



**PROPOSED AGENDA
OAK ISLAND TOWN COUNCIL REGULAR MEETING
TUESDAY, DECEMBER 12, 2023 – 6:00 PM
COUNCIL CHAMBERS - OAK ISLAND TOWN HALL**

CALL TO ORDER - Honorable S. Elizabeth White

INVOCATION AND PLEDGE OF ALLEGIANCE - Councilman Blalock

PUBLIC HEARING(S) AND ACTION

PUBLIC HEARING I (AND ACTION): The purpose of the Public Hearing is to conduct a quasi-judicial hearing for a Special Use Permit for a hotel in the Commercial Recreational (CR) zoning district located at 1425 E Beach Dr.

[Application](#)

[Ocean Crest Hotel Schematic](#)

PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

Presentation -- Grand Strand Area Transportation Study

Presentation -- FY 2022-2023 Audit

Presentation -- Old North State League (College Summer Baseball)

ADJUSTMENT/APPROVAL OF THE AGENDA

PUBLIC COMMENT - GENERAL TOPICS & AGENDA ITEMS *Please state your name and address before addressing Council. Observance of the 3-minute time limit for Public Comments as described in Rule 4 (b) and 24 (2) (a) of the Council Rules of Procedure is appreciated. Written comments are also appreciated and should be submitted to the Town Clerk to be recorded in their entirety in the official Minutes. These may be given to the clerk following comments or via e-mail to lstites@oakislandnc.gov.*

COUNCIL REPORTS (MAYOR AND COUNCIL)

I. CONSENT AGENDA

I.1 Approval of Minutes

[110823TownCouncilMinutes](#)

[111423TownCouncilMinutes](#)

[112023TownCouncilMinutes](#)

ITEMS REMOVED FROM CONSENT AGENDA, IF ANY

II. COMMITTEE APPOINTMENTS

II.1 Appointment to the ABC Board (one term ending Dec 2026)

[Charles_Farley](#)

[Ronald_King](#)

[Willie_Williams](#)

II.2 Appointment to the Board of Adjustment (two alternate positions with terms ending March 2026)

[Nancy_McMurray](#)

III. ADMINISTRATIVE REPORTS (TOWN MANAGER AND TOWN ATTORNEY)

Department reports are available on the Town's website at www.OakIslandNC.gov/DEPT

IV. OLD BUSINESS

IV.1 Consideration of a Policy for Processing Code of Ethics Complaints Against Advisory Board and Committee Members

[DRAft_CodeOfEthicsComplaintProcedure](#)

V. NEW BUSINESS

V.1 Swearing in of the Newly Elected Council Members -- Senior Resident Superior Court Judge Jason Disbrow will administer the oath to Terri L. Cartner, Bob Ciullo and Bill Craft

V.2 Selection of a Mayor Pro Tempore for 2024

V.3 Consideration of the 2023 Town Council Meeting Schedule

[2024 Town Council Meeting Dates](#)

V.4 Selection of a Representative to the Cape Fear Council of Governments

VI. CLOSED SESSION to Preserve the Attorney/Client Privilege and to Discuss Potential Land Acquisition Pursuant to N.C.G.S. 143-318.11(a)(3) and (5).

VII. ADJOURN

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT: PUBLIC HEARING I (AND ACTION): The purpose of the Public Hearing is to conduct a quasi-judicial hearing for a Special Use Permit for a hotel in the Commercial Recreational (CR) zoning district located at 1425 E Beach Dr.

DATE: December 6, 2023

DEPARTMENT: Planning

Subject Summary: Background

Kuntal Gandhi has applied for a Special Use Permit for a hotel. The proposed hotel is located at 1425 E. Beach Dr, tax parcels 235PD003 and 235PD00501. The property is zoned Commercial Recreation District (CR), which requires a Special Use Permit be issued for a hotel. The proposed hotel includes 51 rooms and a total of approximately 20,000 square feet.

Commercial development in the area includes the existing Ocean Crest Hotel and Pier as well as the Island Way Restaurant.

The public hearing has been advertised and noticed.

Summary

The Special Use Permit request is a quasi-judicial decision and must be conducted in a way to ensure procedural and substantive due process. Anyone with standing to provide testimony must be sworn in. At a quasi-judicial hearing, the decision makers must be fair and impartial, and must base the decision only on the competent evidence received at the hearing. If anyone has a direct or potential financial interest in this proposed project, then he or she should ask to be recused. All evidence and testimony heard is supposed to be substantive and competent in nature. A simple majority vote is all that is required, and the topic should not be discussed outside of the hearing.

The Town of Oak Island Unified Development Ordinance includes four general standards for considering and approving Special Use Permits:

- (1) does not materially endanger the public health or safety,
- (2) meets all required conditions and specifications,
- (3) will not substantially injure the value of adjoining property, and
- (4) will be in harmony with the area in which it is located and be in general conformity with the comprehensive plan.

The applicant has the burden of presenting sufficient evidence that an application meets the standards of the ordinance. Furthermore, the burden of proof that the Special Use Permit application meets the four standards outlined above rests with the applicant. A Special Use Permit is not transferable from one parcel of land to

another.

The application and applicant's supporting documentation are attached.

See below for the Ordinances governing Town Council Action related to Special Use Permits for the Town.

4.9.3. Town Council Action.

4.9.3.1. The Town Council may, in its review, suggest reasonable conditions to the location, nature, and extent of the proposed use and its relationship to surrounding properties, parking areas, driveways, pedestrian and vehicular circulation systems, screening and landscaping, timing of development, and any other conditions the Town Council may find appropriate. The conditions may include dedication of any rights-of-way or easements for streets, water, sewer, or other public utilities necessary to serve the proposed development.

4.9.3.2. Town Council consideration of special use permits are quasi-judicial decisions approved by a simple majority vote. Quasi-judicial decisions must be conducted in accordance with Section 4.11. For the purposes of this section, vacant positions on the Town Council and members who are disqualified from voting on a quasi-judicial matter shall not be considered "members of the Board" for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

4.9.3.3. Once the application is submitted by the UDO Administrator, the Town Council shall hold a public hearing to consider the application at its next regularly scheduled meeting. A quorum of the Town Council is required for this hearing. Notice of the public hearing shall be as specified in Section 4.3.

4.9.3.4. In approving an application for a special use permit in accordance with the principles, conditions, safeguards, and procedures specified herein, the Town Council may impose reasonable and appropriate conditions and safeguards upon the approval. The petitioner will have a reasonable opportunity to consider and respond to any additional requirements prior to approval or denial by the Town Council. The Town Council shall include in its comments a statement as to the consistency of the application with the Town's currently adopted Comprehensive Plan.

4.9.3.5. The applicant has the burden of producing competent, substantial evidence tending to establish the facts and conditions which subsection 4.9.3.6 below requires.

4.9.3.6. The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

4.9.3.6.1. The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by issuance of the special use permit.

4.9.3.6.2. The use meets all required conditions and specifications.

4.9.3.6.3. The use will not substantially injure the value of adjoining property, or that the use is a public necessity.

4.9.3.6.4. The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity to the land use plan.

4.9.3.7. Conditions and Guarantees. In all cases in which special uses are granted, the Town Council may require guarantees to ensure compliance with the special use permit conditions. The reasons/justification for special conditions must be based on the findings in Section 4.9.3.6. Conditions and safeguards imposed shall not include requirements for which the town does not have authority under statute to regulate. The town must have written consent from the petitioner in order to apply condition(s). Conditions not authorized by applicable law, include, without limitation, taxes, impact fees, building design elements within the scope of G.S. 160D-702 and driveway-related improvements in excess of those allowed in G.S. 136-18(29).

4.9.3.8. The Town Council may not attach additional conditions that modify or alter the specific requirements set forth in this Ordinance unless the development in question presents extraordinary circumstances that justify the variation from the specified requirements.

4.9.3.9. Without limiting the foregoing, the Town Council may attach to a permit a condition limiting the permit to a specified duration.

4.9.3.10. All additional comments or requirements shall be entered on the permit and are enforceable in the same manner and to the same extent as any other applicable requirements of this Ordinance.

4.9.3.11. In the event that a rezoning is sought in conjunction with a special use permit, such deliberation would be legislative in nature and not part of the quasi-judicial process.

Attachments:

[Application](#)

[Ocean Crest Hotel Schematic](#)



RECEIVED
SEP 13 2023
BY: BW

APPLICATION FOR SPECIAL USE

Office Use Only	
Date Rec'd:	_____
Rec'd by:	_____
Amount Paid: \$	_____

Town of Oak Island • 4601 E. Oak Island Drive, Oak Island, NC 28465 • Phone: (910) 201-8001 • Fax: (910) 278-1811

All applications for special use permit must be complete and accompanied by the permit fee of \$500 payable in cash or by check made to the Town of Oak Island. Applicants will not be responsible for any additional cost of public notices. All fees must be paid in full before a permit will be issued and before an application will be submitted for review by the Town Council. Applicants are responsible attending the necessary Town Council meetings where this application will be considered.

In accordance with the Town of Oak Island Code of Ordinances, the purpose of this division is to allow for those uses that have a potential of being incompatible with adjacent land uses. For this reason special consideration shall be given to those uses listed as special uses in the zoning districts as listed in Article 6 of the Unified Development Ordinance.

The reasons for requiring such special considerations involve, among other things, the size of the area required for the development of a use, the effect such uses have on any adjoining land uses and on the health, safety, and general welfare and development of the community as a whole. Approval of a special use permit does not provide a binding precedent to grant other special uses. A special use is not transferable from one parcel of land to another. All special uses must satisfy all standards applicable in the ordinance.

The application must be reviewed by town staff before the application can be placed on the Agenda. Please consider that review time before submitting your application. Applications will not be considered as accepted for review unless all required information is provided. Prior to the date of the review the board shall hold an evidentiary hearing on the special use permit request.

Section A: Property Information

Applicant Name: KUNTAL GANDHI

Project Name/Description: SUN N SAND DBA OCEAN CREST Date: 09/07/23

Property Address: 1417 E BEACH DR, OAK ISLAND State: NC Zip Code: 28465

Phone: 919 264 5791 Fax: _____ Email: KUNTALGANDHI@HOTMAIL.COM

Existing Zoning District: CR

Section C: Special Use Standards

In order to approve a Special Use Permit, the Town Council must hold a hearing and find, based on the evidence presented, that the application adequately satisfies the special use standards identified in Section 4.9 of the Unified Development Ordinance. You are encouraged to attach any documentation supporting how the proposed project satisfies the following standards, including a statement describing separately for each standard in significant detail the facts and arguments you intend to present to the Board during the hearing. The ordinance mandates the following items be met to approve a Special Use Permit as well as any other specific standards to the land use that may apply.

The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

The special use will be in harmony with the existing development and uses within the area in which it is to be located.

The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided. (if applicable)

Will not substantially injure the value of adjoining property or be a public nuisance

The special use shall, in all other respects, conform to all the applicable ordinances.

4.9.3.6. The Town Council shall issue a special use permit if it has evaluated an application through a quasi-judicial process and determined that:

4.9.3.6.1. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.

4.9.3.6.2. The special use will be in harmony with the existing development and uses within the area in which it is to be located.

4.9.3.6.3. The establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

4.9.3.6.4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

4.9.3.6.5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize congestion in the public streets.

4.9.3.6.6. The special use shall, in all other respects, conform to all the applicable regulations of the district in which it is located.

4.9.3.6.7. Public access shall be provided in accordance with the recommendations of the Town's land use plan and access plan or the present amount of public access and public parking as exists within the Town now. If any recommendations are found to conflict, the system requiring the greatest quantity and quality of public access, including parking, shall govern.

4.9.3.6.8. The proposed use will be in conformity with the land use plan, thoroughfare plan, or other plan officially adopted by the Town Council.

Section D: Special Use Standards and Requirements

Each application for a special use must include:

- An application fee of \$500.00 plus in cash or check made payable to the Town of Oak Island.
- A Site/Landscaping Plan Application with required plans containing all required information from the Unified Development Ordinance. (if applicable)
- A notarized letter of authorization if acting as the agent for the property owner(s). copies of an accurate map, site-plan, survey or plat of property showing:
 - Title Box including the project name, applicant name, and address of the property
 - Names of the owners of record for adjacent properties
 - Property lines and dimensions
 - The location and names of all adjacent street rights of way
 - Location, size, zoning designation, and total area of the property
- Directional feature of all parking spaces, driveways, and curb cuts (if applicable)
- Accurate depiction of the project to scale with layout of proposed buildings including the length, width, height, placement, and building envelope with required setbacks. (if applicable)
- A Site/Landscaping Plan Application with required plans containing all required information
 - General location and type of stormwater facilities including preliminary stormwater report indicating pre and post retention (if applicable)
 - Proposed or required buffering and landscaping (if applicable)
 - Proposed phasing of the project (if applicable)
 - Location of service facilities such as dumpsters and any planned screening or treatment to those areas (if applicable)
 - General location of on-site utilities and proposed tie into facilities (if applicable)
 - All existing easements, reservations, or restrictive covenants (if applicable)
 - Copies of a detailed project narrative describing the proposed use, site, and nature of the request
- Any other information deemed necessary by Development Services

Office Use Only

Town Council Hearing Date: _____ Action: _____ Staff: _____



NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:	\$10,000.00
Parcel ID:	235PD00501 & 235PD003 CARY, NC 27519
Mail/Box to:	John E. Cargill Attorney At Law 111 Brooks Avenue, Raleigh NC 27609 GRANTEE AT 2028 MILL GATE LN
Prepared without the review of title by:	Haylee Mitchell, McAngus GoudeLOCK & Courie, PLLC, 1001 Military Cutoff Road, Suite 310, Wilmington, NC 28405 24226.22022Ocm Inc
Brief description for the index:	Lot 3-9, Block 47 Long Beach

Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.

