines of the existing and expanding industrial park.

Mr. Rhue said the proposed additional uses would also afford additional uses that could be considered complimentary to previously approved uses such as boat and heavy equipment repairs, contractor offices, and heating repair.

The Planning Board recommended approval of the proposed amendments of the Town's Code of Ordinances and finds that it is consistent with the Town's Comprehensive Land Use Plan, and policy 5.1 A, which stated "All development shall adhere to the Town's building and development regulations set forth in the Code of Ordinances," and that such uses would be compatible with the Camp Davis Industrial Park Overlay, (ii) that it is reasonable and in the public interest because it will advance the public health, safety, and/or welfare of the Town of Holly Ridge by including additional industrial uses that are complimentary to existing and permitted uses within the Camp Davis Industrial Park.

A motion was made by *Mayor Pro-Tem Hall* and seconded by *Councilman Sholar* to go into Public Hearing. *All Agreed.*

A motion was made by *Mayor Pro-Tem Hall* and seconded by *Councilwoman Bragg* to return to Regular Session. *All Agreed.*

Councilman Hines asked if anyone requested any of these and was anyone turned down because of what they wanted to put in the park. Manager Reynolds said they were not. These were additional uses that were identified after the overlay district was created. Manager Reynolds said we may have been too stringent, so we consulted with our brokers as well as Jacksonville Onslow Economic Development for their input on these additional uses. Councilman Hines said he knows we did not want to resemble Burton Park, but it looks like we are starting to steer towards that direction.

Mayor Pro-Tem Hall said we also wanted to make sure that the companies that went over there created a larger quantity of jobs. When you get into sales and service, you start to get into a smaller number of jobs. Another factor was the traffic that would be coming in and out of the industrial park. Mayor Pro-Tem Hall said the two truck terminals would fall under the scope of what we said the industrial park was for. Mayor Pro-Tem Hall said she does not believe the others that were mentioned do not belong in the park.

Councilman Hines said the objective we had was to bring in bigger companies. Mayor Wenzel said he likes the idea of a regional hospital, but we must carefully protect that to have its own access off Highway 17. That way the traffic would not come past all these businesses. Councilman Hines said he thinks this is out of the scope of the industrial park. Mayor Pro-Tem Hall believes there are other properties in our area that would be better suited for things like this.

Manager Reynolds said as far as the contractor's office, which is one of the main uses we were looking at because we have businesses like Serv Pro that offer restoration services, but they need to have a home base where they keep their equipment and work out of.

A motion was made by *Councilman Hines* and seconded by *Mayor Pro-Tem Hall* to not adopt these changes.

Attorney Fountain said that came about because one of the contracts for the sale of a lot that was approved during a previous meeting, the overlay district was put into play and is inconsistent with the overlay district. Councilman Hines asked if the applicant knew what the requirements were when he made his proposal. Attorney Fountain said it was all around the same time frame.

Manager Reynolds asked Mr. Rhue if the overlay district came after the offer was accepted. Mr. Rhue said he did not believe it was formal acceptance. Mr. Rhue said it was when we had proposed the amendment and sent them out to the perspective buyers that these were the uses.

Mayor Pro-Tem Hall said she would like to table this item and bring back the criteria that was originally discussed and discuss each one of these to see if they fall under the criteria that was done initially. Manager Reynolds said she thinks we may be confusing the process for the economic development statute when we go to sell a lot. Manager Reynolds said we may be confusing that with the uses. When we stated it must create a certain number of jobs, above median salary, this is to comply with the General Statute when a town sells property. We have privately owned lots in Phase I that don't necessarily meet those job requirements because they were privately owned and sold.

Mayor Pro-Tem Hall said when we created the industrial park, we said that criteria was what we were going to use to go into the industrial park. Manager Reynolds said that is correct for the General Statute.

