Tab 3

ORIENTAL TOWN BOARD RETREAT
Friday, March 24, 2017 at 8am
507 Church Street, Oriental, NC
Mayor Sally Belangia Officiating

The Town of Oriental Town Board Retreat was held on Friday, March 24, 2017 was called to order at 8:37am. The Mayor Sally Belangia determined a quorum to be present and the meeting was called to order with the Pledge of Allegiance.

Present: Mayor Belangia, Commissioner Overcash, Commissioner Price, Commissioner Venturi, Town Manager Miller and Members of the Public. Commissioners White and Winfrey were absent.

Commissioner Overcash made a **MOTION** to go into emergency closed session meeting pursuant to Statute 143-318.11(a)(6) for personnel andfor an emergency meeting 143-318.12(a)(3) per North CarolinaStatue for emergency meetings, seconded by **Commissioner Price**.

Public Comment Period: No public comment.

Manager Miller started the meeting with the schedule. Auxilliary boards in the morning. Reappointment Debra Khouri reappointment to Bay River MSD. Updated/amended audit contract. Andrew Cox/Public Works and Water. Capital improvement plan. Adjourn for lunch. Police report. Look at Budget. Discussed purpose of Retreat and ground rules, planning, accomplishments, personnel.

Recent accomplishments: Dock walkway/landscaping, ordinance and GMO updates, water plant upgrades, change filter media. Services: Green waste dumpster. Changing over to green sand a huge help in quality of water. Personnel evaluations: New system of evaluating, goes over strengths/weaknesses, rewarded with bonus at end of year rather than 2% over the year. Tree removal, recreation equipment, Christmas decorations and wiring for those. Two rotten poles were removed, rewired. Poles going down Hodges rewired to support new decorations. Damage to some of them by large vehicles on Broad St., will be replaced by lower profile decorations. Video surveillance at Town Hall, Water Plant (recommended by Homeland Security) and TD 2.Internet being beamed to WP and public docks. Dump truck damaged by tree removal, rebuild cost approximately $6-8000. Drainage work continues; part of cost should be reimbursed by FEMA. (Duck pond, M &Ms, South Avenue, Tosto) Hurricane recovery was relatively quick, FEMA reimbursement. Fishwrapper was well received, currently at printer.

Presentations by volunteer Boards:

Tree Board: Dr. Bob Miller discussed functions and benefits of trees and parks, attractiveness. Presented members in attendance. 1,294 trees managed by Tree Board, 3-year pruning cycle with town divided into three areas. Large tree pruning and removal is contracted out. Benefits of

moving forward, upcoming meeting with the County. Board currently needs two members from the Town. Hosting a Regatta next weekend, another high school regatta the weekend of the boat show.Discussed logistics of getting sailors on and off the boats.

Regular Business:

Commissioner Venturi made a **MOTION** to reappointDebra Khouri as our Bay River Metropolitan Sewer District representative,seconded by **Commissioner White**. Motion passed 4-0.

Commissioner Overcash made a **MOTION** to approve the updated/amended Audit Contract,secondedby **Commissioner Price**. Motion passed 4-0.

Commissioner Overcash made a **MOTION** to reappoint Mike Steere to Water Advisory Board, secondedby **Commissioner White**. Motion passed 4-0.

Roads: Continuing to deteriorate, patch holding up well at quarter of cost than paving. Andrew Cox, Public Works Director, stated we have one pallet left out of three. Option of a road tax - $5-$15 per vehicle road tax, municipalities of our size.Microsurfacing: Slurry seal, sealant mixed with gravel, clean off gravel about a month later which extends life of road 7-10 years. Dolphin Road and Neuse Drive in most need of repair. Subject to shifting coastal soils under roads. Bonds discussed, requires approval by local government, detailed and long process. We would need to start now to have in place for July 2018. Powell can be used but if funds change, still required to pay. Will have Anderson Paving give estimates. Commissioner White believes we need estimates to figure what we are looking at. Mgr. Miller believes this will be a multi-year event.