THIS GENERAL WARRANTY DEED ("Deed") is made on the 20th day of JUNE, 20 23, by and between:

GRANTOR	GRANTEE
OCM INC., a North Carolina Corporation 3100 Marsh Grove Lane #3312 Southport, NC 28461	Sun N Sand LLC, a North Carolina Limited Liability Company 1417 E Beach Dr Oak Island, NC 28465

Enter in the appropriate block for each Grantor and Grantee their name, mailing address, and, if appropriate, state of organization and character of entity, e.g. North Carolina or other corporation, LLC, or partnership. Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in the City of Oak Island, Brunswick County, North Carolina and more particularly described as follows (the "Property"):

Being all of Lots 3,4,5,6,7,8, and 9, Block 47, as shown on plat of the Anna Butler Thompson lands recorded in Map Book 2-1/2, Page 139, Brunswick County Registry

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 1360 page 117.

All or a portion of the Property includes or does not include the primary residence of a Grantor.



A map showing the Property is recorded in Plat Book 2-1/2 page 139.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor is seized of the Property in fee simple, Grantor has the right to convey the Property in fee simple, title to the Property is marketable and free and clear of all encumbrances, and Grantor shall warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, Grantor has duly executed this North Carolina General Warranty Deed, if an entity by its duly authorized representative.

Ocm Inc

BY: [Signature]
Walter J. Lorgan III, President

STATE OF NORTH CAROLINA
COUNTY
OF BRUNSWICK

I, a Notary Public, do hereby certify that Walter Lorgan III, as President for OCM Inc., personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and (where an official seal is required by law) official seal.

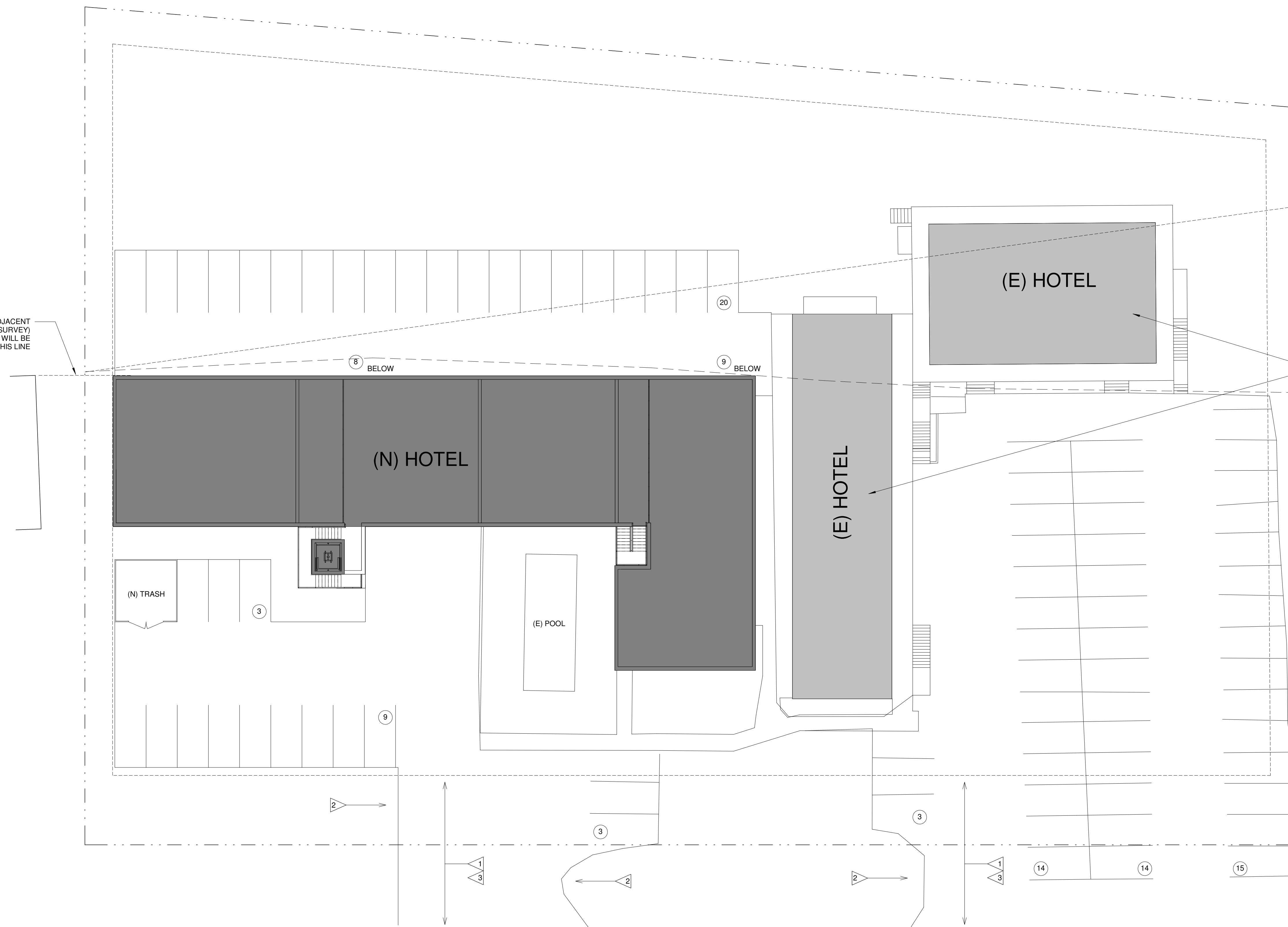
This the 20th day of June, 2023.

[Signature]
Printed Name: Haylee C Mitchell

My Commission Expires: 06-06-2027

HAYLEE C MITCHELL
NOTARY PUBLIC
Brunswick County
North Carolina
My Commission Expires June 6, 2027

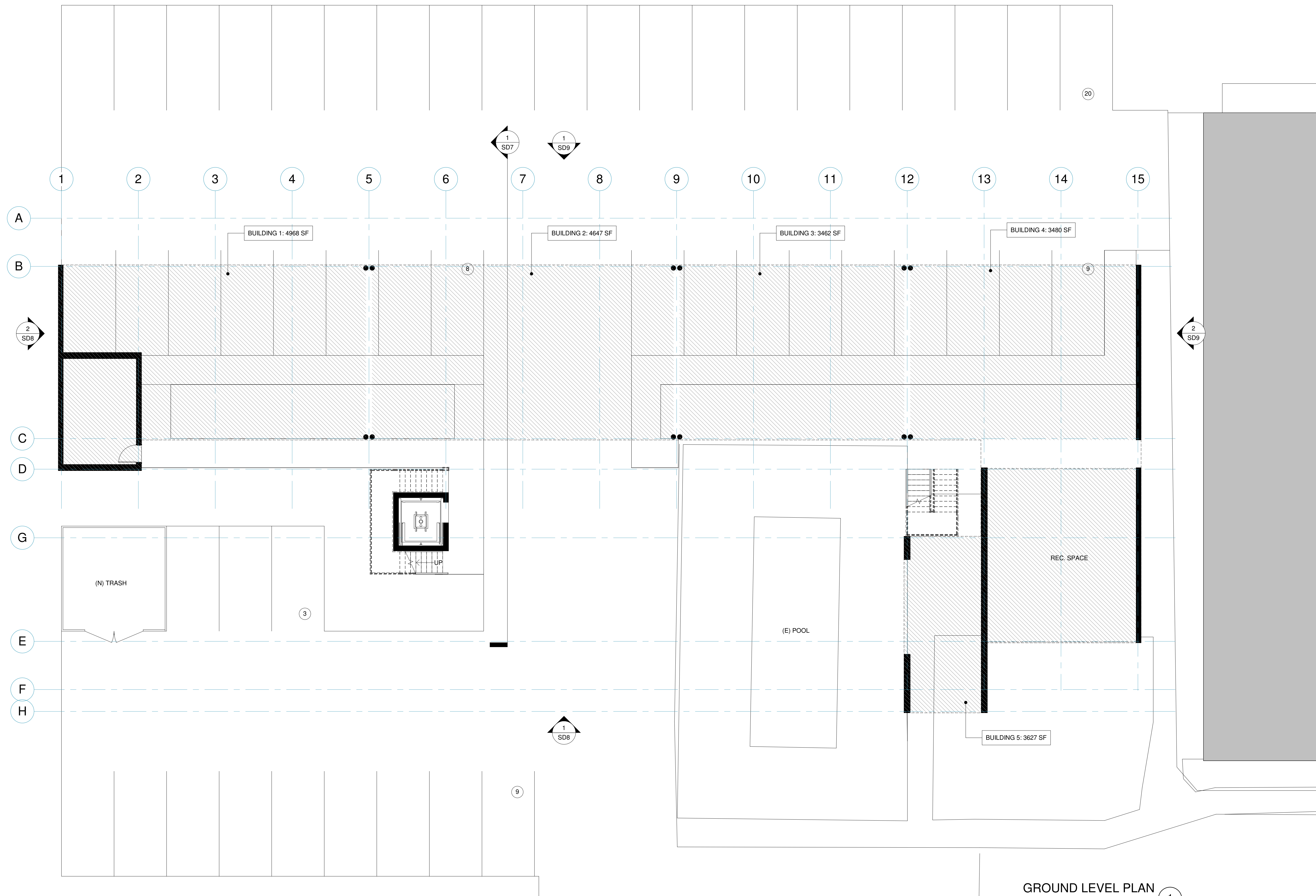
LINE OF MOST LANDWARD ADJACENT HOUSES ROOF LINE (SEE SURVEY)
- ALL NEW CONSTRUCTION WILL BE LOCATED LANDWARD OF THIS LINE



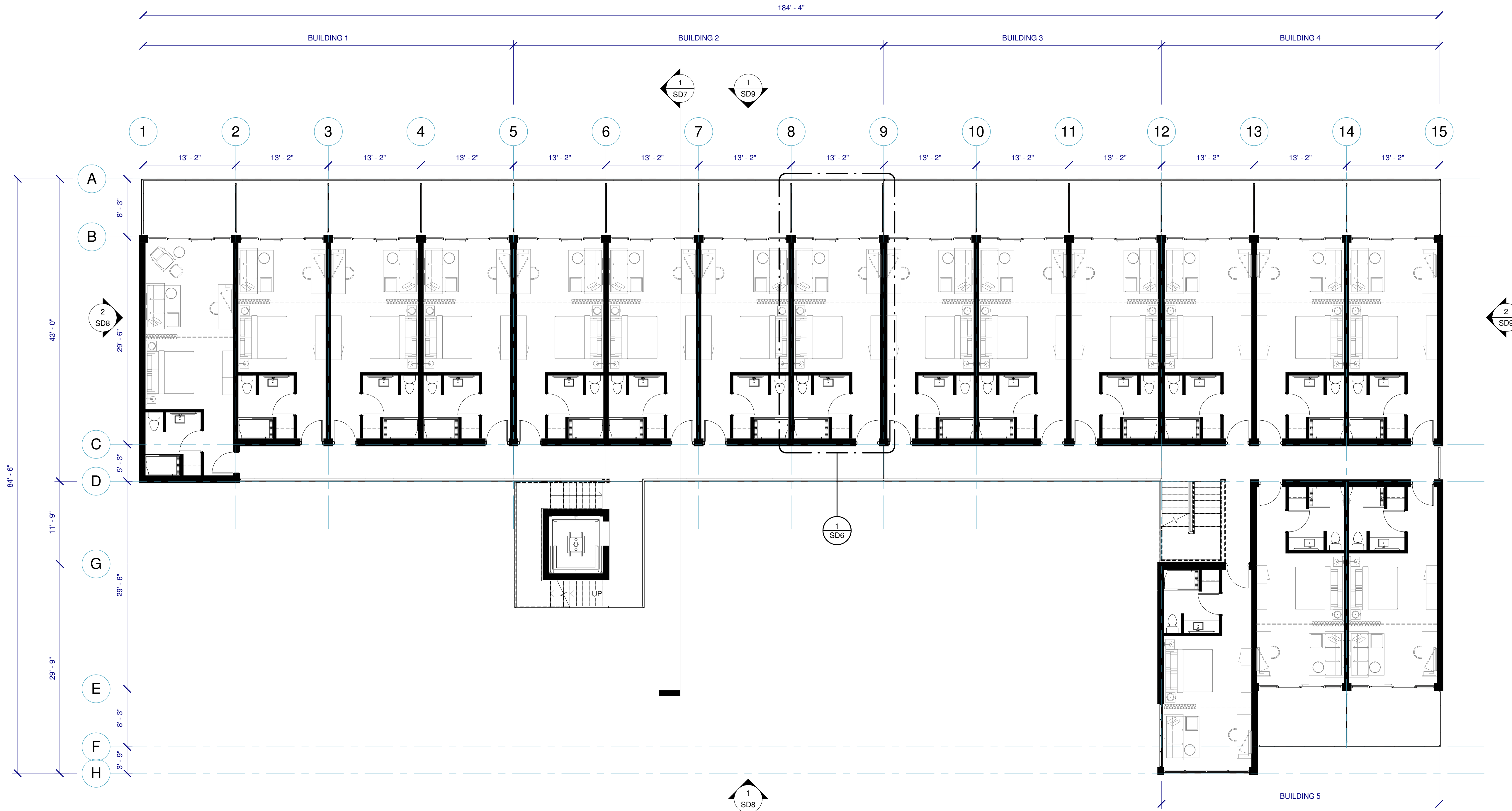
PARKING MATRIX	
EXISTING HOTEL	EXISTING PARKING
42 GUESTROOMS	46 SPACES
NEW HOTEL	NEW PARKING
51 GUESTROOMS	52 SPACES