Attorney Fountain said there are two different evaluations. One is for the town to decide if we think it is valuable from an economic development standpoint. Whereas the one that is before the Town Council today is this zoning that we want to allow in the industrial park. Mayor Pro-Tem Hall said our focus was that we follow the plan on what our intentions of what could go into the industrial park are. Mayor Pro-Tem Hall said that was for economic development, it was not for just getting new businesses and that criteria will get us that.

Manager Reynolds said when we were looking at the uses, they were stringent where we have offers, we have accepted, and they will not be able to use those properly. Councilman Hines asked if they did not fit the criteria, why did we accept those offers? Manager Reynolds said the overlay district was not there yet.

A motion was made by *Councilman Hines* and seconded by *Mayor Pro-Tem Hall* to not make any changes.

Voting was as follows:

Councilwoman Bragg – No
Councilwoman Stanley – No
Councilman Sholar – Yes
Mayor Pro-Tem Hall – Yes
Councilman Hines – Yes

Motion Passes.

Town Manager Report

Manager Reynolds stated the following:

- Restrooms have been delivered and installed. There is still some finishing work that needs to be completed.
- In the process of conducting interviews for the Grant Writer position as well as Public Works.
- Unfortunately, this is Mr. Rhue's last meeting, so we are in the process of interviews for his position.
- Liberty Festival preparations are underway and the mobile vendor apps went live on July 5th, 2023, and there are vendors who have already signed up for the Liberty Festival.

Councilman Hines asked about the trees which surround the new solar panel restroom at Morris Landing. Manager Reynolds stated Public Works Director Mike McFann and the Coastal Federation have worked it out to where the solar panels will receive sunlight.

Consent Agenda

A. Approval of the Following Minutes

- May 30th, 2023, Special Meeting
- June 13th, 2023, Regular Meeting

B. Department Head Reports

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

C. Committee Reports

- Planning Board
- Board of Adjustment
- ONWASA
- Re-Branding Committee

D. Approval of Tax Refund Report

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

Old Business

Discussion and Possible Approval Acceptance of a Negotiated Private Offer to Purchase Two Lots Owned by the Town located along Green Street, Holly Ridge, consisting of 0.12+/- Acres, having Onslow County Tax Parcels 036272 and 036463, for Value of Ten Thousand Dollars (\$10,000.00) Pursuant to N.C. Gen. Stat. § 160A-269.

Manager Reynolds said we discussed this several months ago and they were originally titled to the Parks and Recreation Department. Manager Reynolds said there were some questions concerning whether the lots could be sold.

Attorney Fountain said this is a Resolution brought before the Town Council on a proposal to sell or to purchase those two lots that were previously deeded to the town. They made a proposal to purchase those two lots for a combined total of \$10,000.00. In the original proposal they would make a memorial of some sort honoring Camp Davis. Attorney Fountain said we ask them to provide that in a written contract once the Town Council reviewed and approved it. We received a formal agreement with an offer to purchase with similar terms but did not include some language to include some sort of honor for Camp Davis which was part of the discussion.

Attorney Fountain said under statute because this is publicly owned land, we are required prior to accepting or rejecting it we must have an upset bid. That upset bid was advertised and there were no upset bids taking. It is now up to the Town Council to accept or reject this offer.

A motion was made by *Councilman Hines* and seconded by *Mayor Pro-Tem Hall* to accept a Negotiated Private Offer to Purchase Two lots Owned by the Town located along Green Street, Holly Ridge consisting of 0.12+/- Acres, having Onslow County Tax Parcels 036272 and 036463, for Value of Ten Thousand Dollars (\$10,000.00) Pursuant to N.C. Gen Stat § 160A-269. *All Agreed.*

Mayor Pro-Tem Hall asked Manager Reynolds if we could assign someone in the office to make sure some type of memorial is done. Manager Reynolds said we would.

Mayor Wenzel called for a recess at 7: 34 p.m.
Mayor Wenzel called the meeting back to order at 7:42 p.m.

New Business

Discussion and Possible Approval for a purchase of a new Christmas Tree for the Town's Annual Hometown Christmas event.