Alcohol at Town Hall: Polled other towns on Listserv, fairly evenly split who allows and who does not. Requires deposit, limited hours, insurance policy from renter, beer and wine only, nothing can be sold – ticketed event. Manager Miller has spoken with our attorney, draft ordinances to change ordinances to allow, insurance policy naming Town as an also insured; she also was to call NC League of Municipalities – affected by the fire in Raleigh, could not call the appropriate offices at this time. Commissioner Overcash stated that Greenville recently instituted something similar. Commissioner White asked how many requests we have had. Manager Miller responded two organizations and a few individuals have inquired. Commissioner Whitespoke to an insurance agent, would need additional insurance which would need to specifically include alcohol and that even though it covers liability, they could still sue for consequential damages. Commissioner White stated that he would like to see a policy in place before they vote on the matter. Manager Miller stated we would need to have a workshop to discuss, have policies in place before Ordinance is changed. Building is frequently used, pleased about that. We would need clean up done after hours, police or Town member to check in after event, lock up, etc. Commissioner White stated we cannot set the budget and then add more items after the fact. Include sub-committees in workshop. (To possibly include Commissioner Venturi, Carol Mabe, Marsha Paplham, Eric Dammeyer and Commissioners Overcash or White). Commissioner Overcash added we could possibly reach out to Greenville to see their new rules and regulations.

Town of Oriental
Town Board Meeting Minutes
March 7, 2017

The Town Board of Oriental Town Board Meeting on Tuesday, March 7, 2016 was called to order at 7:00pm. The Mayor Sally Belangia determined a quorum to be present, she said we have a Public Comment period. If you wish to speak, please make sure you are signed up on the sheet. We will call the meeting to order with the Pledge of Allegiance.

Present: Mayor Belangia, Commissioner Overcash, Commissioner White, Mayor Pro Tempore Venturi, Commissioner Price, Commissioner Winfrey, Town Manager Miller, Chief Dwaine Moore and Members of the Public.

1. Approval of Agenda

(a) **Mayor Belangia** asked that Number 8 be removed from the agenda as Major Scott Houston from Pamlico County Sheriff's Office was unable to attend. **Commissioner Overcash** made a **MOTION** to approve the Agenda as stated by Mayor Belangia, seconded by **Commissioner Winfrey**. Motion passed 5-0.

2. Consent Agenda:

(a) Consider approval of Town Board Meeting Minutes from February 2, 2017
(b) Consider approval of Town Board Special Meeting Minutes from February 16, 2017.

Commissioner Winfrey made a **MOTION** to approve the Consent Agenda, seconded by **Commissioner Price**. Motion passed 5-0.

3. Public Comment Period: Mayor Belangia asks that if anyone would like to speak. Limit comments to 3 minutes and comments to full board not individual.

Grace Evans – Ms. Evans asked if we have received reports from Bay River Metropolitan Sewer District since the volunteer receives $100 per meeting, she feels that we should receive more reports. Manager Miller stated that we normally receive reports regularly, but did not receive one this month.

Melinda Penkava – Regarding the issue of the revision of the Fulcher project. In looking over the SUP that was signed in October, regarding the conditions, she asks what the repercussions will be if the conditions are not followed once the project is in operation. Will the Town pull the SUP? Mayor Belangia stated this will be discussed on the Agenda. Also asks about Section 97 of the GMO, using the permit in a timely manner for building, is the "clock ticking?"Will be addressed.

Larry Summers –Requests to see financials. Manager Miller stated that they were added today as checks were being written and wanted to post the correct numbers.

4. Potential discussion on Alcohol in Town Hall policy.
Manager Miller states that there have been several discussions regarding the policy. There is a draft Ordinance that has been vetted by the attorney. He has looked at the waiver and other questions from the Town. It is up for the Board's discussion and Manager Miller is bringing it to public light. The draft is available if they choose to use it.

Commissioner Price made a **MOTION** to defer this until the March 24 Retreat, seconded by **Commissioner Overcash.** Motion passed 4-1 with **Commissioner Venturi** opposed.