- NOTES**
- 1 DRIVEWAY CONNECTION TO SR TO HAVE MIN. 2% FALL FROM THE EDGE OF PAVEMENT. GRADE TO DRAIN AWAY FROM THE ROADWAY.
 - 2 NO OBSTRUCTIONS WITHIN THE SIGHT TRIANGLES OF ALL DRIVEWAYS.
 - 3 PROTECT STEM LENGTH OF 100 FT. TO BE DETERMINED / DISCUSSED.
 - 4 AN NCDOT ENCROACHMENT AGREEMENT WILL BE REQUESTED FOR ANY UTILITY CONNECTIONS OR INSTALLATION WITHIN NCDOT RIGHT-OF-WAY. (UTILITIES ARE TO BE DETERMINED)

SITE PLAN 1
1/16" = 1'-0"

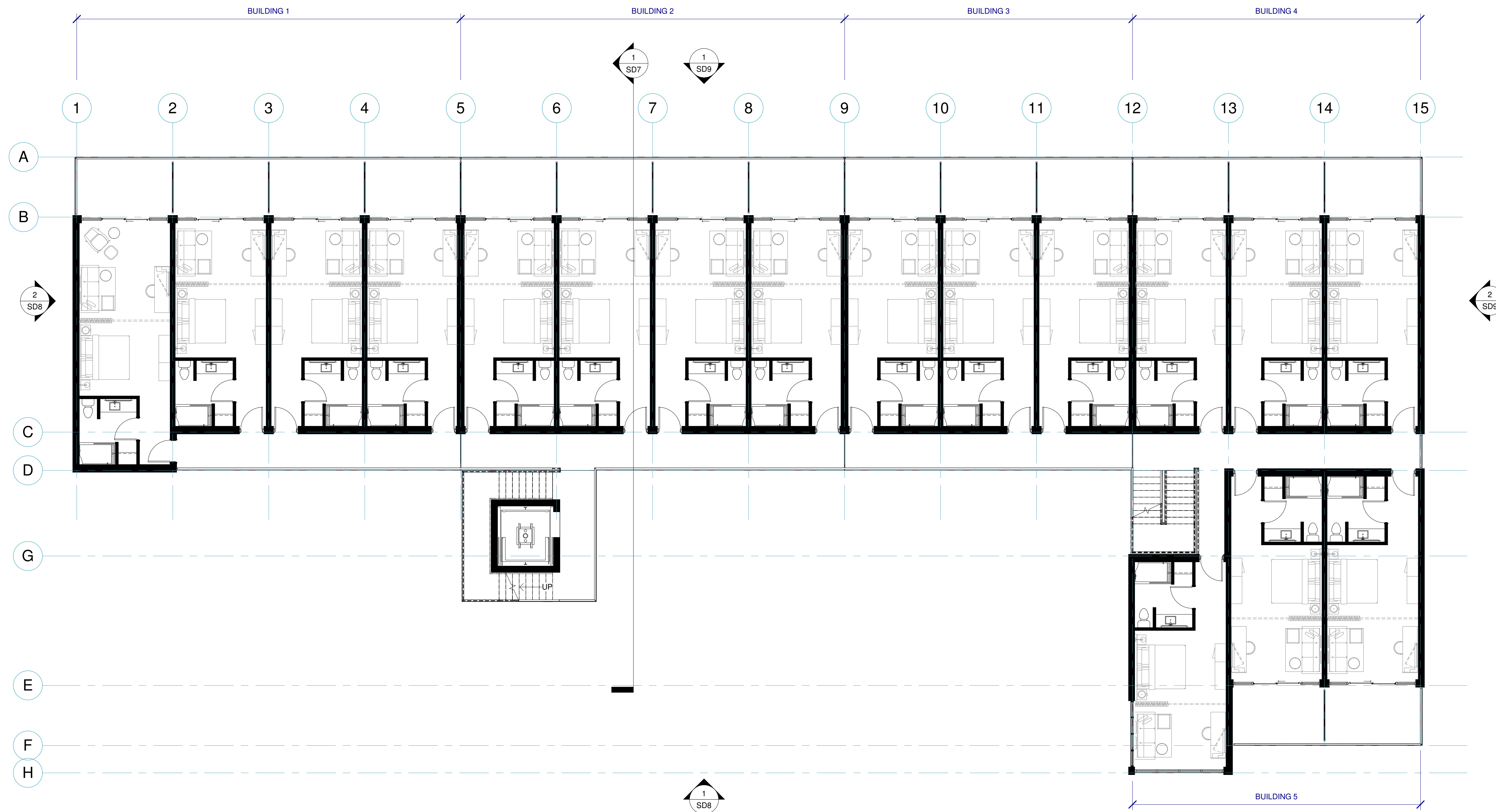


GROUND LEVEL PLAN 1
1/8" = 1'-0"



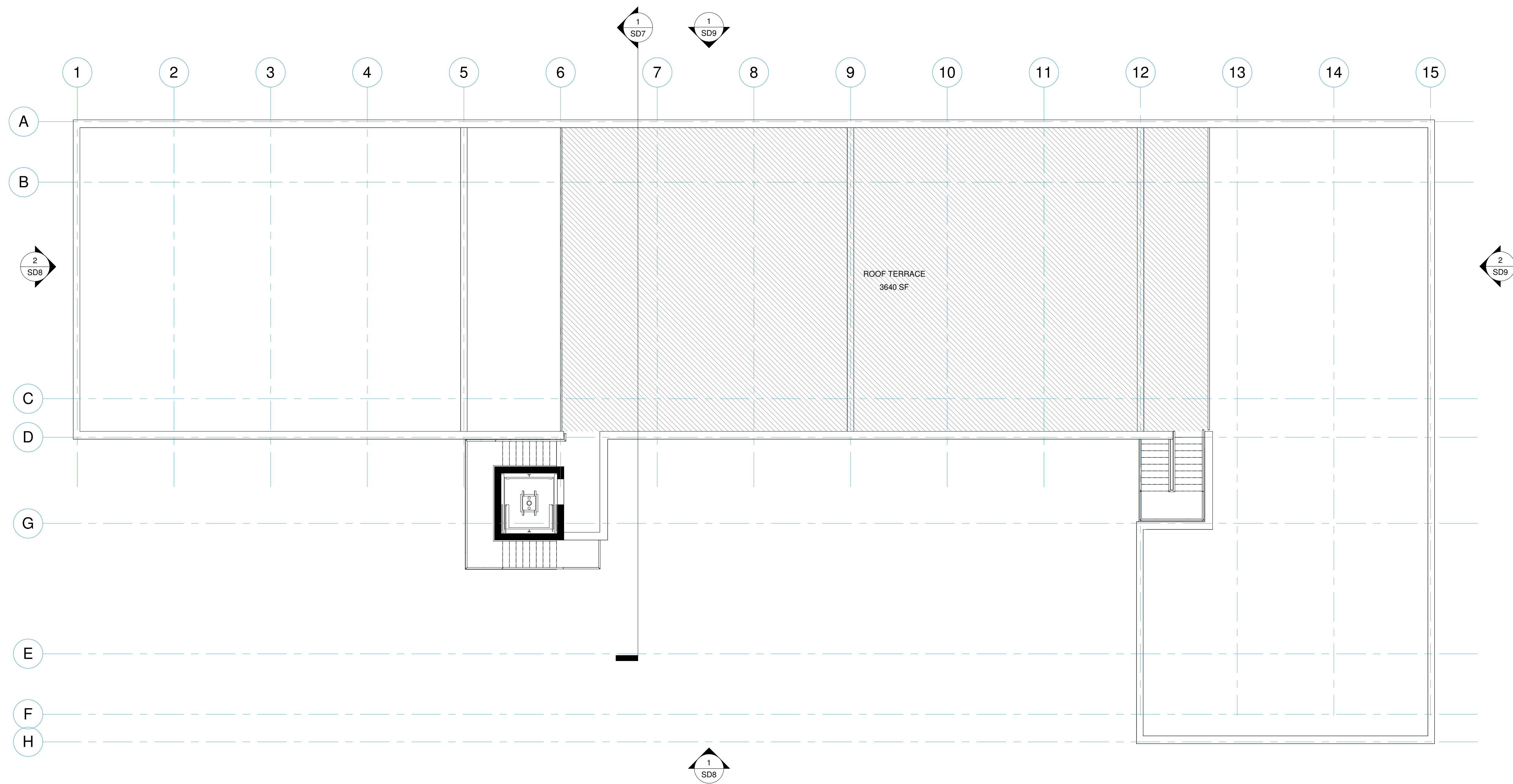
GUESTROOM MATRIX	
FLOOR	GUESTROOMS
FOURTH	17
THIRD	17
SECOND	17
FIRST	0
TOTAL	51

FIRST FLOOR PLAN 1
1/8" = 1'-0"

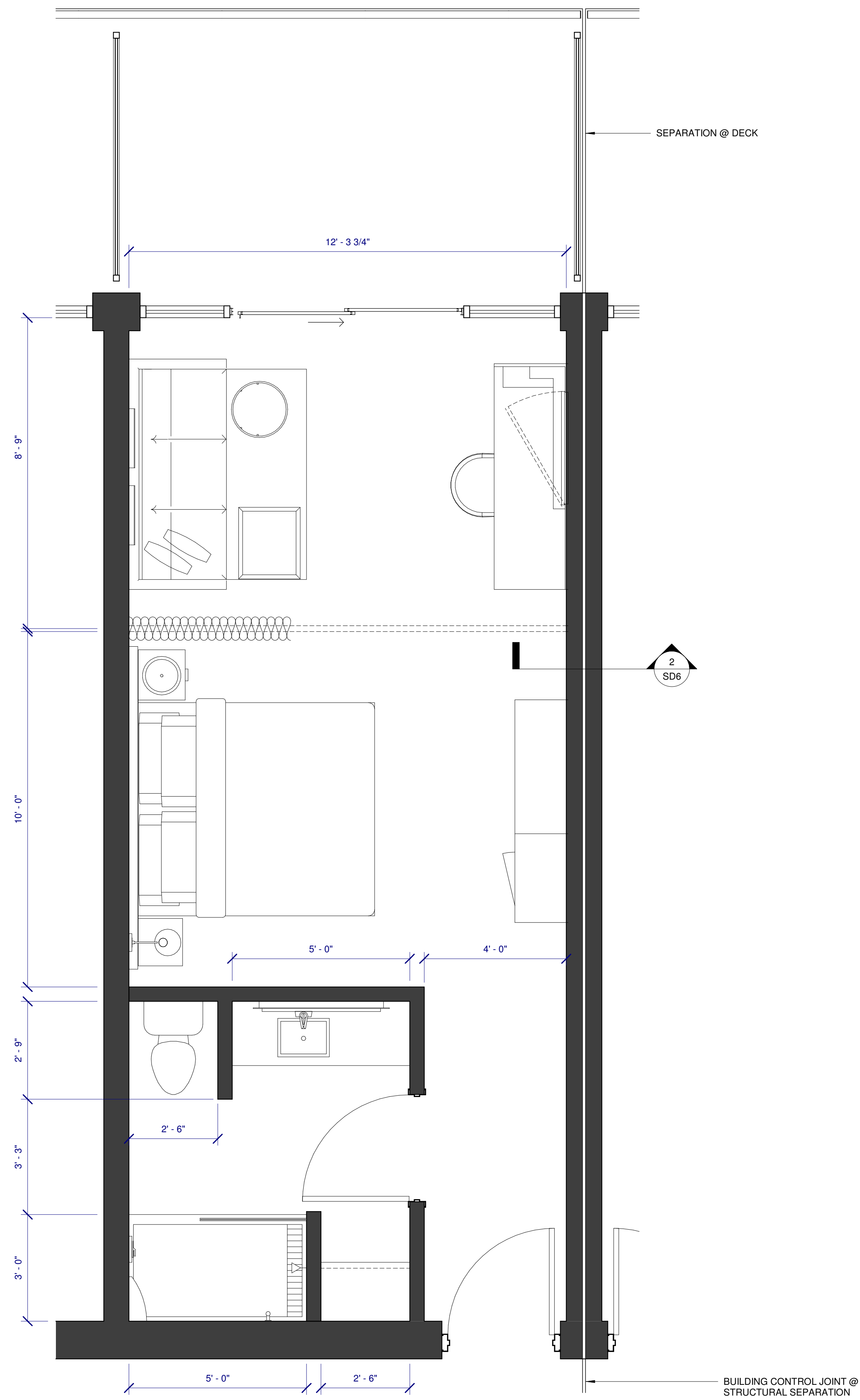


GUESTROOM MATRIX	
FLOOR	GUESTROOMS
FOURTH	17
THIRD	17
SECOND	17
FIRST	0
TOTAL	51

SECOND/THIRD FLOOR PLAN 1
1/8" = 1'-0"