Manager Reynolds said over the last couple of years the Town has held a Hometown Christmas event at the Community Center. Staff attempted to plant a Holly tree several years ago. Manager Reynolds said in this year's budget we did include \$50,000.00 for the purchase of a new Christmas tree. It was included on the expense side of the budget as well as the revenue because we requested funds from the Onslow County Tourism Grant's Capital fund. Manager Reynolds said we were denied by the Onslow County Tourism, but staff are asking the Town Council if we could still purchase the Christmas tree.

Councilman Hines asked if this would come out of the Parks and Recreation budget and Manager Reynolds said yes it would come out of Capital Outlay.

A motion was made by *Mayor Pro-Tem Hall* and seconded by *Councilwoman Bragg* to purchase a new Christmas Tree for the Town's Annual Hometown Christmas event. *All Agreed.*

Discussion and Possible Approval of a Resolution Designating the Town of Holly Ridge as a Bee City USA.

Manager Reynolds said last month Dorothy Royal brought the idea of No Mow May to Manager Reynolds' attention. This is where you do not mow your grass for the month of May to help the pollinators, which helps to make sure they have enough food and helps support the pollination of bees. Manager Reynolds said municipalities can become members of this initiative by paying for our population. The application would cost \$100.00, and we would have to form a Bee committee, and work to make sure that in our public spaces there are pollinator plants planted. Manager Reynolds said next year we could have a registry where citizens can register to not cut their grass, so Code Enforcement is aware of who is participating and who is not. In exchange for registering, they could get a yard sign for their yard. Manager Reynolds has also thought about a Bee festival which would be held in the Spring.

Manager Reynolds said there are benefits to becoming a Bee city. When you sign up, they send you a welcome packet with pollinator conservation resources. They also provide you with an online affiliate portal where you can see what other towns are doing across the nation. They provide you with a custom logo and street sign artwork, so you could be added to signs throughout the town. Their mission statement is bringing communities together to sustain pollinators, the more than 3,600 species of native bees in the country, by increasing the abundance of native plants providing nest sites and reducing the use of pesticides.

Manager Reynolds said staff is asking the Town Council to adopt the Resolution supporting the Bee City USA initiative.

Councilman Hines asked if there is a pesticide which kills mosquitoes but not bees. Manager Reynolds said we are looking into this.

Councilman Hines asked if the Town could legally allow somebody to not cut their grass at a certain time if we have an ordinance that states it must be cut after a certain height. Attorney Fountain said if the ordinance allows for exemptions, then this could be allowed. Attorney Fountain stated it would have to be an ordinance change.

Mayor Pro-Tem Hall said the No Mow May would be a way for us to engage with the people in town and the surrounding communities. Mayor Pro-Tem Hall said Manager Reynolds may need to investigate the ordinance related to grass cutting, but she thinks it is a great way to engage with the community as well as benefiting nature.

Councilwoman Bragg said she thinks all the citizens would need a letter making them aware of the No Mow May.

A motion was made by *Mayor Pro-Tem Hall* and seconded by *Councilwoman Stanley* to approve a Resolution Designating the Town of Holly Ridge as a Bee City USA. *All Agreed.*

Discussion of Recommended Text amendments to the Holly Ridge Zoning Ordinance (Chapter 7) Section 7-3-26 Permitted Use Table of Possible Non-Residential Uses Within Residentially Zoned Districts.

Manager Reynolds said this was discussed during the May Public Hearing meeting. Members of the Town Council had expressed non-residential uses within the residential district could possibly be an issue. This was presented to the Planning Board at their June meeting.

Nate Rhue said in June this was brought before the Planning Board to see what the Town Council directed them to look at and discuss. Mr. Rhue said he provided the Town Council with uses that would be classified as non-residential. It was presented to the Planning Board as a discussion with the option of them making any recommendations related to any changes. Mr. Rhue said this is more of a discussion with the Town Council to see based on the Planning Boards no action. This is why there were no changes made.