5. Request from Sea Harbour to be administrative party to grant funded project.
Sea Harbour has forwarded a Resolution requesting the Board to allow the Town to be the administrator of a grant if funded by the state, as was requested by the Friends of Whittaker Harbour. The Town will not be obligated to pay

AN ORDINANCE TO AMEND SECTION 5 – "DRINKING IN PUBLIC" OF ARTICLE I – "DISORDERLY CONDUCT" OF CHAPTER H – "DISORDERLY CONDUCT AND PUBLIC NUISANCES" OF THE CODE OF ORDINANCES OF THE TOWN OF ORIENTAL

THAT WHEREAS, the Board of Commissioners of the Town of Oriental deems it advisable and in the public interest to effect said revisions to Chapter H of the General Ordinances of the Town of Oriental.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF ORIENTAL:

SECTION 1. That Section 5 - "Drinking in Public" of Article I - "Disorderly Conduct" of Chapter H - "Disorderly Conduct and Public Nuisances" of the Code of Ordinances of the Town of Oriental be and the same is hereby amended by deleting Section 5 - "Drinking in Public" in its entirety and inserting in its stead the following:

~~**Section 5 – Drinking in Public**~~
~~No person shall consume, serve, or drink wine, beer, whisky, or alcoholic beverages of any kind on the public streets, alleys, or in public buildings.~~

"**Section 5 - Consumption and possession of malt beverages and unfortified wine in public places.**

(a) Except as provided in this section, it shall be unlawful for any pedestrian to consume malt beverages or unfortified wine, as defined by Chapter 18B of the North Carolina General Statutes, on any Town street, and it shall be unlawful for any person to possess an open container of malt beverages or unfortified wine on any property owned, occupied, or controlled by the Town. It shall also be unlawful to possess malt beverages and unfortified wine on any street, alley or parking lot which is temporarily closed to regular traffic for a special event. For purposes of this section, an open container is one whose seal has been broken, or a container other than the manufacturer's.

(b) Consumption of malt beverages and unfortified wine, as defined by Chapter 18B of the North Carolina General Statutes, shall be lawful in the interior of Town Hall at special events with the prior approval of the Town Manager in accordance with the Town Hall reservation policies."

State law reference: *G.S.* 18B-300(c).

SECTION 2. This ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS 7th DAY OF March, 2017.

_____

MAYOR

_____

TOWN CLERK

KINSTON, Lenoir County — A celebration to include a ribbon-cutting ceremony will take place after months of preparations and discussions for a new social district in downtown Kinston.

The ceremony will be held on Wednesday, July 3 at 11:00 a.m. at the corner of W. North and N. Queen Street.

Elected officials will begin the event with remarks to commemorate the opening of the new social district.

The district will span an area of six blocks where people can drink alcohol legally in public from 10:00 a.m. to 11:00 p.m. everyday.

The approved areas will be from Queen Street to Mitchell Street and West Gordan Street to E. Peyton Avenue.

KINSTON, Lenoir County — The final steps to create a social district in downtown Kinston are underway.

The Kinston City Council unanimously approved the district at a meeting Tuesday, Apr. 30, 2024.

All that remains now is approval from the ABC Commission.

The district will span an area of six blocks where people can drink alcohol legally in public.

Kinston City Planner Elizabeth Blount said the district would come with a few regulations.

You can only do this during the hours we have designated which are going to be Monday through Sunday from 10 a.m. to 11 p.m.," Blount said. "There are boundaries, you have to remain in the social district boundaries, in addition to that, your beverage has to be in a designated cup which we have a logo for and the time it was sold to you and who sold it to you."

Director of Downtown Kinston Revitalization Leon Steele said the city has worked with law enforcement, citizens and the businesses in the upcoming social district.

"They've been to our meetings, we've talked to them and they're supportive of it," Steele said.

While there has been a largely positive reaction to the upcoming social district, Blount said it hasn't come with concerns from people living in the city.

"People think participants may overindulge, there may be more crime because of the alcohol inducing the boldness in people they may not have had otherwise, but there has been no proof," Steele said.

The district is scheduled to be operational July 3, pending the ABC Commission approval.

