



ORIENTAL TOWN BOARD MEETING

Wednesday, November 7, 2018 at 7pm

507 Church Street, Oriental, NC

Mayor Sally Belangia Officiating

6 The Town Board of Oriental Town Board Meeting on November 7, 2018 was called to order at 7pm. The Mayor
7 Sally Belangia determined a quorum to be present. She said we have a Public Comment period, if you wish to speak
8 please make sure you are signed up on the correct sheet.

9
10 Present: Mayor Sally Belangia, Mayor Pro Tempore White, Commissioner Overcash, Commissioner Simmons,
11 Commissioner Dammeyer, Commissioner Price, Town Manager Diane Miller, Deputy Finance Director Tammy
12 Cox, Administrative Assistant Jeannine Russo, Officer Nic Blayney, Officer Bill Wichrowski and Members of the
13 Public.

14 15 APPROVAL OF AGENDA

16 **Commissioner Overcash** made a **MOTION** to approve the Agenda. Seconded by **Commissioner Dammeyer**.
17 Motion passed 5-0.

18 19 1. Consent Agenda (Tab 1)

- 20 a. Approve Minutes from Regular Town Board Meeting October 2, 2018
21 b. Approve Minutes from Town Board Workshop Meeting September 28, 2018

22
23 **Commissioner Overcash** made a **MOTION** to approve the Consent Agenda. Seconded by **Commissioner**
24 **Dammeyer**. Motion passed 5-0.

25 26 REGULAR BUSINESS

27
28 **2. Hurricane Florence Update.** Manager Miller presented the current situation with respect to debris removal,
29 contracted services for recovery and status with NCLM Insurance and FEMA claims and completed recovery
30 projects.

31
32 Manager Miller explained that it was in the best interest of the Town to go with the County's contract; we signed the
33 MOU on September 28 to sign on to their contract, as their contractor is removing 24 double loads per day instead
34 of 8 single loads per day. On November 1st, we foresaw one full pass after they got through their first full pass. We
35 are still not through the first full pass. We are still identifying, with police assistance, where there are still large piles
36 of debris. People are still coming back to their homes for the first time as they are second homes. We are trying to
37 avoid rushing to a final pass as people are still pulling debris from their homes. Manager Miller encourages residents
38 to inform us if there are any new debris piles added as well as hanging limbs. Manager Miller showed a photo of the
39 waterfront from 12:57pm on September 14, which was close to the height of floodwaters. We have had some small
40 issues with the contractor that the County has been addressing. Any damages done by the hauler needs to be
41 reported to the County to hold them responsible. Second passes will be done with the same equipment, which has
42 not been successful. Manager Miller spoke about an incident that occurred Monday, November 5, where
43 construction debris was scooped up at M & Ms where the lights in front of the sign were removed. Wednesday,
44 November 7 at 405 Mildred St., a water meter was lifted out of the ground. A meter was run over at Oriental West
45 Condos, a 2" meter at a cost of \$1,200, but the Town looks much better. This storm, the debris is being calculated in
46 cubic yards where during Irene, it was calculated in tons. By November 5, collection was at 33,000 cubic yards – a
47 little over 16,000 cubic yards was collected in all of Irene so we are at more than twice the pick-up. Manager Miller
48 spoke to the County Manager and we are more than twice countywide, not just Oriental. Some of the debris from
49 Irene was not compensated because the hauler took it to the wrong place. This was another reason we held off
50 because our site was not permitted.

51
52 Damages and Repairs: The repair that was deemed exigent by FEMA and our insurance agent – we cannot work on
53 the road until we are sure that the road is shored up by the sea wall. Where South becomes Vandemere, the road is
54 undermined by about 10". Previously, the cement wall ended (showing photos) where there was a grassed surface

55 and poles in cement which are completely uncovered now and the granite is down. Most of this was still covered by
56 granite so outflow was just as strong. There is sheet piling that is not capped with concrete so will be reinstalled on
57 this line up to where the road becomes private property and capped with parapet holes to allow for drainage. The
58 wall will come down to grade and meet the road. Additional granite will be added. We have a contract and
59 engineering and design and completed. Once this cement begins to cure, heavy equipment can be brought in. The
60 asphalt and substrate that was deposited on front lawns is sitting on our water system. Equipment cannot be brought
61 in until the wall is shored up. Manager Miller showed photos of where the wall currently ends, also exigent, and the
62 fishing pier, which will also need extensive repair. The wall is tongue-in-groove, wooden, two layers with gravel in
63 between. Manager Miller showed where the boards are missing and explained the repair done by staff – missing and
64 ripped out boards, refilled gravel, and re-boarded. Wall will be extended that holds up the sidewalk and road with
65 steel reinforced concrete cap like the other end. Manager Miller showed where the water line goes from a tree
66 (showed photo) down to the fire hydrant at the corner of Freemason and South. A good portion of that is now under
67 two feet of gravel, concrete and oyster shells. Beach erosion was significant, went to the wrong side of the road.
68 People came and took some of it. In an effort not to lose another block, we will shore everything up fairly quickly.
69

