

**TOWN OF BURGAW BOARD OF COMMISSIONERS
REGULAR MEETING**

DATE: September 8, 2020
TIME: 4:00 PM
PLACE: Historic Train Depot, 115 S. Dickerson Street
BOARD MEMBERS PRESENT: Mayor Kenneth Cowan
Mayor Pro-tem Wilfred Robbins
Commissioners Jan Dawson, Bill George, Vernon Harrell, James Murphy
STAFF PRESENT: James Gantt, Town Manager
Kristin J. Wells, Town Clerk
Zachary Rivenbark, Town Attorney
Wendy Pope, Finance Officer
Andrea Correll, Planning Director
Kimberly Rivenbark, Deputy Town Clerk
Jim Hock, Police Chief
Alan Moore, Public Works Director
Louis Hesse, Building Code Administrator
Clay Jasper, Deputy Fire Chief
STAFF PRESENT REMOTELY: Cody Suggs, Parks & Recreation Director
MEDIA PRESENT: Unknown
INVOCATION: Reverend Nick Smith
PLEDGE OF ALLEGIANCE: All

The meeting was called to order by Mayor Cowan at 4:00 PM and the invocation was led by Reverend Nick Smith.

Approval of Agenda

Mayor Cowan asked for approval of the agenda. Commissioner Robbins made a motion to approve the agenda as presented. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

Approval of Consent Agenda

Commissioner Harrell requested a spelling error to be corrected on page 6 of the August 11, 2020 Board of Commissioners meeting minutes regarding the word “traitors.” Commissioner Harrell made a motion to approve the consent agenda as amended. The motion was seconded by Commissioner Murphy and carried by unanimous vote.

- A. Approval of the July 14, 2020 Regular Meeting Minutes
- B. Approval of the July 14, 2020 Closed Session Minutes
- C. Approval of the August 11, 2020 Regular Meeting Minutes
- D. Resolution 2020-12 Amending the Personnel Policy regarding Pay Under State of Emergency

**RESOLUTION 2020-12
AMENDING THE CURRENT PERSONNEL POLICY**

WHEREAS, the Town of Burgaw Board of Commissioners approved the use of the Personnel Policy on September 11, 2012; and

WHEREAS, the Town Manager recommends changes and new policies to replace existing policies and procedures within Article V, Section 16, Pay under a State of Emergency; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the Town of Burgaw Board of Commissioners hereby amends the Personnel Policy to reflect the following changes:

Section 16 Pay under a State of Emergency

Whenever the Town of Burgaw is under a State of Emergency declared by the Mayor of the Town of Burgaw, the Town Manager or Department Head shall determine which employees are essential and

required to work during emergency situations. Essential non-exempt and exempt employees shall receive compensation of 1.5 times their regular pay rate for the exact time spent on the incident, after reaching their standard workweek hours, in accordance with Article V, Section 11 for FLSA non-exempt and exempt employees. Subject hours will be fully documented and certified by the Department Head and approved by the Town Manager.

Adopted this 8th day of September 2020.

SPECIAL REQUESTS/PRESENTATIONS

Recognition of Resigning Planning & Zoning Board Member Louis Davis

Mayor Cowan presented a plaque to Louis Davis in recognition of his years of service on the town Planning and Zoning Board.

Road maintenance and drainage issues at Village on Eighteen – *Residents of Village on Eighteen*

Olivia Dawson stated she and other residents of Village on Eighteen were in attendance to express their concerns regarding the road maintenance and drainage issues within the Village on Eighteen subdivision. The following residents voiced their concerns:

- Cheri Steffen, 1021 Bally Bunion Lane
- Sarah Benavids, 1030 Bally Bunion Lane
- Brenda Henry, 1028 Bally Bunion Lane
- Mary Sholar, 1026 Bally Bunion Lane
- Olivia Dawson, 106 Kilarney Court

The above mentioned residents had similar concerns regarding high water at times where emergency vehicles or family members cannot get in or out of the area, water coming close to the inside of garages, road maintenance and pot holes in the streets not being taken care of. There were several questions and comments as to why the residents are paying county and town taxes, but cannot get any help with street maintenance since they live within the town. There were also comments in regards to only one road in and out of the subdivision.