Permit Division

Permit Division Home

Permittee Search & Reports

Retail Permits

Commercial Permits

One-Time Permits

Frequently Asked Questions

Locate a permittee (Permittee Search)

How do I apply for a permit?

How do I find a store near me?

How to apply for a job at an ABC store?

What sales are allowed in my area?

How do I open an ABC Store?

One-Time Permits

Limited Special Occasion Permit

A limited special occasion permit authorizes the permittee to bring fortified wine and spirituous liquor onto the premises of a business, with the permission of the owner of that property, and to serve those alcoholic beverages to the permittee's guests at a **reception, wedding, party or other special occasion** being held there. The permit may be issued to any individual other than the owner or possessor of the premises. An applicant for a limited special occasion permit shall have the written permission of the owner or possessor of the property on which the special occasion is to be held. Complete an Application for Limited Special Occasion Permit and submit with the $50 fee.

Apply for a Limited Special Occasion permit

Special One-Time Permits

The Commission may authorize the issuance of a special one-time permit for certain functions or activities as described below. The fee for each permit is $50.00.

1. A permit may be issued to a **nonprofit organization** to allow the retail sale of malt beverages, unfortified wine, fortified wine, or to allow brown bagging, at a single fund-raising event of that organization. A permit for this purpose shall not be issued for the sale of any kind of alcoholic beverage in a jurisdiction where the sale of that alcoholic beverage is unlawful. Complete a Special One-Time Permit Application for Sale of Alcoholic Beverages and submit with the required documentation and the above fee amount.
2. A permit may be issued to a **nonprofit organization or a political organization** to serve wine, malt beverages, and spirituous liquor at a ticketed event held to allow the organization to raise funds. For purposes of this subdivision "nonprofit organization" means an organization that is exempt from taxation under Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(8), 501(c)(10), 501(c)(19), or (501(d) of the Internal Revenue Code or is exempt from similar provisions of the General Statutes as a bona fide nonprofit charitable, civic religious, fraternal, patriotic, or veterans' organization or as a nonprofit volunteer fire department, or as a nonprofit volunteer rescue squad or a bona fide homeowners' or property owners' association. For purposes of this subdivision "political organization" means an organization covered by the provisions of GS 163-96(a)(1) or (2) or a campaign organization established by or for a person who is a candidate who has filed a notice of candidacy, paid the filing fees or filed the required petition, and been certified as a candidate. The issuance of this permit will also allow the issuance of a purchase-transportation permit under GS 18B-403 and 18B-404 and the use for culinary purposes of spirituous liquor lawfully purchased for use in mixed beverages. Complete a Special One-Time Permit Application for Sale of Alcoholic Beverages and submit with the above fee amount.
3. A permit may be issued to a **collector of wine or decorative decanters of spirituous liquor** authorizing that person to bring into the State, transport, or possess as a collector, a greater amount of those alcoholic beverages than is otherwise authorized by this Chapter, or to sell those alcoholic beverages in a manner prescribed by the Commission. Complete a Special One-Time Permit Application and submit with the above fee amount.
4. A permit may be issued to a permittee who is **going out of business** to authorize the sale or other disposition of his alcoholic beverages stock in a manner that would not otherwise be authorized under his permit. Complete a Special One-Time Permit Application and submit with the above fee amount.
5. A permit may be issued to a person who acquires ownership or possession of alcoholic beverages through **bankruptcy, inheritance, foreclosure, judicial sale, or other special occurrence** , and who does not already have a permit authorizing the sale of that kind of alcoholic beverage. The permit may authorize the sale or other disposition of the alcoholic

beverages in a manner prescribed by the Commission. Complete a Special One-Time Permit Application and submit with the above fee amount.

Apply for a Special One-Time permit

Permits under this section are to be issued only for the limited circumstances and not as substitutes for other retail permits. Special one-time permits shall be valid only for the single transaction or the kind of activity specified in the permit and shall be subject to any conditions the Commission may impose as to the time, place and manner of the authorized activity. Denial or revocation of a permit under his section shall not entitle the applicant or permittee to a hearing.

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