70 Designation of the Applicant’s Agent: Manager Miller presented FEMA paper that designates herself as the primary
71 agent and Tammy Cox, Deputy Finance Director, as the secondary agent so either of them can sign paperwork to
72 keep the process going.
73

74 **Commissioner Overcash** made a **MOTION** to accept Manager Miller and Deputy Finance Director Cox and
75 primary and secondary agents regarding FEMA. Seconded by **Commissioner Simmons**. Motion passed 5-0. **Mayor**
76 **Pro Tempore White** inquired about the contract, that it had been awarded as it did not need to be bid, awarded to
77 Bobby Cahoon. Work is to begin in the next few weeks. **Commissioner Overcash** asked if this will tie in with the
78 fire hydrant repair. **Manager Miller** stated this decision will be made after we see if FEMA or the insurance
79 company will pay for this. **Manager Miller** has already received a quote. If they do not pay, this is a \$65,000 repair
80 to run brand new line, replace the fire hydrants at South and Vandemere and Freemason and South and all of the line
81 between them plus isolating valves. Discussed replacing water lines before the roads are paved so we do not have to
82 cut new roads to get to the water lines. Quote was \$56,000-\$65,000 - labor included – depending upon the kind of
83 pipe used. **Mayor Pro Tempore White** inquired about the time frame, this is a long-term project. He also added
84 that due to the recent rain, reeds that had been left behind after the clean-up are clogging our drainage. **Manager**
85 **Miller** stated anything that homeowners can do would be helpful.
86

87 **3. Public Comment Period:**

88 Deb Jaeger – 509 New Street – Ms. Jaeger read from Article 4, Section 60.2.3 which states:
89

90 60.2.3 Temporary habitation of travel trailers or recreational vehicles (RVs) may be granted for a period up to six
91 continuous months with the issuance of a land use permit provided that there exists, on the lot where the travel
92 trailer/RV is to be located, one or more primary structures or dwellings units that have functional sanitary systems
93 for water and sewage, including bathroom facilities (tub, shower, toilet, etc.) and power that conform to existing
94 rules, laws and regulations.
95

96 She made reference to a trailer beside her home and has been told the owner has the temporary permit for six
97 months. She asked to be added to the Agenda for next meeting to address some questions she has about this issue
98 and why it was permitted. She stated there is another large, enclosed trailer behind the other and would like to get
99 some answers. Mayor Pro Tempore White stated she does not need to wait for the next meeting and suggested she
100 meet with Manager Miller to discuss. He further stated that he was on the Planning Board when this legislation was
101 put forward and that if there is no structure on the lot, they have to allow for their byproducts, waste water and
102 waste. He explained due to the storm, we have waived the Land Use Fee but not the Permit and this allows one stay
103 of six months. If construction is not completed, Manager Miller has the authority to authorize one more stay. Ms.
104 Jaeger stated this is a new construction and has questions about the compliance and rules, etc. Mayor Pro Tempore
105 White stated, again, that she should meet with Manager Miller and offered for Ms. Jaeger to attend the Planning
106 Board meeting on November 19 if she is unsatisfied with this process.
107