Members of the board commented there is a current plan in progress to assist with drainage issues in the area. State, county and town officials are working to see what can be done to help with the flow of water and drainage outside of town limits. Mayor Cowan clarified the streets are owned by the residents and not the town.

There was discussion regarding the possibility of digging ditches in the area to help with drainage. Mr. Moore advised if ditches are dug, the problem will still occur because the issue is further out than right in town. To access property between the subdivision and the interstate, easements must be obtained to gain access. Commissioner Robbins suggested the board look into a bond to increase taxes to take care of the drainage problem.

After continued discussion by the residents and board members, Mr. Gantt advised he would provide an update to Ms. Dawson to disperse throughout her community regarding the progress with other agencies on a plan to help with the drainage issue.

DEPARTMENTAL ITEMS

Parks & Recreation Department – *Cody Suggs, Parks & Recreation Director*

Christmas Wreaths - Discussion

Mr. Suggs was present via phone and explained the cost details for purchasing Christmas wreaths for the utility poles in the area of Highway 53 East/US Highway 117, near Walmart. There had been prior discussion on this matter and was requested to get information. Mr. Suggs advised the money for the wreaths was not budgeted in the current fiscal year. The total price, including taxes and shipping, is approximately \$7,200. This price includes a discount until the 14th of September, and then the price gets higher as the discount gets lower. Mr. Gantt advised this

price includes ten (10) wreaths and ten (10) bows that match the others in town. He also advised the lamp posts are expected to be installed by early November.

Mayor Cowan commented the board has talked about getting decorations for the area for about five years and believes it is time to do something. Commissioner Dawson commented the Tourism Development Authority (TDA) had previously mentioned placing decorations in this area. Mayor Cowan said this project is really not a TDA function. Mr. Gantt advised the TDA had originally spoke about the decorations as a recommendation to the town board since there are no decorations in the area of Walmart. Mr. Gantt advised the installation of lamp posts near Walmart is the first phase with hopes in bringing in more phases with expanding the lamp posts out from the area. He advised the lamp posts match the same ones that are around the Courthouse Square in downtown.

Commissioner Harrell commented the budget is tight this year, we are currently holding back additional benefits to employees, and feels this is not the time to spend money. Commissioner George commented we need to put them (wreaths) up. He also suggested we put up half this year and wait for the other half next year. Commissioner Robbins mentioned he thought these were supposed to be in the budget last year. Mayor Cowan advised it was in the budget but the board decided to increase the size of the Christmas tree for Courthouse Square.

Commissioner Dawson said she thought the TDA was willing to put funds towards this project. Mayor Cowan commented again this is not a TDA function and the TDA needs to concentrate on bringing in business and tourism to the town. Commissioner Robbins said he thinks this project is a great idea and the board has been talking about it for a long time. Commissioner Harrell commented he is opposed to this project at this time due to funding this year. Commissioner Dawson said her concern is funding as well and asked if there was anywhere in the budget we can find this money without taking it from the general fund. Mr. Gantt advised staff can look into this, but is up to the board on how they want to allocate the funds. Commissioner Dawson said if we are going to put the lamp posts up, then we need to put the decorations up as well.

Commissioner Robbins made a motion to purchase the wreaths. The motion was seconded by Commissioner George. Commissioners Robbins, George, Murphy and Dawson voted “aye.” Commissioner Harrell voted “nay.” Motion carried.

ITEMS FROM THE ATTORNEY – *Zachary Rivenbark, Town Attorney*

Drainage Easements

Attorney Rivenbark stated the drainage easements, previously spoken of in prior meetings, are making progress. He said a new owner to a parcel between US Highway 117 and South Bickett Street may cause a slight hiccup with obtaining a new signature. Attorney Rivenbark stated he is waiting on the legal descriptions for the other section he is working on, between South Bickett Street and South McNeil Street. He said he has spoken with Mr. Moore and Mr. Myslow from Public Works and we are hoping to widen this easement from 15 feet to 20 feet. Attorney Rivenbark said he would bring back more information on this matter.