Mr. Rhue said the Planning Board decided that no action should be taken because they were for more accessory uses that related to the dwellings such as family childcare in the home, yard sales, bed, and breakfasts etc. The noted uses are found within the development that contributed to the life quality of the citizens and construction of said developments such as temporary construction offices, residential sales office, community centers and private sewer systems. The noted uses contributed to the life quality of citizens within the areas.

Mr. Rhue said the Planning Board recommended no action should be taken and the Permitted Use Table should not be amended.

Persons Wishing to Address the Council

Town Council Comments

Councilman Hines thanked Mr. Rhue for his time here and Mr. Rhue has helped our Planning and Zoning Department get to a higher level than what it was. Councilman Hines wished Mr. Rhue all the luck in the world, and he hates to see Mr. Rhue leave.

Mayor Pro-Tem Hall said Mr. Rhue has done a great job for the town and he can come back anytime. Mayor Pro-Tem Hall wished Mr. Rhue the best of luck.

Councilman Sholar thanked Mr. Rhue for the great job he did for the Town.

Councilwoman Stanley said she hates to see Mr. Rhue leave and the best of luck. Councilwoman Stanley thanked everyone for coming to the meeting.

Councilwoman Bragg thanked Mr. Rhue for the growth of the town and all his hard work. Councilwoman Bragg thanked everyone for coming to the meeting and she also thanked all the departments for their hard work.

Mayor Pro-Tem Hall said there are three seats open on the Town Council. The registration to apply for those started on July 7th, 2023, and will close on July 21st, 2023. Mayor Pro-Tem Hall said if anyone wants to speak with the Town Council about what it is like feel free to call anyone of them. These positions are elected and those that are running again want to be elected but if someone wants the job and gets the job, the Town Council is proud of that also.

Councilman Hines asked if there are any open positions on any of the Town's boards. Mr. Rhue said there is an opening on the Board of Adjustment for a town representative and an ETJ representative.

Announcements

Mayor Wenzel gave the following announcements:

- Tuesday, July 18th, 2023, Four Town Meeting – hosted by Holly Ridge
- Tuesday, July 18th, 2023, Planning Board Meeting – beginning at 6:30 p.m. in the Council Chambers
- Tuesday, July 25th, 2023, Board of Adjustment Meeting – beginning at 6:30 p.m. in the Council Chambers

Mayor Wenzel thanked Mr. Rhue for his service and said he will be missed. Mr. Rhue was our first full-time planner for the Town and has done a great job moving the Town forward.

Mayor Wenzel recognized Manager Reynolds and was honored to introduce her at the Greater Topsail Chamber of Commerce annual meeting where Manager Reynolds was awarded the Civic Person of the Year award.

A motion was made by ***Councilman Hines*** and seconded by ***Councilman Sholar*** to go into Closed Session. ***All Agreed.***

Closed Session

- A. To establish or instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body by negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease per NCGS 143-318.11 (a) (5).

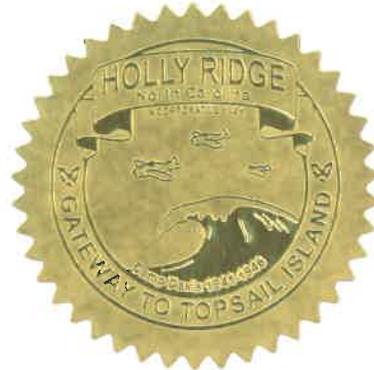
A motion was made by *Councilman Hines* and seconded by *Mayor Pro-Tem Hall* to Return to Regular Session. *All Agreed.*

Mayor Wenzel stated there was no action taken but we did give directions to our Manager Reynolds.

Adjournment

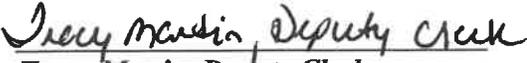
A motion was made by *Councilman Hines* and seconded by *Councilman Sholar* to adjourn at 8:15 p.m. *All Agreed.*

Attest:





Jeff Wenzel, Mayor



Tracy Martin, Deputy Clerk

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