108 **4. Public Hearing (Tab 2)**

109 **Manager Miller:** Yes ma'am. We have a Public Hearing this evening. Mr. Lamont Jones has applied for a Special
110 Use Permit for 401 Broad Street. 401 Broad Street was previously used for a similar purpose and that purpose did
111 not require an SUP because the property had been used as such prior to the enactment of the GMO so the continuous
112 use had been grandfathered in. Since the business was closed for more than 180 consecutive days, that
113 grandfathering expired, so Mr. Jones is here seeking an SUP for that property to be used as a, what we call, a
114 restaurant/bar and what he is calling a lounge. The Planning Board met on October 17 and their recommendations
115 are in your package. I had a few issues/concerns with parking. The thing that he submitted was a parking plan and
116 there is my markup copy with the parking plan and it removed one of his parking spaces for a reason that he would
117 not have been aware of that it was over top of a sewer line in the middle of the property, but he cannot be parking on
118 top of a sewer manhole. Also, we talked about at the Planning Board meeting, correct me if I'm wrong, that the
119 parking that is designated for that particular structure is onsite parking. If it becomes a, they can't contain it, Mr.
120 Jones would have to, just like everybody else, solicit some form of satellite parking at a nearby property that will
121 hold any overflow. There will be, as my recommendations went to the Planning Board and the Planning Board
122 agreed, no parking on this side of the building (shows diagram) this is Hodges Street, this is Broad Street and this is
123 Hodges Street, so we would not allow parking here. The reason is this road is a grand total of 14' wide and the
124 building comes right up to the sidewalk. Turning on to Hodges Street and to the right from Broad Street coming
125 from here would put you straight into the grill of somebody's vehicle if they were to be allowed to park here. Part of
126 our recommendation is that no parking be allowed here. I did have further conversation with the police following the
127 Planning Board's meeting about potential solutions because I had a couple of residents that are on the opposite side
128 of the street asking about this particular issue with this building being reopened. If you were to put no parking on
129 both sides of the street, the houses on this side of the street have very little space from their front door to the street
130 just like the building does so they might get a car into their own driveway but if they had guests, their parking on
131 right of way, not necessarily on the street but on the right of way. If we were to put up no parking signs, that would
132 hurt them just as much as anybody else. And you can't say no parking if you are going to this building and you can't
133 say "You guys can't park here, but you guys can park here" so that was obviously not a solution. We discussed
134 parking by permit where we would make up so many permits per house and hand laminated permits to the
135 homeowners so any guests that they had could put it in their windshield and the police would not have any cause to
136 have any issue with that. But again, that is down the road, should he open and that become a problem, we have
137 thought that far, because parking does come up as an issue with this structure. The other issue is safety. One of the
138 things we talked about at Planning was the porch on the back is absolutely useless and Mr. Jones agreed that that has
139 got to go, unsafe and structurally unsound. It has actually moved away from the building so that would have to be
140 demolished. Whatever else the building inspector, because it has been closed for 180+ days, everything else would
141 have to come up to code. We all have concerns about damage that was done during the flooding and obviously it
142 was flooded again. Whatever the building inspector would recommend to bring the building up to code would,
143 obviously, be part of our issues. Like I said, the Planning Board's recommendation is in there for you. It is nothing
144 that I have not covered. One of the concerns was the constant police presence there in its former iteration but we
145 cannot hold the problems of a former owner against a prospective owner so none of that would be valid. What would
146 be valid as evidence, for example, is if Mr. Jones owns a building in another city and the police are constantly at
147 this; that would be considered good evidence that could be presented to you this evening to say "You should not
148 grant this gentleman this SUP." Problems with that building under a previous owner cannot be held against Mr.
149 Jones. I just need to remind you that your decision is by statute required to be to grant the SUP unless you are
150 presented evidence this evening, not opinion, evidence. I would be more than happy to answer any questions and
151 Mr. Jones and his staff would be happy to also answer any questions.

152 **Commissioner Dammeyer:** I also have some concerns about the parking issue. Maybe you can help me with, and I
153 see Mr. Aeschleman is here too from the Planning Board. My calculations from what you are – you've got your
154 drawing that you did, Diane?

155 **Manager Miller:** Yes.

156 **Commissioner Dammeyer:** With the slots marked. The building is 63' by 50' and I think you calculated a kitchen
157 deduction for 1,150' and brought it down to 2,000'. So my math says that you need 20 spaces first of all.

158 **Manager Miller:** Right, but there is also attached to your paperwork, the language in the GMO for number of
159 parking spaces required and on the....

160 **Commissioner Dammeyer:** 167?

161 **Manager Miller:** Yes, this one (inaudible) says that this cannot possibly cover all scenarios and that the Board has
162 leeway in arranging, so he comes to 19 and the 19 are based on my best guess of the use of that facility. If he were to

163 use five square feet more, he would only need 19, as prep area, he can use it as kitchen, as serving, as anything that
164 does not seat customers.

165 **Commissioner Dammeyer:** So you would have to reduce the dining area down to the right number in order to make
166 that so then the application is not complete because that is not included in the application which is the governing
167 instrument for that project.

168 **Manager Miller:** We had this conversation and I don't know that it can be, at this stage, any more complete than a
169 best guess of how much floor space would be used because the building has got to be gutted and start over, so he is
170 aware that he can only use X number of square feet. He has got to use this much as prep area because that is all the
171 parking spaces. If he comes to a point where he needs more than 20, he has got to secure satellite parking.

172 **Commissioner Dammeyer:** The problem I have is that the GMO makes it clear to me that if you are looking at
173 trying to fit parking spaces that will satisfy the GMO on the lot and does not work, the Commissioners are allowed
174 to stray from the requirements but that requires there is satellite parking. It says AND (inaudible) 167.1.4.1. So in
175 order to get that exemption from that requirement, there has to be already in place a plan for satellite parking
176 (inaudible). I think that the difference between 19 and 20, if he wants to make it up with a change in the number of
177 square feet and put that on the application, I am okay with that as long as it is on the application so that we know
178 what that is going to be. I also think that you could probably help things by having traffic flow go the other direction
179 because the other problem that I see here on this diagram that you did, is that the first two parking spaces would
180 require that the person who is backing out of that space back onto the highway, which is not allowed under our
181 statutes as well as the one that is at the end of the alley to Hodges and you've got three spaces that would require
182 illegal backing up in order to get out. I also consider that to be not in compliance with the GMO and it should be
183 rectified.