Attorney Rivenbark commented on the old golf course property behind Village on Eighteen regarding the drainage issues spoken about earlier in this meeting. He said we can speak on this matter in closed session if the board wished to do so.

ITEMS FROM THE MANAGER – *James Gantt, Town Manager*

Resolution 2020-13 Approving the request of state grant assistance regarding asset inventory and assessment on the wastewater collection system

Mr. Gantt explained the resolution presented. There were no questions from the board. Commissioner Dawson made a motion to approve Resolution 2020-13 as presented. The motion was seconded by Commissioner Murphy and carried by unanimous vote.

RESOLUTION 2020-13

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of assessment of wastewater collection system assets, and

WHEREAS, The Town of Burgaw has need for and intends to develop asset inventories, condition assessment of critical assets, and other components of a comprehensive asset management program for wastewater collection, and

WHEREAS, The Town of Burgaw intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF BURGAW:

That the Town of Burgaw, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the **Applicant** will provide for efficient completion of the project per program guidelines.

That James Gantt, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, are hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 8th of September 2020 at Burgaw, North Carolina.

Food Trucks – Update

Mr. Gantt advised he, Attorney Rivenbark and Ms. Correll met to discuss this matter as previously spoken about in prior board meetings. He said their recommendation is to allow food trucks in town, but to impose a yearly fee for the food trucks. He said they would clarify the definition of “special event” in the ordinance since the town does allow food trucks during special events. Mr. Gantt asked for direction from the board so staff could move forward with working on an ordinance. Attorney Rivenbark said he recommends keeping the current restriction of food trucks only being allowed on private property. He said this has been loosely enforced in the past, but he does not want an issue to come up in the future with complaints of a brick and mortar business downtown having a food truck on a public street.

Commissioner Robbins said defining “special events” is key. There was discussion regarding research on what other municipalities require as a yearly fee. Commissioner Harrell asked if there was any way to limit the number of food trucks in town in one day. Attorney Rivenbark commented if the town has a limit, this may cause issues. It will be difficult to limit, while enforcing them to only be on private property.

There was discussion regarding permit fees both from the town and health department. Attorney Rivenbark also commented the police department will need some guidance so they can enforce food trucks only being allowed on private property, especially on the weekends when staff is not in the office.

There was additional discussion regarding the definition of a “special event.” Staff will research this further and incorporate a detailed definition within the ordinance.

It was the consensus of the board to direct staff to move forward with the plan as explained by Mr. Gantt: Staff would develop an ordinance with a yearly fee requiring health department inspections and permits with the food truck application. The town would then issue a written permit so the food truck operators can have it in their possession while operating business in town.

Other items from the Manager

Old EMS Building Renovation Update

Mr. Gantt advised Mr. Guidry has received a list of change requests from staff and is currently working on those. Commissioner Dawson confirmed a part of these changes consisted of adding windows to the front of the building. Mr. Hesse gave more specific change request details related to building codes, etc.

Downtown Sidewalk Pressure Washing

Mr. Gantt advised he has received a few recent complaints regarding the looks of the sidewalks in the downtown area. New concrete was recently put down in front of the new restaurant, Fat Daddy's Pizza, and the complaints were related to the rest of the sidewalks needing to be cleaned so it would look better in the area. Mr. Gantt advised Mr. Moore has received a quote for pressure washing the sidewalks downtown and work will begin soon.

