

**Town of Oriental – Board of Commissioners Meeting
June 5, 2012**

The Oriental Board of Commissioners met on June 5, 2012 at 7:00pm

Present: Mayor Sage and Commissioners Summers, Venturi, Johnson, and Styron.
Town Manager Maxbauer
Town Attorney Davis
Absent: Commissioner Bessette

Mayor Sage established Quorum and led the meeting with the Pledge of Allegiance.

Agenda Approval: Commissioner Johnson moved to approve agenda with the exception of removing item L from the consent agenda, seconded by Commissioner Summers; passing with vote of 4-0.

Motion: Commissioner Johnson moved to approve the reappointment of Jim Edwards and Sue Magnuson to the Parks and Recreation Committee, seconded by Commissioner Venturi; passing with vote of 4-0

Guest speaker: Flora Moorman addressed the Board with a request of minimal street closing during the Dragon Boat Race Festival, to be held on August 10-11, 2012. She presents a map detailing the areas she is requesting (attached).

Motion: Commissioner Johnson moved to approve the temporary closing of requested streets for the Dragon Boat Race Festival, seconded by Commissioner Venturi; passing with vote of 4-0

Public Hearing: Mayor Sage opened the public hearing for the Steamer Restaurant and Tavern's request for a special use permit; this allows the establishment to operate *gaming* along with existing permitted services. The process of this Public Hearing was explained to the audience, applicant, and witnesses, read the Planning Boards recommendation of the Special Use Permit, and swore in witnesses that would be giving their testimony and/or presenting evidence.

Town Manager Maxbauer verified the application for the Special Use Permit was complete.

Witness Testimony: Jeff Tomczak, owner of the Steamer Restaurant and Tavern gave his statement regarding his intent with adding gaming to his business and presented the Board with a list of the games. After satisfying inquiries from the Board, he agreed to make some changes to accommodate his neighbors. This included keeping his doors closed during operating hours, allowing no alcoholic beverages outside the building, posting *no loitering* signs on his property, keeping tables inside of building, and no music being played in the Blue Room (this is the designated smoking area for patrons that is screened in, but does not have a sound barrier.)

Public Comment for Public Hearing:

Speaker 1: Patty Rosencrantz stated she lives behind the restaurant and has pleasant experiences with the business since the hurricane. She stated she like the atmosphere of the crowd as it is now without changes.

Speaker 2: Tim Rogers stated he resides across the street from the Oriental Steamer and has issues with the disruptive crowd, the noise, and suspicious activities on that property. He stated he believes that the restaurant depreciates property value and is a safety risk.

Motion: Commissioner Summers moved to close Public Hearing, seconded by Commissioner Johnson; passing with vote of 4-0

Motion: Commissioner Summers moved and affirmed each Finding of Fact is in compliance with the Town's special permit application within the GMO, seconded by Commissioner Johnson; passing with vote of 4-0

Motion: I move to issue a Special Use Permit to the Oriental Steamer, with the provisions that the proprietor has agreed to keep the doors closed during operating hours, keeping tables inside of building, posting *no loitering* signs on his property, to post *no alcohol outside of building* signs, and no amplified music in the Blue Room, seconded by Commissioner Johnson; passing with vote of 4-0

The Board issued the Special Use Permit and instructed the Town Manager to record the permit with the Pamlico County Register of Deeds; concluding this agenda item.

Public hearing for LRPC'S – Comprehensive Plan: Dee Sage addressed the Board with a presentation for the public hearing. Each member of the Board was given a packet, which included the suggested changes to the Comprehensive Plan and the LRPC's Vision if approved. She explained that the document is basic so that future modifying would be undemanding.

Mayor Sage explained the cooperative effort that went into constructing the revisions for the Comprehensive Plan.

Motion: Commissioner Summers moved to close the public hearing for the LRPC's Comprehensive Plan, seconded by Commissioner Johnson. passing with vote of 4-0

Motion: Commissioner Summers moved to approve the Comprehensive Plan, seconded by Styron; passing with vote of 4-0

Motion: Commissioner Summers moved to approve the addition of the LRPC's Vision changes as suggested; passing with vote of 4-0

Managers Report: Town Manager Maxbauer addressed the Board with information regarding the Town's financial state of affairs. This included the receipt of an anticipated FEMA payment, which would be applied to the Water Fund. He also projected that a balanced budget would be

prepared for inspection on June 22, 2012, for the Board to consider adoption for coming Fiscal year. Town Manager Maxbauer submitted a proposal for a budget amendment to clear line items that as needed.

Motion: Commissioner Johnson moved to approve the budget amendment of 14,099.69 from line item 58100 to adjust line items 70800, 71000, 71200, and 71300, seconded by Commissioner Venturi; passing with vote of 4-0.

Town Manager brought to the Boards attention that the positions of Deputy Clerk and Police Officer(s) had been advertised. Resumes were received for the Deputy Clerk position and interviewing for the position would begin the next day.

Town Manager Maxbauer alerted the Board and public that Progress Energy would be in Town cleaning the utility right-of-ways.

Police Report: Commissioner Johnson addressed Officer Moore concerning noise disturbances at the Steamer Restaurant. He explained the incidents surrounding the time of occurrences.

Committee/ Boards Reports: Commissioner Venturi made the audience aware of a vacancy for the Parks and Recreation Committee. Commissioner Summers added there was an opening on the Tourism Board as well.

Commissioner Discussion/ Comment Period: Commissioner Summers gave a briefing on the status of the Ferry Toll Program and how the process would carry out. Commissioner Johnson stated he sincerely hopes Officer Moore applied for the advertised position. Commissioner Venturi stated her concerns of operating hours of placing serving alcohol asked that is placed on the June 28, 2012 agenda for the Planning Board to review.

With no further business, Commissioner Venturi moved to adjourn, seconded by Commissioner Johnson; passing with vote of 4-0.

William R. Sage, Mayor

Robert J. Maxbauer, Town Manager