184 **Manager Miller:** There is also the option of the space down here, that is only part of a space, can be justified as
185 motorcycle parking.

186 **Commissioner Dammeyer:** If you brought that in, though, that is 19. You are really two short and if you do a deck
187 at all, you are going to have to add more.

188 **Manager Miller:** But the existing deck is going to be removed.

189 **Commissioner Dammeyer:** If that is part of the application, if that is established as part of the application, it is not
190 going to....

191 **Manager Miller:** The application came in and then the Planning Board discussed that the back porch needed to be
192 removed. When the application came in, there was no discussion of that porch, so that was one of the conditions that
193 the Planning Board imposed.

194 **Commissioner Dammeyer:** The original diagram, was that included in the original application, the diagram?

195 **Manager Miller:** What?

196 **Commissioner Dammeyer:** The first diagram.

197 **Manager Miller:** The one without this writing on it, yes.

198 **Commissioner Dammeyer:** Okay, it shows a deck and that is my problem is that I am seeing a deck that you are
199 saying is not supposed to be there so we need to have a public understanding in writing, to me, that that is not going
200 to be used. It is not going to be a deck.

201 **Manager Miller:** That is the recommendation from the Planning Board, to you, to impose, that that be removed,
202 yes. The application comes in the way it is and then you can impose that. They cannot impose that.

203 **Commissioner Overcash:** The Planning Board looked it over and, I was at the meeting and the Chairman is here,
204 he can give me better detail, but the Planning Board felt like, at that time, that there was enough information to go
205 forward and that there was a gray area on the parking and Mr. Jones said he would, if need be, secure satellite
206 parking. Can we go forward with that in hand?

207 **Manager Miller:** You can. I think my estimate of space was conservative. I think it is more likely than not that he
208 will take up more space with serving and the kitchen than less space. You can absolutely require satellite parking as
209 part of the SUP, absolutely.

210 **Commissioner Dammeyer:** I would be in favor of this if the floor, dining space, was reduced to 1,900' with the
211 understanding that there would be no deck and that there would be satellite parking.

212 **Commissioner Overcash:** He could keep the dining space if the satellite parking were imposed.

213 **Manager Miller:** Right.

214 **Mayor Pro Tempore White:** It's one or the other.

215 **Manager Miller:** You don't have to reduce the floor space if you secure satellite parking or

216 **Commissioner Dammeyer:** But without the satellite parking I don't think it complies with the GMO, regardless of
217 what the Planning Board said. I think that the GMO is real clear about the formula and I think it's got to have – that
218 is just my position.

219 **Manager Miller:** Correct me if I'm wrong, the Planning Board's position was that there is some flexibility granted.
220 **Dr. Stan Aeschleman – Planning Board Chair:** That is what we discussed and yes, we also made a stipulation that
221 if excess parking was needed that he would have to secure satellite parking.

222 **Manager Miller:** I think that is a more than reasonable condition dependent upon floor space that we would
223 recalculate once the floor space was decided between customer space and staff space; then we would revisit the
224 number.

225 **Commissioner Dammeyer:** That would work as long as we have the agreement that we recalculate it at that time.
226 **Manager Miller:** That is reasonable.

227 **Mayor Pro Tempore White:** If he recalculates it and it goes down and conforms to 19 spaces, we can't then
228 stipulate that he also do satellite parking. It is one or the other, right?

229 **Manager Miller:** Right.

230 **Mayor Pro Tempore White:** Either he reduces the floor plan to get to the 19 spaces or he goes with the greater
231 space and agrees to secure satellite parking. It is either/or. He can do either one as he comes through this process
232 which allows him some flexibility as he takes (inaudible) of his building to see what he may or may not need to do
233 with that because we all know when you get into renovations, you are going to find things that you did not know
234 about. He could require an additional air conditioning unit that could require him to take away space to put it in
235 there or a bathroom needs to be larger than it does.

236 **Manager Miller:** The only other issue that I have, Madam Mayor, is that this application was submitted prior to
237 Hurricane Florence, shortly after we approved signing on to the Pamlico County Flood Prevention Ordinance, so
238 again, it goes back to the building inspector as to whether or not the building can be used as is or substantial
239 renovations to get it out of flood status. I don't know what would be required. I know some buildings are buildings
240 are being raised and some buildings – obviously this building would not be able to be raised – but there is an option
241 with the high ceilings to fill in the floor and come up to avoid the recurrent, perpetual flooding at that particular
242 corner. Again, it would go back to the building inspector and his recommendations according to the....it is a brand
243 new ordinance that we just recently signed on to and it helps us prevent people from putting themselves in a
244 position. Dr. Aeschleman, is there something else that I have missed?