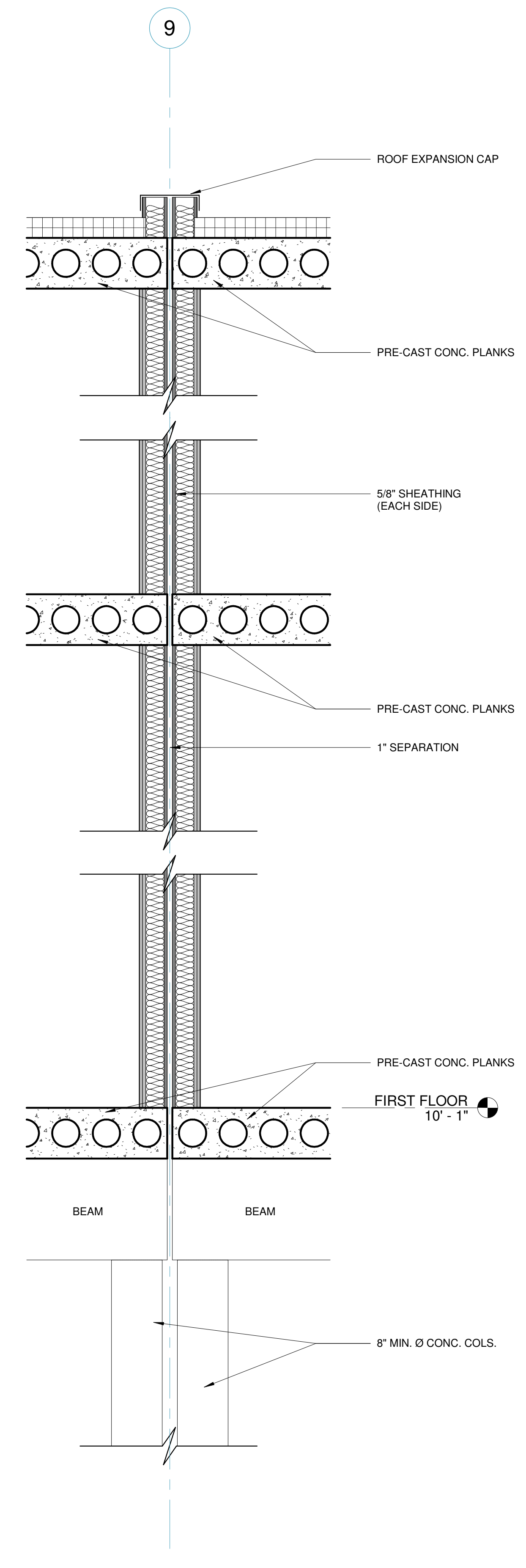


ROOF PLAN 1
1/8" = 1'-0"



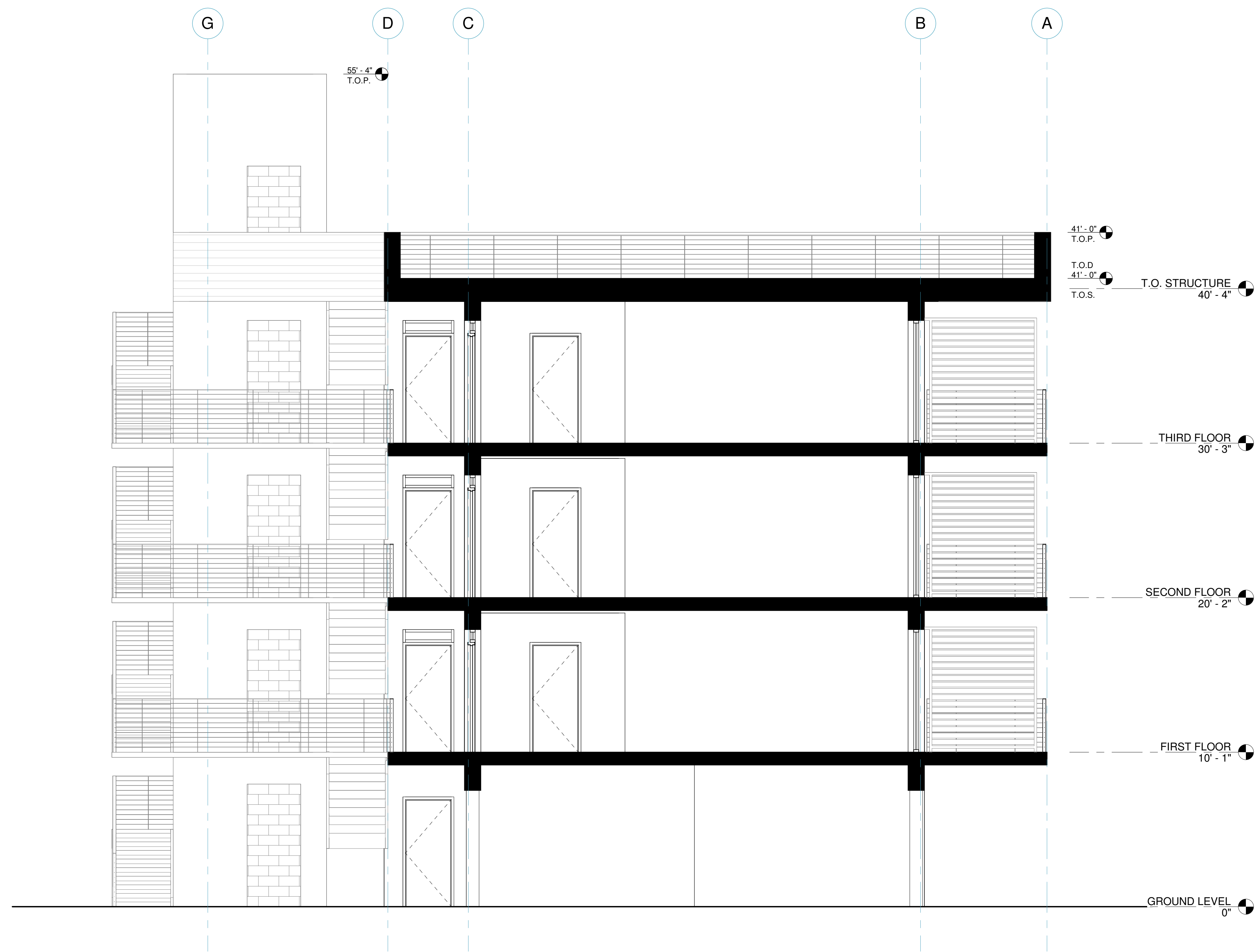
TYPICAL UNIT PLAN

1/2" = 1'-0" ①

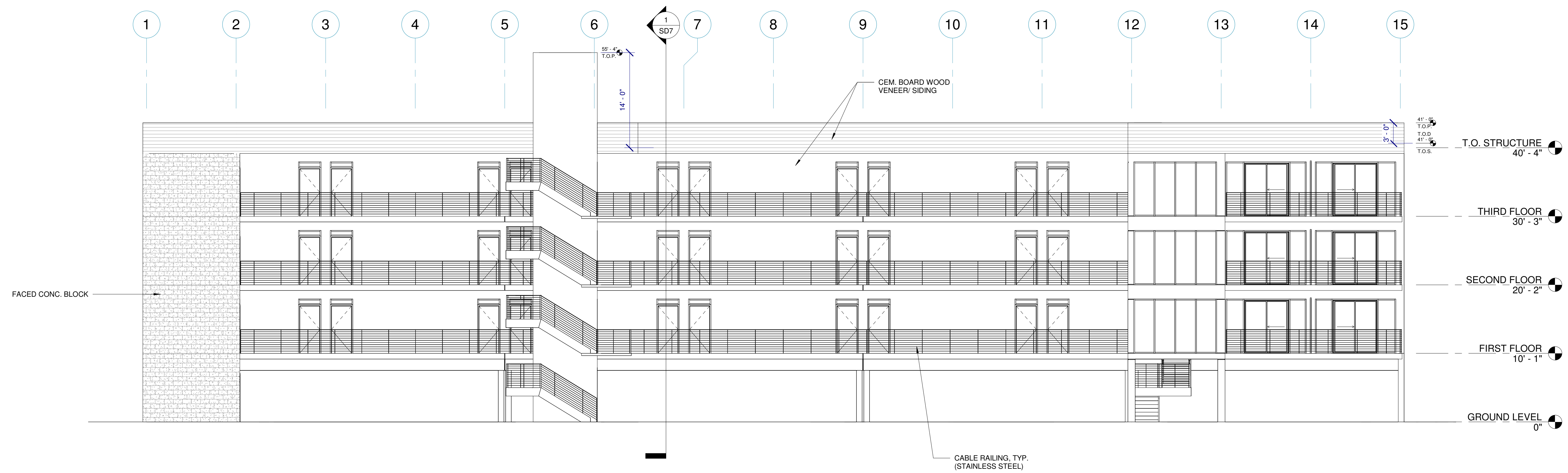


BUILDING SECTION @ SEPARATION

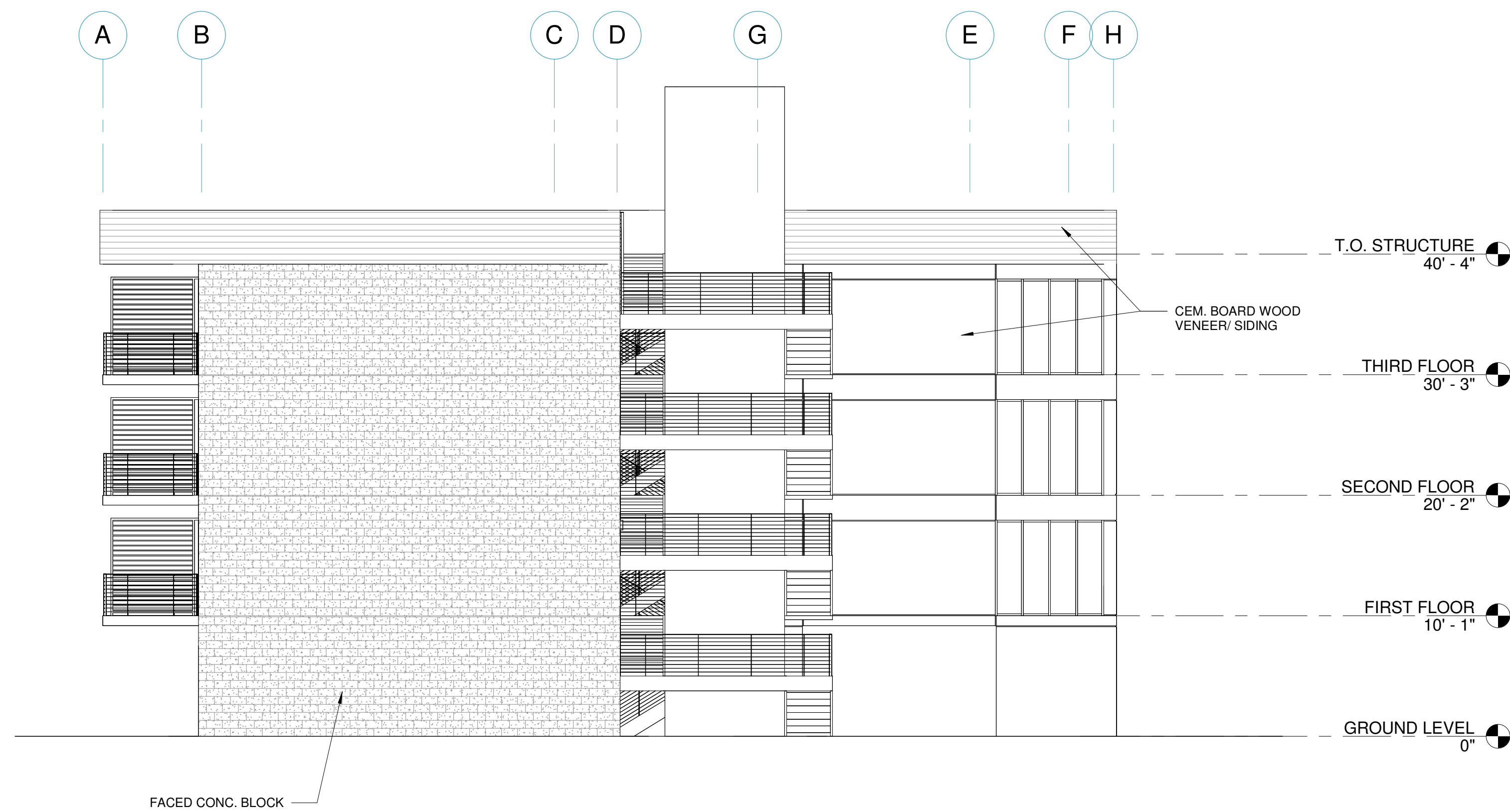
3/4" = 1'-0" ②



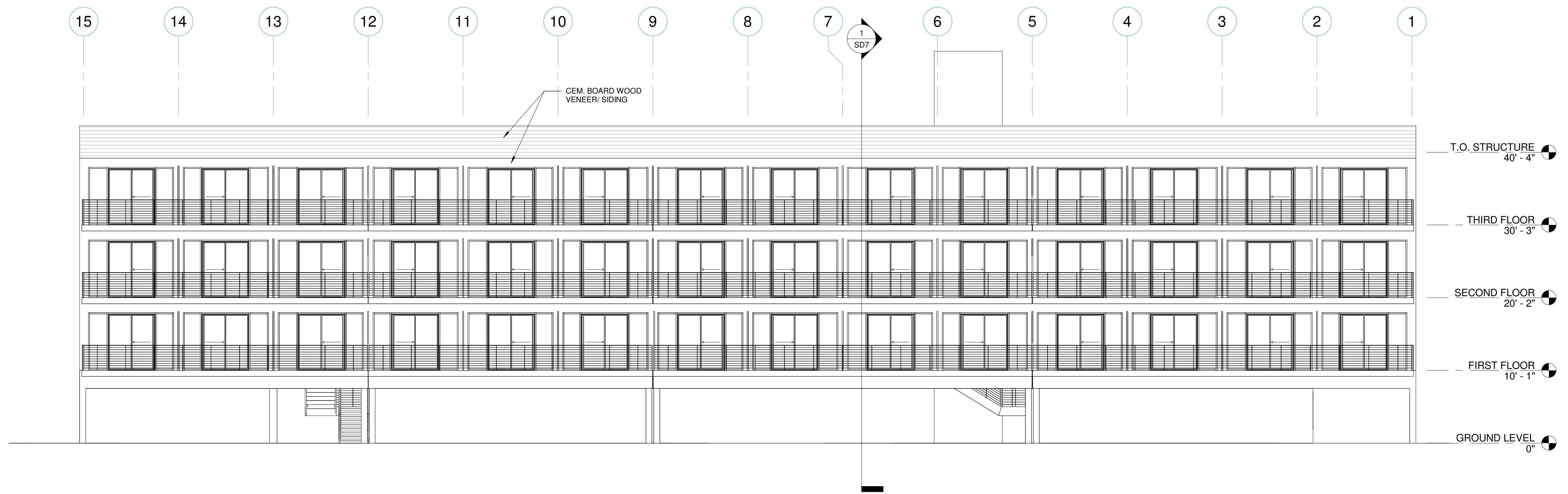
BUILDING SECTION 1
1/4" = 1'-0"