ITEMS FROM MAYOR AND BOARD OF COMMISSIONERS

Commissioner Robbins said the time has come for the town board to take a lead role to get real serious about the drainage issues throughout town. He understands there is help needed from the county and state, but the town needs to do their part. Commissioner Robbins commented the town needs to come up with a major plan for the entire town and maybe it needs to be presented in the form of a bond. He asked the board to think about this and consider coming up with a master plan. Mayor Cowan commented on borrowing money to take care of the streets and drainage. Mr. Gantt commented on the possibility of imposing a storm drainage utility fee based on the square footage of impervious surface on the customer's property. He said this fee could generate quite a bit of revenue and most residential customers would pay \$3-\$4 per month included with their utility bill. Larger industries and areas with a lot of impervious surface would contribute more. Commissioner Robbins asked if this type of fee could be voted on during election time. After brief comments, Attorney Rivenbark commented a bond would be the cleanest and simplest way for the town. Mr. Gantt commented NC DOT would need to be on board with this project as well. He said he would meet with the county NC DOT engineer and discuss the issue.

There were comments by Ms. Correll regarding town owned streets versus ones that are not, like Village on Eighteen. She said it costs thousands of dollars to bring streets up to NC DOT standard.

Commissioner George commented on the drainage issues and he said the issue gets worse when trees are cut down.

Commissioner Dawson asked about the town's part to complete the sidewalk on Clark Street. Mr. Gantt advised the quotes received were around \$16k-\$18k to complete. He said this is not in the budget and would be something that should be included in the capital improvement plan, unless the board wanted to allocate funds from elsewhere. Mr. Gantt commented he and Ms. Correll have spoken about the Safe Routes to School funding and the possibility of the town applying for some funds to assist with the portion of sidewalk in discussion since it leads to Burgaw Middle School.

Commissioner Dawson asked Mr. Moore what staff decided about the sidewalk on Bridgers Street. Mr. Moore has spoken to the contractor and they plan to take care of this at the end of the month.

Commissioner Dawson commented on what the town could do to help the residents on the west side of town. She would like to look at placing sidewalks from these neighborhoods to downtown. Mr. Gantt said Ms. Correll is reviewing the 2014 Westside Trails and Park Plan and will bring more information back to the board at a later date.

Commissioner Harrell thanked Mr. Moore and the Public Works crews for the work they are doing to keep up with all of the mowing due to excessive rain.

Commissioner Harrell asked Chief Hock to clarify the definition of a "juvenile call" listed on the Police Department monthly report. Chief Hock advised this is any call involving juveniles under the age of 17.

Commissioner Harrell commented on a petition that has been circulating to change the name of the Burgaw Elementary School back to its original name, C.F. Pope. He believes the town board should support this change.

Discussion of scheduling a joint meeting with the Planning & Zoning Board

Ms. Correll advised the Planning & Zoning Board has requested a joint meeting with the town board to discuss upcoming UDO amendments, current town projects, etc. After some brief comments, it was the consensus of the board to schedule a special Board of Commissioners meeting for Thursday, October 15, 2020 at 5:30 PM, during the regularly scheduled Planning & Zoning Board meeting.

BREAK 5:21 PM-5:33 PM

PUBLIC FORUM

Crystal Batts, 1635 Old Savannah Road South, complained about the dilapidated houses on North Wright Street. She asked the board when something would be done about the issue. *There were no comments made by the board.*

Jennifer Matthews, 115 North Smith Street, owner of The Old Farm Shed, complained about the looks of the downtown area. She said she blows leaves and picks up limbs on a regular basis. She suggested placing flower beds, hanging baskets, pressure washing of the sidewalks, etc. She stated she does not feel the town is doing anything to help the beautification of downtown Burgaw. *There were no comments made by the board.*

Susan Fowler, 2118 Old Savannah Road, complained about a house located at 803 North Wright Street. She stated there are normally 10-12 cars there and that it is a drug dealer's house. Ms. Fowler also complained about the property located at 947 Old Savannah Road South, which has a camper on it without water or power. She stated there are trash bags all over the property and she voiced concerns that it decreases the value of her house. *There were no comments made by the board.*

PUBLIC HEARINGS

Public Hearing #1 – Andrea Correll, Planning Director

Consideration of Unified Development Ordinance Text Amendments recommended by the Planning Board on July 16, 2020 clarifying mixed use buildings downtown; defining mixed use and adding standards to enable the occasional residential unit downstairs in the B-1 Zoning District: Section 6-2: Definitions of Basic Terms; Section 16-13: Standards for Construction or Expansion in B-1 District.