245 **Dr. Stan Aeschleman – Planning Board Chair:** No, I think that you have got it now, thank you.

246 **Mayor Belangia:** Do we have a Motion?

247

248 **Mayor Pro Tempore White** made a **MOTION** to open the Public Hearing. Seconded by **Commissioner**
249 **Dammeyer.** Motion passed 5-0.

250

251 **Manager Miller:** Anybody who wants to testify needs to be sworn in and Mr. Jones, if you intend to speak, any of
252 you or your crew, needs to be sworn in.

253 **Unknown:** First of all, I just want to say thank you.

254 **Manager Miller:** Left hand down, right hand up. Do you swear or affirm that the evidence that you shall give to the
255 Board in this action shall be the truth, the whole truth, and nothing but the truth so help you God.

256 **All:** Yes, I do.

257 **Manager Miller:** When you speak, please give us your name and address so that we can make sure it is in the
258 minutes.

259 **Patty Rosencrantz – 602 Hodges Street:** My name is Patty Rosencrantz and I live at 602 Hodges Street which is
260 right behind the Steamer. This drawing of the parking lot seems to omit one major thing, which is if this is going to
261 be a restaurant, it requires a dumpster. There is no space on here for a dumpster. Currently, there is a concrete pad
262 that takes up about a parking space and a half for a dumpster and the way the trucks come in, they have to come in
263 either through here (demonstrating on diagram) or usually, they came in this way through what I'll call the alley,
264 because it is the only way they can tip it up. Dumpsters along here are not feasible. This area can take recycling bins
265 but it cannot take the full-sized dumpster which is what a real restaurant will require. As far as evidence, I don't
266 know if firsthand, visual knowledge counts, but I do know that when Jeff first opened the Steamer, he did have
267 parking blocks. Nobody paid attention to them. They parked any way they wanted to. Along here, we have had our
268 fence bashed in from people parking, people coming out here, drunks. We have had our mailbox smashed twice. I
269 would ask if you permit this to go through, that there is no way that back porch can ever be replaced. We lived in
270 vocal hell for a year and a half, the noise that was coming out of there. There was people screaming, fights. I was

271 watching drug dealing going on in the parking lot. So yes, I am very worried about this becoming nothing more than
272 a glorified bar. He says restaurant, I hope you mean it. I do not want this being just a lounge. Thank you.

273 **Mayor Belangia:** Thank you.

274 **Kathy (inaudible):** My name is Kathy (inaudible). I am from New Bern. We understand the problem that was
275 brought to our attention, the issues that were going on with the previous bar. I assure you, that is not the type of
276 clientele that we want to bring. We want to bring a more family oriental place. If that is going to be an issue, maybe
277 we can work on maybe putting up a fence or something or working something out with the parking. We plan on
278 having a very nice establishment and just having something (inaudible) for the community whether it be poetry or
279 art. It is not going to be that typical type of bar. We want to have all different types of music from karaoke to local
280 artists. That is the type of establishment that we want to see as well. We want to bring something good to the
281 community, something fun for the people, something good for people to get together and enjoy and have a good
282 time. We don't want the hootin' and hollerin' and wild things. If people get out of control, that is something that
283 sometimes may or may not happen but that is not the type of establishment that we chose to present to you – the
284 people here in Oriental. We understand the history of the previous establishment and everything (inaudible). We
285 plan to be a neighborhood-oriented establishment and respect the traditions and values of the community and its
286 residents and the expectations of who will visit Oriental. Our lounge will have exceptional style and design while
287 providing a level of comfort that will appeal to a more affluent customer base where there will be jazz, poetry, live
288 entertainment offering both Eastern Carolina favorites to local talents. We just want to have somewhere fun for
289 people to go and do (inaudible), maybe to go out to the movies or just to go out and eat and go home, have a little
290 music, have a little fun. We are not trying to be some rowdy kind of place or anything like that.

291 **Patty Rosencrantz:** I am still hearing bar or lounge vs. restaurant.

292 **Kathy (inaudible):** Absolutely we are going to be serving food. We are not going to be a restaurant, typical, where
293 you get a full course meal but just casual, comfort food – wings to oysters, steamers, clams, something a little bit for
294 everybody but we are not going to have a full major menu. It's not going to be just a restaurant. We do enjoy having
295 some local jazz bands and some poetry nights, maybe having an art night. I know there are a lot of places around
296 that do art walks. We would like to be present for that as well. If the local fisherman, local people that come and
297 visit Oriental, we want them to have a nice place to go and have a good time instead of just having a place to eat and
298 then go back to hotel rooms and sit there, just have something fun to do, maybe dance, have a little karaoke night,
299 something fun to do. As far as I know, in the entire area, there is really not a whole lot to do so I figured it would be
300 something fun for the community to do something, maybe even a little dart league or something, just something fun
301 for the community. I think a lot of people will enjoy it. We spoke to many, many people in the area and even as far
302 as New Bern that are looking for something fun to do outside of New Bern but don't have anywhere else to go. They
303 don't want to drive to Jacksonville because it's more military base. They want something more on an upscale based
304 atmosphere.