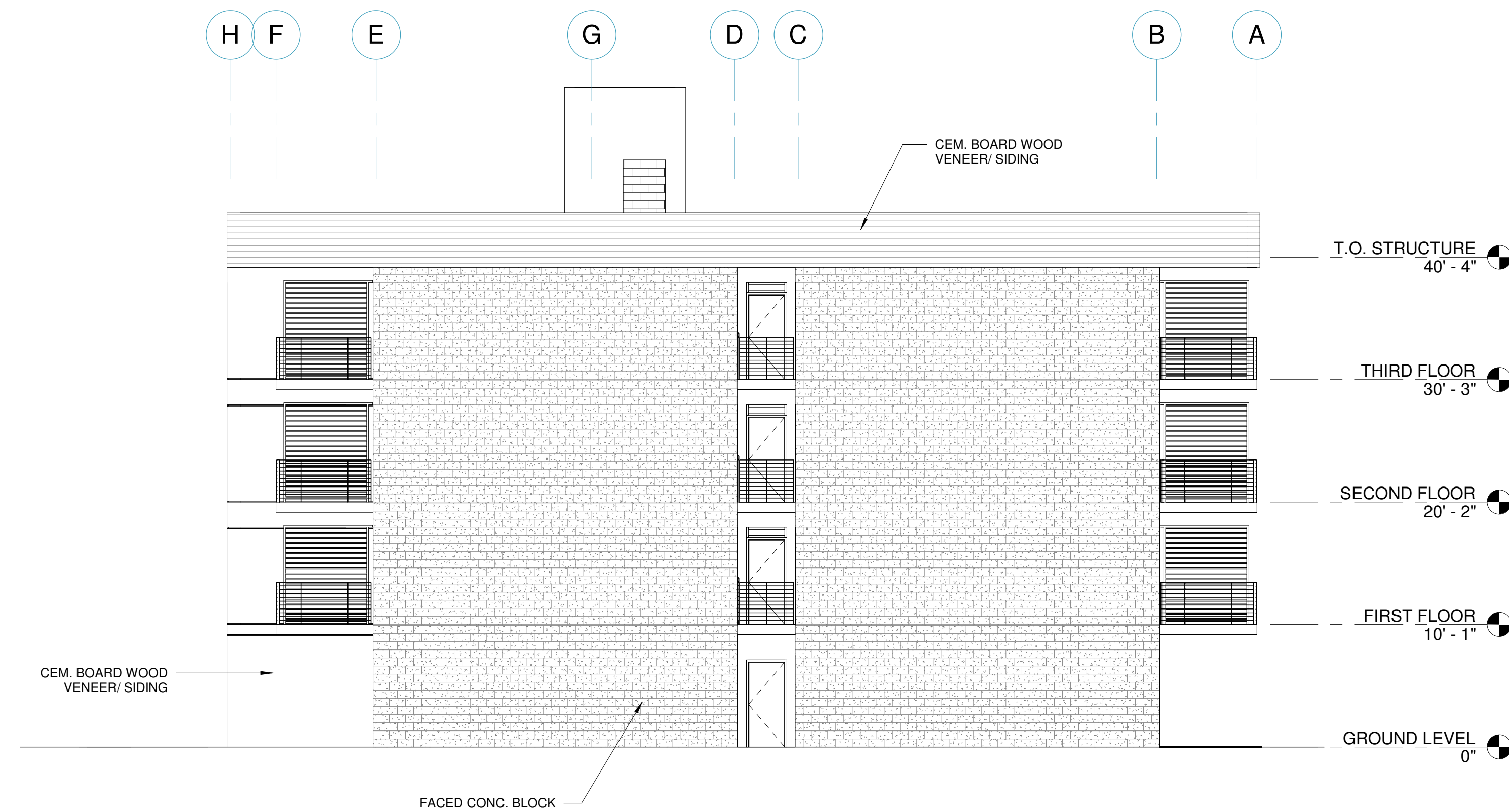
FRONT ELEVATION 1
1/8" = 1'-0"



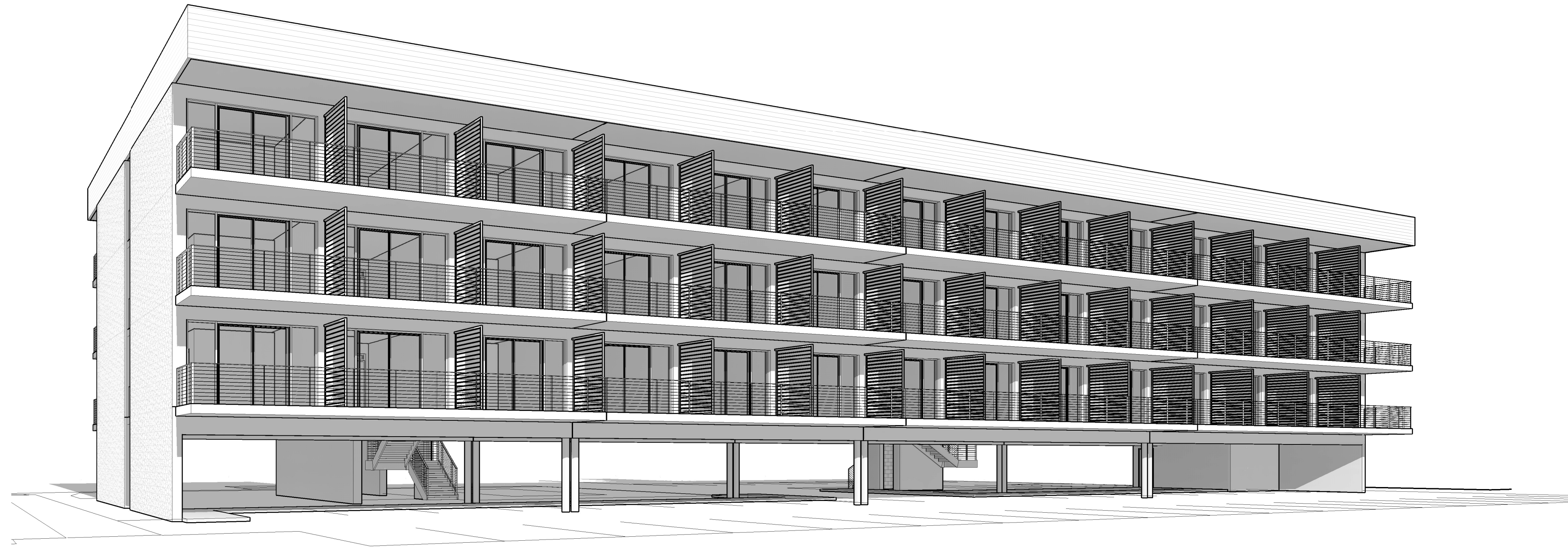
LEFT ELEVATION 2
1/8" = 1'-0"



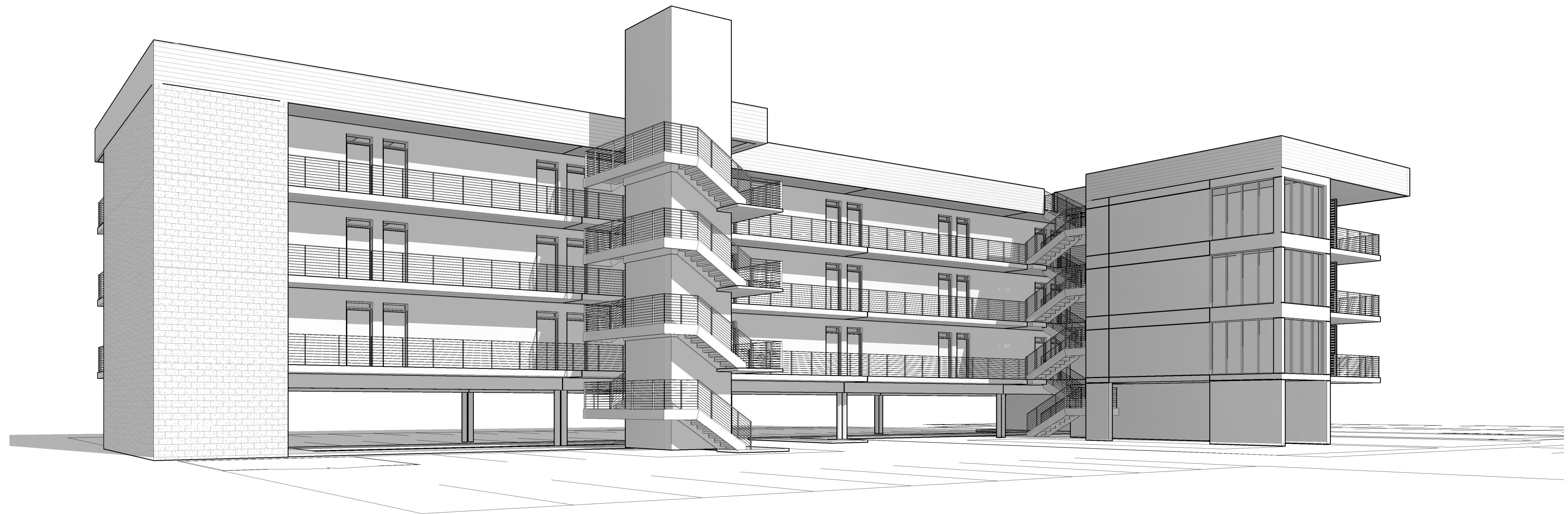
REAR ELEVATION 1
1/8" = 1'-0"



RIGHT ELEVATION 2
1/8" = 1'-0"



REAR PERSPECTIVE 2



FRONT PERSPECTIVE 1

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT: Approval of Minutes
DATE: December 6, 2023
DEPARTMENT: Administration

Subject Summary: Approval of Minutes from the following meetings is recommended:

- November 8, 2023 (Special Meeting)
- November 14, 2023 (Regular Meeting)
- November 20, 2023 (Special Meeting)

Attachments:

[110823TownCouncilMinutes](#)

[111423TownCouncilMinutes](#)

[112023TownCouncilMinutes](#)

MINUTES
TOWN COUNCIL SPECIAL MEETING
WEDNESDAY, NOVEMBER 8, 2023 - 4:00 PM
COUNCIL CHAMBERS - OAK ISLAND TOWN HALL

Present: Mayor S. Elizabeth White, Council members Sheila M. Bell, Charlie K. Blalock, Bill Craft, and Mark U. Martin, Town Manager David Kelly, and Town Clerk Lisa P. Stites MMC. Mayor Pro Tempore Bach was out of town and was unable to attend.

Mayor White called the meeting to order at 4 p.m.

II. Special Meeting Item

II.1 Consideration of a Resolution of the Town of Oak Island Supporting The Sidewalk Improvement and Crosswalk Phase I Project and Commitment to Complete the Project if Additional Town Funds Are Needed

Mr. Kelly said this was a formality to get on the NC Department of Transportation Board's agenda in November so they could the funds appropriated and start the project, probably in January. The project area is NE 46th to NE 54th Streets and reconfiguring the signal where Publix is. He said we have been working with NCDOT on this for approximately two years and that Rep. Charlie Miller let the Town know that funding had become available. He said Rep. Miller was looking for available funds for the second phase as well. Mr. Kelly reviewed the proposed costs, which were \$269,275, and the Town's portion would be \$44,507. Mr. Kelly said the Town had roughly \$500,000 budgeted that's been carried over the past couple of years for these projects, and this funding would allow the Town to do the second phase as well as some work on the planned greenway. He said that NCDOT staff would also try to help by doing some of the work in-house.

Councilman Bell made a motion to adopt the Resolution of the Town of Oak Island Supporting the Sidewalk Improvement and Crosswalk Phase I Project and Commitment to Complete the Project if Additional Town Funds Are Needed as presented. Councilman Martin seconded the motion. Councilman Bell said she wanted to publicly thank Rep. Miller for working with staff and obtaining this funding. Councilman Blalock concurred, and also thanked Mr. Kelly for pushing this project along. Mayor White also thanked Mr. Kelly and Rep. Miller. She said this was something citizens had wanted for a long time and this would be a good start. **The motion passed unanimously.**

III. Adjourn

Councilman Bell made a motion to adjourn at 4:06 p.m. Councilman Martin seconded, and the motion passed unanimously.