Mayor Cowan opened the public hearing at 5:46 PM.

Ms. Correll explained the text amendment request as described in the ordinance below. Mayor Cowan asked if there was anything included in the amendment regarding residential trash cans in the downtown area. Ms. Correll said normally dumpsters are used in a downtown area. There were comments about trash cans in the downtown area and a need for some type of enclosure.

Mayor Cowan closed the public hearing at 5:53.

Resolution 2020-14 Adopting a statement of consistency regarding a requested text amendment of the Town of Burgaw Unified Development Ordinance clarifying mixed use buildings downtown; defining mixed use and adding standards to enable the occasional residential unit downstairs in the B-1 zoning district.

Commissioner Harrell made a motion to approve Resolution 2020-14 as presented. The motion was seconded by Commissioner George and carried by unanimous vote.

RESOLUTION 2020-14
ADOPTING A STATEMENT OF CONSISTENCY REGARDING A REQUESTED TEXT
AMENDMENT OF THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE
CLARIFYING MIXED USE BUILDINGS DOWNTOWN; DEFINING MIXED USE AND
ADDING STANDARDS TO ENABLE THE OCCASIONAL RESIDENTIAL UNIT
DOWNSTAIRS IN THE B-1 ZONING DISTRICT

WHEREAS, the applicant, Town of Burgaw Staff, has requested the Town amend the Town of Burgaw Unified Development Ordinance to add a definition of Mixed Use to Section 6-2, as well as amending Section 16-13 Standards for Construction or Expansion in the B-1 District; and

WHEREAS, Planning staff has reviewed the proposed text change amendment for consistency with the Town of Burgaw 2030 Comprehensive Land Use Plan and has presented those findings to the Town of Burgaw Planning Board and the Town of Burgaw Board of Commissioners; and

WHEREAS, the Town of Burgaw Planning and Zoning Board, at their July 16th, 2020 meeting, recommended the adoption of the Draft Comprehensive Plan Consistency Statement to the Board of Commissioners; and

WHEREAS, the Town of Burgaw Board of Commissioners reviewed the staff report and Draft Comprehensive Plan Consistency Statement at their September 8th, 2020 meeting and found the proposed text change amendment to be consistent with the Town of Burgaw 2030 Comprehensive Land Use Plan, being reasonable, and in the public interest; and

NOW THEREFORE BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the proposed Unified Development Ordinance text amendment is consistent with the Town of Burgaw 2030 Comprehensive Plan by specifically preserving and enhancing the livability of the Town, while keeping standards encouraging quality and controlled growth that enhances and maintains the community's character.

Adopted this 8th day of September 2020.

Ordinance 2020-21 A requested text change amendment of the Town of Burgaw Unified Development Ordinance clarifying mixed use buildings downtown; defining mixed use and adding standards to enable the occasional residential unit downstairs in the B-1 zoning district.

Commissioner George made a motion to approve Ordinance 2020-21 as presented. The motion was seconded by Commissioner Robbins and carried by unanimous vote.

ORDINANCE 2020-21
A REQUESTED TEXT CHANGE AMENDMENT OF THE TOWN OF BURGAW UNIFIED
DEVELOPMENT ORDINANCE CLARIFYING MIXED USE BUILDINGS DOWNTOWN;
DEFINING MIXED USE AND ADDING STANDARDS TO ENABLE THE OCCASIONAL
RESIDENTIAL UNIT DOWNSTAIRS IN THE B-1 ZONING DISTRICT

WHEREAS, applicant, Town of Burgaw Staff, has requested the Town amend the Town of Burgaw Unified Development Ordinance to add a definition of Mixed Use to Section 6-2, as well as amending Section 16-13 Standards for Construction or Expansion in the B-1 District; and has presented those findings to the Town of Burgaw Planning Board and the Town of Burgaw Board of Commissioners; and