305 **Mayor Belangia:** Thank you. Alright, are you guys ready to go through the questions?

306 **Commissioner Overcash:** Do you want her to (inaudible) the permission to include your concerns?

307 **Manager Miller:** Do you have anybody else that needs to comment before you close?

308 **Mayor Belangia:** Any other comments?

309 **Unknown:** Was there going to be an SUP on Midyette Street?

310 **Mayor Belangia:** That is one of the next items. Do I have a MOTION to close the Public Hearing?

311
312 **Commissioner Overcash** made a **MOTION** to close the Public Hearing. Seconded by **Commissioner Dammeyer**.
313 Motion passed 5-0.

314
315 The Commissioners moved on to the questions. Mayor Pro Tempore White requested instead of making a Motion
316 after each question, if he could take notes on each of the seven items and make one Motion at the end. All were in
317 agreement. Mayor Belangia asked the Commissioners if they had an opportunity to look at the Planning Board's
318 recommendations and they had.

319
320 The Town Commissioners shall issue the requested permit unless:

- 321
322 1. The permit is not within its jurisdiction. Property is within the jurisdiction of the Town of Oriental. Public
323 has no comment. Commissioners have no comment.
324 2. The application is incomplete. The application has been deemed complete by the Land Use Administrator
325 and Planning Board. Public has no comment. Commissioner Dammeyer commented that they find the

326 application is complete with the understanding that the parking space issue will be modified based on the
327 dining floor space and there will not be a deck on the back unless there is an adjustment with regard to that.
328 Mayor Pro Tempore White stated, based on the earlier comments, they are to either reduce the floor space
329 to comply with parking OR secure satellite parking and feels the application is complete with the
330 following: Reduce floor space to accommodate parking or secure satellite parking.
331 3. If completed as proposed, does any of the public have any evidence to offer concerning compliance with
332 the GMO. No public comment. Mayor Pro Tempore White stated since it has been a bar/restaurant since at
333 least 2000; it complies with what is currently in the GMO.
334 4. Will it materially endanger public health or safety. No public comment. Manager Miller states they Board
335 may want to add that there is no provision for placement of trash or recycling receptacles that will need to
336 be added. Commissioner Dammeyer added that this should be part of the parking space issue as they may
337 have to use some of the spaces for the trash dumpster. Mayor Pro Tempore White stated that the rear deck
338 needs to be moved and the building needs to comply with current building standards for the public safety.
339 5. If completed as proposed, will substantially injure the value of adjoining or abutting properties. No public
340 comment. No Commissioner comments.
341 6. If completed as proposed, will not be in harmony with existing uses in the area. No public comment. No
342 Commissioner comments.
343 7. Is not in conformity with existing plans. No public comment. Manager Miller stated it may or may not be
344 compliant with the Flood Prevention Ordinance that was recently adopted. That would something we would
345 refer to the building inspector. Commissioner Simmons wanted to confirm that these things will be
346 stipulated in the application – the dumpster – which may change the parking, the inspections, etc. Manager
347 Miller stated the stipulations will be noted as conditions on the granting of the SUP.
348

349 **Mayor Pro Tempore White** made a **MOTION** to the following:

- 350 1. The application is permitted within the Town's jurisdiction.
- 351 2. The application is complete under the following conditions:
 - 352 a. It must reduce the floor space to comply with the existing parking or secure satellite parking and must
353 accommodate a dumpster or trash receptacles.
 - 354 3. The application does comply with the current existing GMO.
 - 355 4. The application will not endanger public safety.
 - 356 b. No evidence was submitted here or during the Planning Board meeting on October 17. We also know
357 that the rear deck must be removed and the applicant must comply with existing building code and
358 inspectors recommendations.
 - 359 5. The application will not substantially injure adjoining property values and no evidence was presented to
360 that effect either here or at the Planning Board meeting on October 17.
 - 361 6. The application is in harmony with existing developments.
 - 362 7. Conforms with existing Land Use Permits as well as other plans that have been officially adopted by the
363 Town with the exception that we need to review to be sure it complies with the newly issued Flood
364 Prevention Ordinance that was passed.