S. Elizabeth White, Mayor

Attested: _____

Lisa P. Stites, MMC
Town Clerk

Clerk's Statement: Minutes are in compliance with the open meetings laws. The purpose of minutes per the open meetings laws is to provide a record of the actions taken by a Council or a Board and evidence that the actions were taken according to proper procedures. All actions of the Council are recorded in the official minutes. Not all portions of Town of Oak Island meetings are recorded verbatim in the official minutes, with general discussion items, reports, presentations, and public comments being paraphrased or summarized in many instances. Public comments in writing should be submitted to the clerk via hard copy, electronic mail, or other means so as to ensure an exact verbatim account. The Town of Oak Island provides full coverage of meetings on Government Channel 8 and the Town website so that the Citizens and the Public may view and listen to the meetings in their entirety.

MINUTES
TOWN COUNCIL REGULAR MEETING
TUESDAY, NOVEMBER 14, 2023 - 6:00 PM
COUNCIL CHAMBERS - OAK ISLAND TOWN HALL

Present: Mayor S. Elizabeth White, Mayor Pro Tempore John W. Bach, Council members Sheila M. Bell, Charlie K. Blalock, Bill Craft, Mark U. Martin, Town Manager David Kelly, Town Attorney Brian Edes, and Town Clerk Lisa P. Stites MMC.

Mayor White called the meeting to order at 6 p.m. Councilman Blalock gave the invocation and led the Pledge of Allegiance.

PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

Presentation of Oak Island Tree Canopy Assessment ([Oak Island - Tree Canopy Assessment Report](#)): Planning Director Matt Kirkland introduced Andy Evans with PlanIT Geo. Mr. Kirkland said that the Town had received a grant to have a tree canopy assessment done. Mr. Evans gave a presentation, a copy of which is attached and is hereby made a part of these Minutes. Mr. Evans is the GIS Manager with the company and oversees all of the assessments. Mr. Evans first explained why a town would want to do a canopy assessment, saying it was a planning tool for communities to use when making planning decisions. Mr. Evans also explained how the company performed the assessment, using aerial imagery from 2022 and 2014.

Mr. Evans also explained some of the statistics, saying that the Town's tree canopy percentage is 59 percent, 9 percent higher than in 2014, and the tree canopy maximum potential was theoretically 82 percent. The island had about 31 percent tree canopy while the inland areas had about 83 percent tree canopy cover. He said the percentage tree canopy cover for the island portion of town was pretty typical for similar areas. Of the 12,607 parcels analyzed, 88 percent of the parcels met or exceeded the Town's 59 percent average. Approximately 10,900 parcels were at least partially covered by canopy; about 1,400 had no tree canopy.

Mr. Evans also discussed what the data could be used for and possible next steps. He said that the Town could: set a town-wide and/or more specific tree canopy goals; inform future zoning policy and ordinance changes; create or modify existing tree preservation policy or ordinances; drive resource allocation and direct tree planting efforts; incorporate into a holistic Urban Forestry Management Plan; and periodically update data to identify trends and performance.

Mr. Evans recommended doing an Urban Forestry Management Plan, and he also recommended not stopping with this study, but to continue collecting data.

Councilman Blalock said he appreciated what they had done and that it helped him understand it better. He asked if the type of tree was addressed, and Mr. Evans said that was not something they could do without sampling or boots-on-the-ground surveying.

Mayor Pro Tempore Bach said that what he took away from the presentation and the report was that the aggregate view was skewed by the mainland numbers, but that people were alarmed by the numbers on the island. He asked Mr. Evans to go into further detail about public outreach for encouraging tree planting. Mr. Evans said it would depend on the community, and that he did not have a specific recommendation. He said that management plans will typically include a public outreach component, and that a lot of communities use a combination of development restrictions and incentivizing planting. Mayor Pro Tempore Bach said as he looked at the data, he was alarmed, because a large tract on the

mainland had stalled, but that he expected in five to 10 years, these numbers would flip. He said a management plan and encouraging planting would be critical.

Councilman Craft asked if he should be happy or sad about a 9-percent gain on the mainland and 176 acres lost in eight years. Mr. Evans said it depends on how you look at it, but as someone in the industry, he was not overly alarmed, but that there were opportunities for preservation, especially on the mainland. Councilman Craft said that the Town was doing about 250 new house permits annually, and asked if that was in the normal range; Mr. Evans said it was hard to say.

Mayor White said that when she looked at a map of the island, she thought alarmed might be an overstatement, but that there was room for concern. She said people were seeing new stormwater issues that didn't previously exist, for example. Mr. Evans said he wouldn't limit anything to native trees specifically, because that would eliminate diversity; he said that non-native trees weren't always bad.

Mayor Pro Tempore Bach asked Mr. Kelly what the Administration intends to do with applying this data. Mr. Kelly said that the Planning Board would receive this information as well, and Council may give that Board direction to continue reviewing the pending proposed ordinance amendments. Mr. Kelly said Council continue working with this company on next steps or take it back to the Planning Board. Mayor Pro Tempore Bach said that the ordinances should be reconsidered by the Planning Board in light of the new data. He also said Council should consider setting establishing goals and getting an additional data point so they can continue to monitor the tree canopy. Mayor White asked Mr. Kelly if he thought the Town would also review Town-owned property to see what improvements could be made. Mr. Kelly said they would, that they had already started looking for available areas, and that staff was tagging trees so that they can be mapped on Town property.

Presentation -- Year-end Report on 2023 Paid Parking Program

Jim Varner with Otto Connect gave a presentation on the year-end report for the 2023 paid parking program. Mr. Varner said that they see an easier path for next year since the resident accounts are already established. Mr. Varner gave a presentation, a copy of which is attached and is hereby made a part of these Minutes. Mr. Varner reviewed some of the statistics, saying that the Town received \$1.1 million in net revenue. The total number of resident permits was 18,583. Mr. Varner also reviewed numbers for citations, which totaled 5,949 for the season. The number of vehicles recorded for the season was 147,831; resident parking averaged 174/day, with the peaks at 514 in July and 536 in September. The peak number of visitor visits was 1,686. Approximately 20 percent of people who park at the beach are residents. The largest area for visitors was northeastern North Carolina, followed by Brunswick County, and the southwest of North Carolina. One item to work on for next season is parking at the Pier; the company has been testing a sensor system in the lot. Mr. Varner said that the number of calls and emails received with problems and questions was similar to what they experienced at Holden Beach the first year there, and by the second year, those call numbers went down.

Councilman Craft thanked Mr. Varner for a great job. Councilman Craft said that it seemed like 1,400 spots was sufficient, and Mr. Varner said that there were five Saturdays in the season when it was not, but the rest of the time, the spots were not full. Councilman Craft said that with 18,583 resident permits, there was still enough resident parking, and Mr. Varner said that was correct, and that residents can park in any space, not just the resident-only spaces. Asked about decals, Mr. Varner said he would not recommend using them.

Asked about tickets for out-of-state violators, Mr. Varner said unpaid tickets go to collections.

Mayor Pro Tempore Bach said that he was very confident when Council has a chance to think about recommendations, there will be a number of them. Mr. Kelly said that a Special Meeting for public feedback would likely be set for November 28.

Mayor White asked if the data showed the areas that might need improvements with more spaces. Mr. Varner said the area around the Oak Island Pier was the hot spot, followed by the west end.

ADJUSTMENT/APPROVAL OF THE AGENDA

Mayor Pro Tempore Bach made a motion to approve the agenda as presented. Councilman Blalock seconded the motion and it passed unanimously.

PUBLIC COMMENT - GENERAL TOPICS & AGENDA ITEMS

Cheryl Sherman, present on behalf of Pledge the Pink: Ms. Sherman said in the event's history, they had never had a mayor wish them well on the first day. Ms. Sherman read a letter from Laura Morgan, the event's founder. The letter expressed gratitude for everyone feeling so welcomed and loved by the community.

Phil Dudley, 218 Sellers Street: Mr. Dudley said that in eight years, we had lost 197 acres of canopy on the island. He said that we have to do something. He said that the report suggested investing in urban forest monitoring, maintenance and management in the Town budget; planting in the rights-of-way; developing a street maintenance program; and develop outreach programs. He said that we know the challenges in working with our Unified Development Ordinance. He said that the report did not include a value for the windbreak that trees provide, especially during hurricanes. He said that we can work with the same set of facts now.

Eric & Tammy LeFevre, written comments provided as follows: Dear Town Council, In May 2023, we purchased our home at 104 W. Pelican. In September, at the new home construction at 102 W. Beach Dr, we were appalled to see four live oaks planted, as required by the town. Actually, the town required nine trees on this small lot?! We're told the landscaper was financially incentivized to plant live oaks, "in keeping with the island's name". This is how policies that affect everyday lives of residents are created?? Landscape professionals should be consulted when crafting landscape ordinances. How did the town not only approve but require trees, planted 12 feet apart, only several feet from the street, that will grow 60 feet tall and wide, so close to the beach? What about the storm risk with such large trees surrounded by homes? These massive trees will also completely block our limited ocean view, which will negatively affect the experience and value of our home...all because of a nonsensical ordinance. We've been told by Brady that Oak Island's tree requirements are being revised to exempt second row homes. We welcome some common sense finally, although it's too little, too late for our situation. Our neighbors are also upset. We hope the Planning Board is consulting landscape professionals, not just environmentalists, to craft sound landscape ordinances that are beneficial not burdensome. After many months of discussion and deliberation by the Planning Board, it is past time for reasonable revisions to replace the ridiculous ordinances in place, to be finalized and presented to Town Council. It should not be difficult for anyone to conclude that four live oaks planted 12 feet apart across the street from the beach is totally unacceptable. But if the Planning Board cannot be depended upon to submit needed, timely revisions, we hope the Town Council will be the adults in the room on this important issue directly affecting Oak Island residents and construction. We love trees, but the right trees in the right locations. We respectfully urge you to get these ordinance revisions in place ASAP. We understand and appreciate that many of you volunteer your time to serve the town, and we all have the same desire, that Oak Island would be the best it can be. Thank you for your consideration.

COUNCIL REPORTS (MAYOR AND COUNCIL)

Mayor Pro Tempore Bach thanked all of the residents who were actively involved in the last campaign, and he congratulated all of the candidates because having the courage to step into the arena, as Teddy Roosevelt said, was everything. He also congratulated Bob Ciullo, Terri Cartner and Bill Craft. He said he had been tasked to work on two items. He said he had drafted a process for receiving citizen complaints about advisory board members. He said they were also working on revising the managerial process to make it more contemporary.

Councilman Bell said that as she listened to the Pledge the Pink report, she was beaming. She thanked the residents, staff, and the Mayor for making everyone feel so welcome. She also congratulated the recently elected Council members.

Councilman Craft said that later this week he would be attending the NC Beach, Inlet and Waterway Conference. He said that residents had been asking why other towns had received money and Oak Island had not; he said that two years ago, Oak Island had received a \$20 million grant, that the tree canopy study was done with a grant, and that Oak Island would use grant funding for sidewalks and crosswalks. He also said that the Environmental Advisory Board was coming up with a Friends of Stormwater award.

Councilman Blalock said to everyone who has been calling him what a good job he had done the last eight years, if he would have known that, he would have run again.

Councilman Martin said that the Town was still waiting for scores on the Town's planned projects for the NCDOT priority list.

Mayor White said she appreciated all the enthusiasm with the last campaign, and she congratulated Bill Craft, Terri Cartner and Bob Ciullo. She said the mayors group was gathering data for working on the workforce housing issue. She said the Veterans Day ceremony at the Elks Lodge was a great event. Mayor White also said the tree lighting ceremony was December 1 and the parade was on December 2. She also said she was very pleased to be asked to work with the Parks & Recreation Advisory Board on a strategic planning process. She also wished everyone a safe Thanksgiving holiday.

I. CONSENT AGENDA

I.1 Approval of Minutes ([090723TownCouncilMinutes](#) 101023TownCouncilMinutes)

Councilman Bell made a motion to approve the Consent Agenda as presented. Mayor Pro Tempore Bach seconded, and the motion passed unanimously.

II. COMMITTEE APPOINTMENTS

II.1 Committee Appointment -- Par 3 Advisory Board (one unexpired term ending Jan 2025): **Council unanimously appointed Carl Steele.**

II.2 Consideration of Appointment to the Board of Adjustment (to fill an unexpired term ending March 2025): **Council unanimously appointed Steve Yuhasz.**

II.3 Consideration of Appointment to the Environmental Advisory Committee (3 seats available, with terms ending in June 2024, June 2025, and June 2026): **Council appointed Jeweleen Mustard to the term ending June 2026.**

III. ADMINISTRATIVE REPORTS (TOWN MANAGER AND TOWN ATTORNEY)

Department reports are available on the Town's website at www.OakIslandNC.gov/DEPT

Economic Development Coordinator Hallie Willis gave a brief presentation on the newest survey that went out today. She said the purpose of the survey was to help the Town gather input from the community on a variety of issues, such as quality of life, satisfaction about the core Town services, and perceptions of safety and value. She said that it would also provide some statistically valid insights leaders can use as a tool in planning for the future, and it will provide data to compare over time or with other towns' benchmarks. She said the goal was to receive 385 resident responses, and she encouraged everyone to participate. She reviewed some of the questions and the dates the survey would be available. Mayor Pro Tempore Bach said that he understood the need for data and had already spoken with Mr. Kelly about the timing and Council not seeing the survey before it went out. Mayor White agreed and said any time something like this was being sent to the public, Council should see the content or even suggest content. Ms. Willis said that these types of surveys are very similar across the board. Mr. Kelly said that doing a survey like this was one of the tasks discussed with Ms. Willis when she first came to work for the Town. He also said that these surveys are to be non-political, and there was not any intent to not include Council in the process; it was something for staff to be able to use in providing information to Council. Ms. Willis said she had worked on it in July and that they had discussed sending it out ahead of working on the budget.

