

# TOWN OF RICHLANDS Town Board Meeting July 13, 2021 6:00 PM AGENDA

- I. Meeting Called to Order by Mayor McKinley Smith
- II. Pledge of Allegiance
- III. Invocation
- IV. Adoption of the Agenda
- V. Adoption of the Minutes
  - 1. June 2021 Meeting Minutes

#### VI. Public Hearings

1. Public Hearing - Zoning Map Amendment

#### VII. Old Business

#### **VIII. New Business**

- 1. Zoning Map Amendment (Ordinance 2021-04)
- 2. Solid Waste Collection Services Update & Review
- 3. Budget Amendment 2021-01

#### IX. Administrator Notes and Updates

1. Administrator Notes and Updates

#### X. Police Report

- 1. June 2021 Police Report
- XI. Public Comment
- XII. Board Member Concerns and Committee Updates
- XIII. Personnel
- XIV. Closed Session
- XV. Adjourn



*Agenda Item V. - 1.* June 2021 Meeting Minutes

#### **Description:**

#### **Review:**

Attached are the minutes for the June 8, 2021 Regular Meeting of the Richlands Board of Aldermen and the June 25, 2021 Special Call Meeting.

#### **Action Needed:**

Adopt the Minutes.

#### ATTACHMENTS:

Description

- June 8, 2021 Meeting Minutes
- ☐ June 25, 2021 Meeting Minutes

### TOWN OF RICHLANDS NORTH CAROLINA

Office of the Town Clerk (910) 324-3301 (910) 324-2324 fax townclerk@richlandsnc.gov Mailing Address: P.O. Box 245 Richlands. N.C. 28574



The Richlands Board of Aldermen met in regular session on Tuesday, June 08, 2021, at 6:00 pm in the board room at the Richlands Town Hall. Present for the meeting were:

Mayor Pro Tem Tom Brown Alderman Kent Painter Alderman Kandy Koonce Alderman Marilyn Bunce Alderman Paul Conner

Also present were:

Gregg Whitehead, Town Administrator Keith Fountain, Town Attorney

Chief William Horne

Doreen Putney, Town Clerk Johnathan Jarman. Public Works Director

Absent: Mayor McKinley Smith

There was one citizens present.

#### I. MEETING CALLED TO ORDER:

Mayor Pro Tem Tom Brown called the meeting to order at 6:00 pm.

II. PLEDGE OF ALLEGIANCE: Alderman Kent Painter

**III. INVOCATION**: Mayor Pro Tem Tom Brown

#### IV. ADOPTION OF AGENDA:

Gregg Whitehead, Town Administrator, presented the agenda to the Board.

A **motion** was made by Alderman Kandy Koonce, seconded by Alderman Kent Painter to adopt the agenda as presented. The motion was unanimously carried.

#### V. <u>APPROVAL OF MINUTES (May 11, 2021)</u>:

A **motion** was made by Alderman Paul Conner, seconded by Alderman Marilyn Bunce to approve the regular board meeting minutes of May 11, 2021. The motion was unanimously carried.

#### VI. PUBLIC HEARING:

#### 1. **FY 2021/2022 Budget:**

Mayor Pro Tem Brown opened the meeting to hear public comment concerning the proposed fiscal year 2021/2022 budget.

With no comments from the public, Mayor Pro Tem Brown declared the public hearing closed.

#### 2. Zoning Text Amendment (Chapter 152 Subdivisions):

Mayor Pro Tem Brown opened the meeting to hear public comment concerning multiple text revisions to Chapter 152 (Subdivisions) of Title XV of the Town of Richlands Code of Ordinances.

With no comments from the public, Mayor Pro Tem Brown declared the public hearing closed.

#### 3. **Zoning Text Amendment (Chapter 153 Zoning):**

Mayor Pro Tem Brown opened the meeting to hear public comment concerning multiple text revisions to Chapter 153 (Zoning) of Title XV of the Town of Richlands Code of Ordinances.

With no comments from the public, Mayor Pro Tem Brown declared the public hearing closed.

#### VII. OLD BUSINESS: None

#### VIII. NEW BUSINESS:

#### 1. Fiscal Year 2021-2022 Budget Ordinance 2021-02:

Mr. Whitehead presented the proposed budget for Fiscal Year 2021/2022. The required public hearing has been held. The Board deliberated and voted on the adoption of the Fiscal Year 2021/2022 Budget Ordinance.