365
366 With those conditions, the Board recommends that the application be granted. **MOTION** seconded by
367 **Commissioner Dammeyer. Commissioner Simmons** inquired if there has been no evidence presented and
368 Planning Board has already reviewed this and the Public Hearing is complete, the Board approves this because there
369 is no reason not to. **Manager Miller** stated the Board is required by State Statute to approve the SUP unless
370 evidence is presented. Motion passed 5-0.
371

372 Mr. Lamont Jones spoke to room stating is it a privilege for he and his team to come to Oriental. Addressing Mrs.
373 Rosencrantz, he stated he noticed her home and has been concerned about how close she is to the establishment and
374 assured her she will not have a problem. He also added that he is in search of a baby grand piano if anyone knows
375 where he can find one.
376

377 **5. Signs (Update):**

378 Manager Miller stated the Town Board referred to the Planning Board the issue about temporary signage, in
379 particular signs made from the same material as political temporary signs, to look at our restrictions. Are they
380 enough or should they be restricted further. At their October 17 meeting, Planning Board deferred action to give

381 their members the opportunity to research further and come back with a more informed opinion at the next meeting.
382 If changes need to be made, a request will be forwarded to the Town Board at their December meeting to schedule a
383 Public Hearing, as it is part of the GMO. Mayor Pro Tempore White addressed Planning Board Chair Dr.
384 Aeschleman, Member Martin Barrow has been designated to lead the discussion on the Ordinance and is the point of
385 contact.
386

387 **6. Request for Public Hearing for SUP for Short Term Rental (Alison) (Tab 3):**

388 Manager Miller stated there is a short-term rental request for 807 Midyette Street, in R3 zone, by Mr. John Alison.
389 Planning Board requests that a Public Hearing be scheduled for January. Planning Board will formulate a
390 recommendation at their November 19 meeting and forward it to the Board for use in that hearing. This property is a
391 second home and the owner would like to make it available for short-term rentals when the owners are away. This is
392 not a complete change of use, only when they are not there. There is no police record on this residence.
393

394 **Commissioner Simmons** made a **MOTION** to schedule the Public Hearing on January 8, 2019 at 7pm. Seconded
395 by **Mayor Pro Tempore White**. Motion passed 5-0.
396

397 **7. Annual Closing Resolution Adjustment: (Tab 4)**

398 Manager Miller referred to a discussion following presentation by Sam Myers to move the Boat Show venue in the
399 spring. This has been changed to Hodges Street. The Boat Show was not on the previous Closing Resolution. It has
400 been added with the new venue and can be changed in the future if needed. The last line of the Resolution gives the
401 Board the right to cancel any granted closures or events for public streets upon issuance of a hurricane watch or
402 tropical storm warning. Mayor Pro Tempore White proposed two small changes to add the occurrence of severe
403 weather warnings. He would also like to add “The Town Manager, at their discretion, may alter the above with
404 minor changes but significant changes should be referred to the Town Commissioners for approval.” This will allow
405 Manager Miller some discretion to work with this document for minor changes. Manager Miller stated
406 Commissioner Price brought to her attention that during the Ol’ Front Porch Music Festival we were not under a
407 warning as it had passed and wanted to be sure this includes the event and the aftermath of the event so we have the
408 ability to cancel an event in the aftermath of a severe weather event. Mayor Pro Tempore White suggested the
409 addition of “In the occurrence of a severe weather warning or state of emergency.”
410

411 **Mayor Pro Tempore White** made a **MOTION** to allow **Manager Miller** and **Mayor Belangia** to sign the
412 Resolution with the additional changes discussed. Seconded by **Commissioner Price**. Motion passed 5-0.
413

414 **8. Manager’s Report (Tab 5):**

- 415 • Financials are attached.
- 416 • 2015-16 Audit is finished, balanced to the penny. Unrestricted/unreserved is up significantly, 40%. There
417 was a difficult turnover to the new software and as Manager Miller was not confident in the numbers the
418 system was showing, the Town saved more than expected. The following years, as we started to find and
419 fix problems, we were spending more of what was budgeted. This is also the year that Sales & Use Tax
420 started including labor so it almost doubled. We added more personal property – boats, cars, etc. Revenues
421 were higher and we spent less.
- 422 • Flu shot clinic – twice as many as last year. Encourages everyone to get one.
- 423 • Manager Miller will be out of the country on vacation from November 26 – December 18. Deputy Finance
424 Director Tammy Cox will be in charge. Any issues will go through her. Manager Miller is requesting a
425 Resolution stating in her absence, Ms. Cox is authorized to sign. If there is a significant problem, she will
426 find a way to either postpone or contact Manager Miller.
- 427 • There is a vehicle delivery upcoming. There was a delay as the color we ordered was discontinued.
- 428 • The transfer of the land at Whittaker Pointe is complete. We were also awarded a DEQ grant in the amount
429 of \$200,000 and are up to \$1,200,000 and have a \$450,000 additional grant pending with Fish and Wildlife.
430 All of this should get us the entire project.
- 431 • Speed limit signs: Mr. John Barrow is checking with DOT. The storm put this off.
- 432 • Construction on Hwy 55: Prior to the milling and grinding, they are required by statute to make the curbed
433 sidewalks ADA compliant.
- 434 • Board of Adjustment may have a zoning request coming in. A resident has discussed requesting a zoning
435 change with Manager Miller. She explained the process to him.