IV. OLD BUSINESS

IV.1 Consideration of Oak Island Honors Flag Program and Policy ([OakIslandHonorFlags_DRAFT policy_101723](#))

Paul DuBay, chairman of the Recreation Advisory Board, gave a presentation on the proposed Oak Island Honors Flag program. Mr. DuBay also spoke about the proposed policy, which would honor military personnel on designated holiday weekends. The applicant would pay for the banner flag, and the Town would pay for the cost of the background check. Councilman Martin asked if, since it was a lottery based system, they could give consideration to applicants the next year if not accepted in the current year; Mr. DuBay said that could be considered. He said a lot would depend on how many applications are received. Councilman Martin also asked if there had been any thought to have some kind of ceremony or procedure for how to turn over the banner to the families when the banners are to come down; Mr. DuBay said they could consider that too. He said they had talked about having a ceremony to kick the program off for Memorial Day. Mr. Edes asked if the picture of the flag included showed the type of information that would be sought; he suggested removing the bullet point regarding approval of the language to be used on the banner. Mr. DuBay said that timing wise, they were thinking they would receive applications until the end of January so there would be time to vet the candidates and order the flags. Councilman Martin said the majority of the data would come from the honorable discharge papers, but the line for the family to be named was a freeform field, and he was concerned with what someone might put there. Mr. Edes said this was not a typical 1st Amendment issue and that they could index that bullet point to a family name. **Mayor Pro Tempore Bach made a motion to approve the policy subject to continued review of the lottery system and the potential to create a ceremony. Councilman Craft seconded the motion and it passed unanimously.**

IV.2 Consideration of Amendment to Moffatt & Nichol Contract for Additional Data Collection (for Bureau of Ocean Energy Management [BOEM] study)

Mr. Kelly said that in September, Council had approved \$112,000 amendment to the contract and that was for the Beach and Inlet Master Plan, which included the original site BOEM was looking at for sand, and for Stage 2, they were trying to find sand for the 50-year federal project. During the work, a sand source was found to the south of the original BOEM investigation site. He said that the Town was working with BOEM to lease this site for sand for the 2024-2025 project. Mr. Kelly said that Moffatt & Nichol got two quotes for

this additional work, where additional sampling was required. He said it was time sensitive. He said that one of the questions for Moffatt & Nichol's 3a contract was that it included engineering costs at \$2.5 million, and that adding this work in would bring engineering costs to \$2.48 million, so there was still additional funding available. Mayor Pro Tempore Bach said there were always unanticipated costs, and he was comforted to see that there was still some in reserves. He said that he hoped the remaining would cover any additional unanticipated costs. He said they spend a lot of money on engineering and had no sand. Councilman Martin said that his level of frustration comes from the time, money and energy spent on Frying Pan Shoals when there was speculation that was not a good sand source. Mr. Kelly said that they are still looking at other options, but they need to make sure there will be enough sand available for us to do our project. Mr. Kelly said that the timing was to get a permit in place by July to be able to get the project started by December, and there were no guarantees that we can make that deadline though we have done everything we can. He also said that BOEM looks for sand offshore for anybody and would do these studies, but that Oak Island needs that done on a faster timetable than BOEM would do it. Mayor Pro Tempore Bach said that they were at the point of no return, and they didn't have to like it, but they did have to approve it. **Councilman Bell made a motion to approve the amendment to the 3a contract with Moffatt & Nichol in an amount not to exceed \$170,000 and to authorize staff to execute the amended contract upon review by the Town Attorney. Mayor Pro Tempore Bach seconded the motion and it passed unanimously.**

V. NEW BUSINESS

V.1 Consideration of Budget Ordinance Amendments ([Budget Amendments FY 2024 - Nov - From ARP Budget Amendments FY2024 - Nov - From GF Fund Balance](#))

Mr. Kelly reviewed the Budget Ordinance Amendments, saying that the first one was for money from last year's budget that was not rolled over and for the start of a regular schedule for computer replacements. Councilman Martin asked if Council could get a balance on the remaining ARP funds; Mr. Kelly said there would be an audit of those funds and that they could provide numbers to Council. **Mayor Pro Tempore Bach motion to approve the Budget Ordinance Amendments as presented. Councilman Bell seconded the motion and it passed unanimously.**

Mr. Kelly spoke about the other BOA, saying that this was also carryover of funds from last year's budget, to cover the bulkhead work at NE 54th Street, the canal crossover at 20th and for legal and other outside professional services. **Mayor Pro Tempore Bach made a motion to approve the Budget Ordinance Amendments as presented, Councilman Craft seconded the motion, and it passed unanimously.**

V.2 Consideration of Request for Proposals: Comprehensive Land Use Plan Update ([RFP_CompPlanUpdate2023](#))

Mr. Kirkland said there was money included in the budget this year to update the Comprehensive Land Use Plan, and staff had drafted a Request for Proposals. He explained the timeline for receiving proposals. He also said that two companies had already reached out to staff this morning, and he thought there would be a good pool of applicants to choose from. Mayor Pro Tempore Bach said that he thought they needed to really give serious thought to the public engagement aspect. He said that the last time the Town went through this process, there was a committee that was truly representative, but that the process took a year. He said that they need to include public engagement, but they need to expedite the process. Mr. Kirkland said this was only an update, so that might help give the process some speed. Councilman Craft asked if a maximum had been included in the budget. Mr. Kirkland said \$125,000 had been

budgeted. **Councilman Bell made a motion to approve the Request for Proposals as drafted, Mayor Pro Tempore Bach second the motion, and it passed unanimously.**

VI. CLOSED SESSION: **Councilman Bell made a motion to go into Closed Session at 8:29 p.m. to Consult with the Town Attorney to Preserve the Attorney/Client Privilege and to Discuss Specific Personnel Pursuant to N.C.G.S. 143-318.11(a)(3) and (6). Mayor Pro Tempore Bach seconded the motion and it passed unanimously.**

VII. ADJOURN

Council returned to open session at 9:20 p.m. Mayor White said no action had been taken in Closed Session. **Councilman Bell made a motion to adjourn. Councilman Blalock and Mayor Pro Tempore Bach seconded, and the motion passed unanimously.**

S. Elizabeth White, Mayor

Attested: _____

Lisa P. Stites, MMC
Town Clerk

Clerk's Statement: Minutes are in compliance with the open meetings laws. The purpose of minutes per the open meetings laws is to provide a record of the actions taken by a Council or a Board and evidence that the actions were taken according to proper procedures. All actions of the Council are recorded in the official minutes. Not all portions of Town of Oak Island meetings are recorded verbatim in the official minutes, with general discussion items, reports, presentations, and public comments being paraphrased or summarized in many instances. Public comments in writing should be submitted to the clerk via hard copy, electronic mail, or other means so as to ensure an exact verbatim account. The Town of Oak Island provides full coverage of meetings on Government Channel 8 and the Town website so that the Citizens and the Public may view and listen to the meetings in their entirety.

MINUTES
TOWN COUNCIL SPECIAL MEETING
MONDAY, NOVEMBER 20, 2023 - 4:00 PM
COUNCIL CHAMBERS - OAK ISLAND TOWN HALL

Present: Mayor S. Elizabeth White, Mayor Pro Tempore John W. Bach, Council members Sheila M. Bell, Charlie K. Blalock, Bill Craft, and Mark U. Martin, Town Manager David Kelly, and Town Clerk Lisa P. Stites MMC.

Mayor White called the meeting to order at 4 p.m.

Councilman Bell made a motion to go into Closed Session to Discuss Specific Personnel pursuant to N.C.G.S. 143-318-11(a)(6). Mayor Pro Tempore Bach seconded, and the motion passed unanimously.

Council returned to open session at 5:42 p.m. Mayor White noted that no action was taken during Closed Session. **Councilman Bell made motion to give the Town Manager a 2 percent raise and to incorporate a COLA not to exceed 3 percent, and to renew the Manager's contract. Councilman Blalock seconded the motion, and it passed unanimously.**

Adjourn: **Councilman Bell made a motion to adjourn. Mayor Pro Tempore Bach seconded the motion, and it passed unanimously.**

S. Elizabeth White, Mayor

Attested: _____
Lisa P. Stites, MMC
Town Clerk

Clerk's Statement: Minutes are in compliance with the open meetings laws. The purpose of minutes per the open meetings laws is to provide a record of the actions taken by a Council or a Board and evidence that the actions were taken according to proper procedures. All actions of the Council are recorded in the official minutes. Not all portions of Town of Oak Island meetings are recorded verbatim in the official minutes, with general discussion items, reports, presentations, and public comments being paraphrased or summarized in many instances. Public comments in writing should be submitted to the clerk via hard copy, electronic mail, or other means so as to ensure an exact verbatim account. The Town of Oak Island provides full coverage of meetings on Government Channel 8 and the Town website so that the Citizens and the Public may view and listen to the meetings in their entirety.

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT: Appointment to the ABC Board (one term ending Dec 2026)
DATE: December 6, 2023
DEPARTMENT: Administration

Subject Summary: There is one term up for appointment on the ABC Board, with the term ending December 2026. Applicants are:

- Charles Farley
- Ronald King
- Willie Williams

Attachments:

[Charles_Farley](#)
[Ronald_King](#)
[Willie_Williams](#)

TOWN OF OAK ISLAND

Town Clerk

4601 E. Oak Island Dr. Oak
Island, NC 28465
Telephone 910-201-8004
Istites@oakislandnc.gov
FAX (910) 278-3400

COMMITTEE APPLICATION



Board/Committee: _____

Name: _____ **email:** _____

Home Address: _____
(Street) (City) (Zip Code)

Mailing Address if different: _____
(Street) (City) (Zip Code)

Home Phone: _____ **Fax:** _____ **Cell:** _____ **Business:** _____

Years resident of Oak Island: _____

Do you have a family member employed by Town of Oak Island? If yes, name: _____

Applicant's Employer: _____

In accordance with the Town of Oak Island Personnel Policy, a person currently employed by the agency or department for which this application is made must resign his/her position with Oak Island upon appointment. Furthermore, the applicant should have no immediate family member employed by such agency or department.

Occupation: _____

Relevant Professional Activities: _____

Relevant Volunteer Activities: _____

Why do you wish to serve on this board/committee?

Conflict of Interest: If a board member believes he/she has a conflict or potential conflict of interest on a particular issue, that member should state this belief to the other members of his/her respective board during a public meeting. The member should state the nature of the conflict, detailing that he/she has a separate, private, or monetary interest, either direct or indirect, in the issue under consideration. The member should then excuse himself/herself from voting on the matter.

What areas of concern would you like to see addressed by this committee?

Qualifications for serving:

Qualifications: What knowledge, skills, experience or other abilities do you have to contribute?

Other Oak Island boards/committees on which you have or are serving:

Date: _____

Signature _____

Applications are kept on file for 12 months

I understand that any board or committee appointee may be removed without cause by a majority of Town Council.

Please use reverse side for additional comments

Please provide references' contact information on Page 2.

TOWN OF OAK ISLAND

Town Clerk

4601 E. Oak Island Dr. Oak Island, NC 28465 Telephone 910-201-8004 lstites@oakislandnc.gov FAX (910) 278-3400

COMMITTEE APPLICATION



Board/Committee: ABC Board

Name: RONALD KING email: RONKING63@HOTMAIL.COM

Home Address: 2505 E. YACHT Oak Island 28465
(Street) (City) (Zip Code)

Mailing Address if different: _____
(Street) (City) (Zip Code)

Home Phone: — Fax: — Cell: 910-713-6090 Business: Retired

Years resident of Oak Island: 8 (4/20/15)

Do you have a family member employed by Town of Oak Island? If yes, name: NO

Applicant's Employer: Retired

In accordance with the Town of Oak Island Personnel Policy, a person currently employed by the agency or department for which this application is made must resign his/her position with Oak Island upon appointment. Furthermore, the applicant should have no immediate family member employed by such agency or department.

Occupation: Retired Mortgage Banker

Relevant Professional Activities: _____

Relevant Volunteer Activities: SENIOR CENTER - OAK ISLAND

Why do you wish to serve on this board/committee? TO ASSIST IN ANY WAY FOR SMOOTH OPERATION WITH THE COMMUNITY

Conflict of Interest: If a board member believes he/she has a conflict or potential conflict of interest on a particular issue, that member should state this belief to the other members of his/her respective board during a public meeting. The member should state the nature of the conflict, detailing that he/she has a separate, private, or monetary interest, either direct or indirect, in the issue under consideration. The member should then excuse himself/herself from voting on the matter.

What areas of concern would you like to see addressed by this committee? NONE

Qualifications for serving: See Attached ResuME

Qualifications: What knowledge, skills, experience or other abilities do you have to contribute?

Other Oak Island boards/committees on which you have or are serving: NONE

Date: NOV 29, 2023

Signature Ronald King
I understand that any board or committee appointee may be removed without cause by a majority of Town Council.

Applications are kept on file for 12 months
Please use reverse side for additional comments

Please provided references' contact information on Page 2.