WHEREAS, the Town of Burgaw Planning and Zoning Board, at their August 20th, 2020 meeting, recommended the adoption to the proposed text amendments to the Board of Commissioners of the Town of Burgaw amending the Unified Development Ordinance to add a definition of Mixed Use to Section 6-2, as well as amending Section 16-13 Standards for Construction or Expansion in the B-1 District; and statement; and

WHEREAS, the Town of Burgaw Board of Commissioners reviewed the staff report, the proposed text amendments and the Draft Comprehensive Plan Consistency Statement at their September 8, 2020 meeting and found the proposed text change amendments to be consistent with the Town of Burgaw 2030 Comprehensive Land Use Plan, reasonable, and in the public interest; and

NOW THEREFORE BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT

SECTION 1. The Town of Burgaw Unified Development Ordinance is amended as follows:

Section 6-2: Definitions of Basic Terms

Mixed-Use Structure: A building containing residential in addition to non-residential uses permitted in the planned building group in the B-1 zoning district. Mixed – Use buildings are a common feature of traditional downtowns.

Section 16-3: Standards for Construction or Expansion in B-1 Zoning District

The following planned building group regulations shall apply to all new construction or expansion of existing buildings on B-1 zoned property. **As defined in Section 6-2 Mixed – Use Structures containing residential in addition to non-residential uses are permitted with a Conditional Use Permit.** These requirements shall be in effect for both the development of individual buildings and parcels and two (2) or more buildings on a single parcel.

SECTION 2. These amendments become effective immediately upon adoption of this ordinance on this, the 8th day of September 2020.

Public Hearing #2 – Andrea Correll, Planning Director

Consideration of Unified Development Ordinance Text Amendments recommended by the Planning Board on August 20, 2020 amending Section 2-2(B) Planning Board Rules of Conduct subsection (a) adding following Robert’s Rules of Order when necessary and re-lettering the subsection.

Mayor Cowan opened the public hearing at 5:54 PM.

Ms. Correll explained the text amendment request as described in the ordinance below. She said the members of the Planning & Zoning Board would like to adopt Robert’s Rules of Order so their meetings flow smoother. There were brief comments by Attorney Rivenbark in support of this amendment.

Mayor Cowan closed the public hearing at 5:58 PM.

Resolution 2020-15 Adopting a statement of consistency regarding a requested text amendment of the Town of Burgaw Unified Development Ordinance; adopting Robert’s Rules of Order for the Planning Board amending section 2-2 (B) (a) including re-lettering the subsection.

Commissioner Dawson made a motion to approve Resolution 2020-15 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

RESOLUTION 2020-15

ADOPTING A STATEMENT OF CONSISTENCY REGARDING A REQUESTED TEXT AMENDMENT OF THE TOWN OF BURGAW UNIFIED DEVELOPMENT ORDINANCE; ADOPTING ROBERT’S RULES OF ORDER FOR THE PLANNING BOARD AMENDING SECTION 2-2 (B) (a) INCLUDING RE-LETTERING THE SUBSECTION

WHEREAS, the applicant, Town of Burgaw Staff, has requested the town amend the Town of Burgaw Unified Development Ordinance to adopt Robert’s Rules of Order by amending Section 2-2 (B) Rules of Conduct by adding a new subsection (a) Conducting orderly meetings will be enabled by following Robert’s Rules of Order Newly Revised In Brief when necessary;

WHEREAS, Planning staff has reviewed the proposed text change amendment for consistency with the Town of Burgaw 2030 Comprehensive Land Use Plan and has presented those findings to the Town of Burgaw Planning Board and the Town of Burgaw Board of Commissioners; and

WHEREAS, the Town of Burgaw Planning and Zoning Board, at their August 20th, 2020 meeting, recommended the adoption of the Draft Comprehensive Plan Consistency Statement to the Board of Commissioners; and

WHEREAS, the Town of Burgaw Town Board of Commissioners reviewed the staff report and Draft Comprehensive Plan Consistency Statement at their September 8th, 2020 meeting and found the proposed text change amendment to be consistent with the Town of Burgaw 2030 Comprehensive Land Use Plan, being reasonable, and in the public interest; and

NOW THEREFORE BE IT RESOLVED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT the proposed Unified Development Ordinance text amendment is consistent with the Town of Burgaw 2030 Comprehensive Plan by specifically striving to continue

improving government efficiency and effectiveness to ensure a high level of service for the entire community.