436 **Commissioner Price** made a **MOTION** to authorize Tammy Cox to execute documents necessary in place of
437 Manager Miller for the period of time from November 26 through December 18. Seconded by **Commissioner**
438 **Overcash**. Motion passed 5-0.

439
440 **9. Police Report (Tab 6):**

441 Officer Nic Blayne presented the Police Report. He made reference to an earlier comment regarding sand missing
442 from the beach and has seen bottles showing up that say "Official Hurricane Florence Sand." He is looking into this.
443 There were a few events in Town - Halloween, Ol' Front Porch Music Festival. There were several check points,
444 which account for the alcohol related reports. All is all, went well.

445
446 **10. Committee Reports (Tab 7)**

- 447 a. Harbor Waterfronts 8/9/18
- 448 b. Harbor Waterfronts 5/24/18
- 449 c. Bay River Metropolitan Sewer District 10/18/18

450
451 **11. Commissioners' Comments**

452 Mayor Pro Tempore White stated he received a letter, prior to the hurricane, from Lou and Lucy Athey (Inn at
453 Oriental) concerned about the noise from the siren. He contacted Chris Murray (Fire and Emergency Management
454 Coordinator). The Athey's would like to silence the siren. Mr. Murray said he is required by State law to have two
455 forms of communication to contact his firefighters and EMTs. There are 30 EMT and/or firefighters associated with
456 the Southeast Pamlico Fire District we are part of. They currently use cell phones and sirens. There are two-way
457 pagers at a cost of \$600 per pager and they do not have the budget for these devices. They may break it up and by a
458 few each year. The issue with this is that they may be phased out and newer models come in before the purchase is
459 completed so the siren is here to stay. Mayor Pro Tempore White stated, for a liability issue, he does not believe the
460 Town telling the fire department to get rid of the siren that they require. If the fire department says it is okay, we will
461 remove it but we should not be the ones to tell the fire department to remove it. After referring this information back
462 to the Athey's, he received another letter stating they will follow up with the other Commissioners as well so they
463 may receive some requests. Mayor Pro Tempore White intends to speak with the Athey's again to follow up. There
464 was a plan at one point to move it, under a previous Town Manager, but was met with resistance from the fire
465 department, as the intended location was not appropriate. The severity of the call determines how many times the
466 alarm goes off. Commissioner Overcash also raised the fact that if we limit the amount of ways to get in touch with
467 our firefighters and EMTs, this can raise insurance rates. Mayor Pro Tempore White also met with Sam Myers
468 regarding the Oriental In-Water Boat Show. One of the vendors trying to come to the show is called EZ Docks who
469 make floating dock sections, 8-10 feet long. Town has discussed for quite some time to extend the dinghy dock and
470 mentioned to Sam Myers that the Town could potentially acquire used docks from them at a reduced rate. Mayor
471 Pro Tempore White has seen them firsthand at camp and states they are durable. Town also discussed purchasing a
472 floating dock to be used for sailing venues where they could be towed out into the river and anchored.

473
474 Manager Miller also added that Daniel Early from our Public Works department had completed C-Distribution and
475 Shoring school, certificates are attached, and finished C-Well at the top of his class. Public Works Director Andrew
476 Cox had surgery today, went well. Tammy Cox added that Daniel Early will sit in February for his State Exam
477 portion.

478
479 **12. POTENTIAL Closed Session: The Board will go into Closed Session for personnel matters according to**
480 **N.C.G.S. 143-318.11 (a) (6)** for personnel matters.

481 **Mayor Pro Tempore White** made a **MOTION** to go into Closed Session according to N.C.G.S. 143-318.11 (a) (6)
482 for personnel matters. Seconded by **Commissioner Overcash**. Motion passed 5-0.

483
484 **Mayor Pro Tempore White** made a **MOTION** to return from Closed Session. Seconded by **Commissioner**
485 **Simmons**. Motion passed 5-0.

486
487 **13. Adjourn:** Next meeting scheduled as December 4, 2018, 7pm at Town Hall.

488
489 **Commissioner Simmons** made a **MOTION** to adjourn. Seconded by **Commissioner Overcash**. Motion passed 5-
490 0.

491 Meeting adjourned at 8:38pm.

492

493

494

495 _____
Sally Belangia, Mayor

_____ Diane H. Miller, Town Manager/Clerk

496

497

498

499 Approved _____, 2018 _____