TOWN OF OAK ISLAND

Town Clerk

4601 E. Oak Island Dr. Oak Island, NC 28465 Telephone 910-201-8004 Isites@oakislandnc.gov FAX (910) 278-3400

COMMITTEE APPLICATION



Board/Committee: ABC

Name: WILLIE OT WILLIAMS email: TURTLEWILLIE@ICLOUD.COM

Home Address: 122 NE 27TH ST OAK ISLAND 28465
(Street) (City) (Zip Code)

Mailing Address if different: _____
(Street) (City) (Zip Code)

Home Phone: _____ Fax: _____ Cell: 445/345-1496 Business: 910/278-4944

Years resident of Oak Island: 30+

Do you have a family member employed by Town of Oak Island? If yes, name: NO

Applicant's Employer: BACK 2 SHUCKERS

In accordance with the Town of Oak Island Personnel Policy, a person currently employed by the agency or department for which this application is made must resign his/her position with Oak Island upon appointment. Furthermore, the applicant should have no immediate family member employed by such agency or department.

Occupation: BARTENDER

Relevant Professional Activities: _____

Relevant Volunteer Activities: _____

Why do you wish to serve on this board/committee? CONTINUE SERVICES

Conflict of Interest: If a board member believes he/she has a conflict or potential conflict of interest on a particular issue, that member should state this belief to the other members of his/her respective board during a public meeting. The member should state the nature of the conflict, detailing that he/she has a separate, private, or monetary interest, either direct or indirect, in the issue under consideration. The member should then excuse himself/herself from voting on the matter.

What areas of concern would you like to see addressed by this committee? DELAY PRIVATIZATION

Qualifications for serving: EXTENSIVE KNOWLEDGE OF NLABC SYSTEM

Qualifications: What knowledge, skills, experience or other abilities do you have to contribute?

Other Oak Island boards/committees on which you have or are serving: PLANNING BOARD

Date: 11-22-23

Signature WILLIE OT WILLIAMS

Applications are kept on file for 12 months

I understand that any board or committee appointee may be removed without cause by a majority of Town Council.

Please use reverse side for additional comments

Please provide references' contact information on Page 2.

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT: Appointment to the Board of Adjustment (two alternate positions with terms ending March 2026)
DATE: December 6, 2023
DEPARTMENT: Administration

Subject Summary: Appointment to the Board of Adjustment (two alternate positions with terms ending March 2026). Applicants are:

- Nancy McMurray

Attachments:

[Nancy_McMurray](#)

TOWN OF OAK ISLAND

Town Clerk

4601 E. Oak Island Dr. Oak
Island, NC 28465
Telephone 910-201-8004
Istites@oakislandnc.gov
FAX (910) 278-3400

COMMITTEE APPLICATION



Board/Committee: Board of Adjustment

Name: Nancy McMurray **email:** nancyraymcmurray@yahoo.com

Home Address: 6607 W. Beach Dr. Oak Island, NC
(Street) (City) (Zip Code)

Mailing Address if different: _____
(Street) (City) (Zip Code)

Home Phone: N/A **Fax:** N/A **Cell:** 919-632-6425 **Business:** N/A

Years resident of Oak Island: 3 1/2

Do you have a family member employed by Town of Oak Island? If yes, name: N/A

Applicant's Employer: Retired

In accordance with the Town of Oak Island Personnel Policy, a person currently employed by the agency or department for which this application is made must resign his/her position with Oak Island upon appointment. Furthermore, the applicant should have no immediate family member employed by such agency or department.

Occupation: Retired

Relevant Professional Activities: Previously - State Bar Certified Paralegal (NC) Realtor, Sales & Marketing Analyst

Relevant Volunteer Activities: Started & managed The Durham Youth Orchestra (501-c3 non-profit)

Why do you wish to serve on this board/committee?
I want to dedicate my expertise and my passion to Oak Island's benefit. Other's have done so in the past and now I am ready to contribute as well.

Conflict of Interest: If a board member believes he/she has a conflict or potential conflict of interest on a particular issue, that member should state this belief to the other members of his/her respective board during a public meeting. The member should state the nature of the conflict, detailing that he/she has a separate, private, or monetary interest, either direct or indirect, in the issue under consideration. The member should then excuse himself/herself from voting on the matter.

What areas of concern would you like to see addressed by this committee?
My goal is to be certain that land use, development, zoning, and ordinances enacted by elected council members are followed by developers and citizens of our town.

Qualifications for serving:
My legal and real estate background make me an ideal candidate for this quasi-judicial board. I understand legal principles and know how to do legal research which would assist in making sound decisions. I have volunteered extensively throughout my adult life and been successful at organizing people to accomplish common goals.

Qualifications: What knowledge, skills, experience or other abilities do you have to contribute?

Other Oak Island boards/committees on which you have or are serving:
I have not had the opportunity to apply for other boards or committees due to family responsibilities. For the past six years I have been actively involved in helping my elderly mother who lived alone in her house in Durham. She was 94 years old when she suddenly passed away last month.

Date: 11/10/2023

Signature Nancy McMurray
I understand that any board or committee appointee may be removed without cause by a majority of Town Council.

Applications are kept on file for 12 months

Please use reverse side for additional comments

Please provide references' contact information on Page 2.

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT: Consideration of a Policy for Processing Code of Ethics
Complaints Against Advisory Board and Committee
Members

DATE: December 6, 2023

DEPARTMENT: Council Member

Subject Summary: Earlier this year, Council adopted a new Committee Policy and a Code of Ethics for advisory boards and committees. A procedure for processing complaints or allegations about ethics violations was not part of the Code of Ethics. Mayor Pro Tempore Bach has prepared a draft policy, and it is attached for Council's consideration.

Attachments:
[DRAFT_CodeOfEthicsComplaintProcedure](#)

OAK ISLAND CODE OF ETHICS COMPLAINT PROCEDURE

The Town of Oak Island is committed to a standard of excellent service for our residents. **All elected and appointed officials are bound by a Code of Ethics designed to facilitate excellence in all of our endeavors.**

In order to ensure a compliance with Oak Island's Code of Ethics, citizens may file a complaint if an official fails to honor the Code. Citizen complaints must be submitted on the Town's official form (available at Town Hall). All properly filed complaints will be reviewed by an independent arbiter. Town Council **WILL NOT** review anonymous submissions. **The arbiter's decision will be communicated to the individual filer in writing within three weeks.** Complaints validated by the arbitrator will be presented to Town Council for review and potential action at the next scheduled Council meeting, and Council reserves the right to decide all matters regarding ethical concerns.

We sincerely hope that residents never have cause to file a complaint, however, if you do, be aware that the complaint form is a public record. For questions or concerns, contact the Town Clerk at lstites@oakislandnc.gov.

OAK ISLAND CODE OF ETHICS COMPLAINT FORM

COMPLAINANT INFORMATION

Full Name: _____

Address: _____

Email: _____

Phone number: _____

INCIDENT INFORMATION

Date of incident: _____

Time of incident: _____

Location: _____

INCIDENT DESCRIPTION

Please render a complete description of the incident, including official(s) involved: _____

Witness(es) to the incident and contact information: _____

OTHER RELEVANT INFORMATION

SIGNATURE: _____

Printed name of complainant: _____

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT: Selection of a Mayor Pro Tempore for 2024
DATE: December 6, 2023
DEPARTMENT: Administration

Subject Summary:

Town Council’s Rules of Procedure state that during the December meeting, Council is to select a Mayor Pro Tempore for the upcoming year. The Mayor will ask for nominations, and Council members will vote.

Relevant sections from the Town Charter, Rules of Procedure and N.C. General Statues regarding the duties of the Mayor and Mayor Pro Tempore are as follows:

From the Town Charter:

Sec. 4.4. - Mayor and Mayor Pro Tempore.

Beginning with the regular municipal election following succession of the Interim Council as provided by this act, and every two years thereafter, there shall be elected a Mayor by the qualified voters of the Town voting at large. Beginning with the regular municipal election in 2021, the Mayor shall serve a term of four years. A permanent vacancy in the office of Mayor shall be filled for the unexpired term by a person appointed by the Town Council. The Mayor shall take the oath of office before entry upon the duties of his office. Candidates for Mayor shall file a notice of candidacy as is required by candidates for Town Council.

The Mayor shall be the official head of the Town government, shall preside at all meetings of the Town Council, but shall have the right to vote when there are equal numbers of votes in the affirmative and in the negative. The Mayor shall exercise such powers and perform such duties as are or may be conferred upon him by the general laws of North Carolina, by this Charter, and by the ordinances of the Town. The Town Council shall choose one of its number to act as Mayor Pro Tempore, and he shall perform the duties of the Mayor in the Mayor's absence or disability. The Mayor Pro Tempore shall serve a term of one year.

(Ord. of 5-27-2003, § 4; Amend. of 2-13-2018)

From the Rules of Procure:

Rule 7. Office of Mayor

The mayor is elected as such by the voters. The mayor shall execute documents as approved by the town council on behalf of the town. The mayor shall preside at all meetings of the council but shall have the right to vote only when there is a tie. In order to make a motion or speak during discussion or debate, a council member must be recognized by the mayor except as otherwise provided in Rule 17(b).

The mayor or other presiding officer shall have the following powers:

- (a) To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
- (b) To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other council members on this ground;
- (c) To entertain and answer questions of parliamentary law or procedure;
- (d) To call a brief recess at any time;
- (e) To adjourn in an emergency.

A decision by the presiding officer under (a), (b) or (c) may be appealed to the town council upon motion of any council member, pursuant to Rule 17(b), Motion 1. Such a motion is in order immediately after a decision under (a), (b) or (c) is announced and at no other time. The council member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

Rule 8. Office of Mayor pro-tempore

As the second order of business at the December regular meeting, the town council shall elect from among its members a mayor pro-tempore to serve a one-year term. A council member who serves as mayor pro-tempore shall be entitled to vote on all matters and shall be considered a council member for all purposes, including the determination of whether a quorum is present. If the mayor is absent from a council meeting, the mayor pro-tempore shall perform the mayor's powers and duties as presiding officer. If both the mayor and mayor pro-tempore are absent from a council meeting, the town council may elect from among its members a temporary chairman to preside at the meeting. If the mayor should become physically or mentally unable to perform the duties of his or her office, the town council may by unanimous vote declare that the mayor is incapacitated and confer any of the mayor's powers and duties on the mayor pro-tempore. When a mayor declares that he or she is no longer incapacitated, and a majority of the town council concurs, the mayor shall resume the exercise of his or her powers and duties.

From the N.C. General Statutes:

§ 160A-67. General powers of mayor and council.

Except as otherwise provided by law, the government and general management of the city shall be vested in the council. The powers and duties of the mayor shall be such as are conferred upon him by law, together with such other powers and duties as may be conferred upon him by the council pursuant to law. The mayor shall be recognized as the official head of the city for the purpose of service of civil process, and for all ceremonial purposes. (1971, c. 698, s. 1.)

§ 160A-69. Mayor to preside over council.

The mayor shall preside at all council meetings, but shall have the right to vote only when there are equal numbers of votes in the affirmative and in the negative. In a city where the mayor is elected by the council from among its membership, and the city charter makes no provision as to the right of the mayor to vote, he shall have the right to vote as a council member on all matters before the council, but shall have no right to break a tie vote in which he participated. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 3.)

§ 160A-70. Mayor pro tempore; disability of mayor.

At the organizational meeting, the council shall elect from among its members a mayor pro tempore to serve at the pleasure of the council. A councilman serving as mayor pro tempore shall be entitled to

vote on all matters and shall be considered a councilman for all purposes, including the determination of whether a quorum is present. During the absence of the mayor, the council may confer upon the mayor pro tempore any of the powers and duties of the mayor. If the mayor should become physically or mentally incapable of performing the duties of his office, the council may by unanimous vote declare that he is incapacitated and confer any of his powers and duties on the mayor pro tempore. Upon the mayor's declaration that he is no longer incapacitated, and with the concurrence of a majority of the council, the mayor shall resume the exercise of his powers and duties. In the event both the mayor and the mayor pro tempore are absent from a meeting, the council may elect from its members a temporary chairman to preside in such absence.

Suggested Motion: Council members may nominate a candidate for Mayor Pro Tempore from among the Council.

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT: Consideration of the 2023 Town Council Meeting
Schedule
DATE: December 6, 2023
DEPARTMENT: Administration

Subject Summary: Town Council's Rules of Procedure state that at the organizational meeting in December, Council will approve a list of regular meeting dates for the coming year. Staff has prepared the list of regular meetings (second Tuesday of the month at 6 p.m.).

Attachments:
[2024 Town Council Meeting Dates](#)

Suggested Motion: I make a motion to adopt the 2024 Town Council meeting schedule as presented.

**2024 Town Council Meeting Dates
(second Tuesdays, 6 pm)**

January 9, 2024

February 13, 2024

March 12, 2024

April 9, 2024

May 14, 2024

June 11, 2024

July 9, 2024

August 13, 2024

September 10, 2024

October 8, 2024

November 12, 2024

December 10, 2024

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT:	Selection of a Representative to the Cape Fear Council of Governments
DATE:	December 6, 2023
DEPARTMENT:	Administration

Subject Summary: Another task for the December meeting is for Council to appoint a representative to the Cape Fear Council of Governments. The Cape Fear COG plans and administers a variety of federal, state and local programs in Region O, covering Brunswick, Columbus, New Hanover and Pender Counties. The COG works under the direction of a delegation of locally elected officials representing member governments. Mayor White was the Town's representative for 2023.

Suggested Motion: Council may nominate an elected official to serve as the Town's representative to the COG.