Adopted this 8th day of September 2020.

Ordinance 2020-22 A requested text amendment of the Town of Burgaw Unified Development Ordinance; adopting Robert's Rules of Order for the Planning Board amending section 2-2 (B) (a) including re-lettering the subsection.

Commissioner Robbins made a motion to approve Ordinance 2020-22 as presented. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

**ORDINANCE 2020-22
A REQUESTED TEXT AMENDMENT OF THE TOWN OF BURGAW UNIFIED
DEVELOPMENT ORDINANCE; ADOPTING ROBERT'S RULES OF ORDER FOR THE
PLANNING BOARD, AMENDING SECTION 2-2 (B) (a) INCLUDING RE-LETTERING
THE SUBSECTION**

WHEREAS, the applicant, Town of Burgaw Staff, has requested the Town amend the Town of Burgaw Unified Development Ordinance to adopt Robert's Rules of Order by amending Section 2-2 (B) Rules of Conduct by adding a new subsection (a) Conducting orderly meetings will be enabled by following Robert's Rules of Order Newly Revised In Brief when necessary; and has presented those findings to the Town of Burgaw Planning Board and the Town of Burgaw Board of Commissioners; and

WHEREAS, the Town of Burgaw Planning and Zoning Board, at their August 20th, 2020 meeting, recommended the adoption to the proposed text amendments to the Board of Commissioners of the Town of Burgaw amending the Unified Development Ordinance to adopt Robert's Rules of Order by amending Section 2-2 (B) Rules of Conduct by adding a new subsection (a) Conducting orderly meetings will be enabled by following Robert's Rules of Order Newly Revised In Brief when necessary; and

WHEREAS, the Town of Burgaw Board of Commissioners reviewed the staff report, the proposed text amendments and the Draft Comprehensive Plan Consistency Statement at their September 8, 2020 meeting and found the proposed text change amendment to be consistent with Town of Burgaw 2030 Comprehensive Land Use Plan, reasonable, and in the public interest; and

NOW THEREFORE BE IT ORDAINED BY THE TOWN OF BURGAW BOARD OF COMMISSIONERS THAT

SECTION 1. The Town of Burgaw Unified Development Ordinance is amended as follows:

Section 2-2: Planning and Zoning Board

B. Rules of Conduct. Members of the Board may be removed for cause, including violation of any rule stated below:

a. Conducting orderly meetings will be enabled by following Robert's Rules of Order Newly Revised In Brief when necessary.

SECTION 2. These amendments become effective immediately upon adoption of this ordinance on this, the 8th day of September 2020.

Other comments by the Mayor

Mayor Cowan commented on a recent letter of support for Pender Memorial Hospital that all the commissioners should be aware of. He said everyone needs to be aware of how important the hospital is to Burgaw.

Mayor Cowan expressed his appreciation to the employees of Pender Adult Services and the Meals on Wheels program, which is serving over 1,200 meals a week.

Mayor Cowan made brief comments on the courthouse square and the county's discussion regarding use of the square for future festivals and activities.

CLOSED SESSION – 6:07 PM

Commissioner Robbins made a motion to go into closed session pursuant to NC GS 143-318.11(a)(6) Personnel and NC GS 143-318.11(a)(3) Attorney/Client Privilege. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

OPEN SESSION – 6:25 PM

Commissioner Dawson made a motion to go back into open session. The motion was seconded by Commissioner Harrell and carried by unanimous vote.

ADJOURNMENT

Commissioner Robbins made a motion to adjourn. The motion was seconded by Commissioner Dawson and carried by unanimous vote.

The meeting was adjourned at 6:25 PM.

Kenneth T. Cowan, Mayor

Attest: _____
Kristin J. Wells, Town Clerk