A **motion** was made by Alderman Kandy Koonce, seconded by Alderman Marilyn Bunce to adopt the proposed fiscal year 2021/2022 budget Ordinance 2021-02. The motion was unanimously carried.

#### 2. Zoning Text Amendments (Ordinance 2021-03):

The required public hearings have been held. The Board deliberated and voted on the zoning text amendment Ordinance 2021-03 which will amend Chapter 152: Subdivisions and Chapter 153: Zoning of the Title XV of the Richlands Code of Ordinances. Marilyn stated that this also puts in place the statutes that the state requires for 160D.

A **motion** was made by Alderman Marilyn Bunce seconded by Alderman Kent Painter to approve Ordinance 2021-03 amending Chapter 152 Subdivisions and Chapter 153 Zoning of Title XV of the Richlands Code of Ordinances. The motion was unanimously carried.

#### 3. Storage Room Design Proposal:

Mr. Whitehead reported that our storage space is becoming increasingly limited at town hall with the requirement that we store multiple years of financial documents. The Walker Group has submitted a proposal to offer design services and provide the town a set of constructions plans for any future construction needs. The proposal total is \$3,500.00.

The Board tabled the proposed and requested to acquire other bids for engineering design services.

#### 4. Schedule Public Hearing (Zoning Map Amendment) Rezone Cavanaugh Farm:

Mr. Whitehead reported receiving a request by New Beginnings to rezone approximately 108 acres of property known as Cavanaugh Farms along Richlands Loop Road from R-8 to R-20 to exclusively RM-8.

A **motion** was made by Alderman Paul Conner, seconded by Alderman Kandy Koonce to schedule a public hearing for July 13, 2021 at 6:00 pm concerning the rezoning request made by New Beginnings. The motion was unanimously carried.

#### IX. <u>ADMINISTRATOR NOTES AND UPDATES</u>:

The Town Administrator, Gregg Whitehead, presented a copy of notes and updates to the Board which are incorporated by reference and hereby made part of these minutes. Mr. Whitehead also reported on the following:

- ➤ NCDOT has signed on the new MPO expansion. They will contact us to coordinate the meetings.
- ➤ On May 16 the Planning Board met and approved Squires Run preliminary plat for 169 lots. They will be annexing into the town.
- ➤ Mr. Whitehead will be out of the office next Monday thru Wednesday, June 14 16, 2021.

#### X. POLICE REPORT:

Chief William A. Horne presented the Police Activity Log for the month of May 2021, which are incorporated by reference and hereby made part of these minutes. Chief Horne also reported on the following:

- ➤ All the officers completed their mandatory in-service training. Firearms are the only required training left for the year.
- > Sgt. Nailer received his Intermediate Certificate from Training and Standards.
- ➤ I attended the NCACP Conference in Cherokee.
- Received a \$500 donation from Woodmen of the World for training and equipment.
- Received a \$100 donation from the Williams Family as well as some handmade gifts.
- Attended the "Click it or Ticket" task force event in N. Topsail on Memorial Day weekend. 49 seatbelt citations were issued.

#### XI. <u>PUBLIC COMMENT</u>:

<u>Mrs. Sheryl Brown</u> of 118 Elizabeth Street: Mrs. Brown expressed concerns with the following issues:

- Resident across the street cranks up his vehicle, she can hear it inside her home. Asked if anything can be done about the loud muffler on his vehicle.
- There are 7-8 vehicles on the property. Some look to be junk vehicles. Spoke of
  observing other properties with possible junk vehicles backed beside their homes.
  Requested for the zoning officer to check into the issue.
- o Now that it has been raining, some lawns have begun to be overgrown.
- Reported that there were 6 feral cats behind Hobbs Flooring and approximately 10-12 at the ABC store. Inquired if we have an ordinance regarding feral cats and if there is anything the town can do about the issue. Mr. Whitehead stated that he will see what other town's do and also review our current ordinance.

#### XII. BOARD MEMBER CONCERNS and COMMITTEE UPDATES:

<u> Alderman Marilyn Bunce</u> :	Reported that she held the	ne first Christmas	Tree Lighting committee
meeting and they are	making a lot of progress.	She stated that ev	verything is going well.

XIII. PERSONNEL: None

XIV. CLOSED SESSION: None

XV. ADJOURN:

With no further business, a **motion** was made by Alderman Kandy Koonce, seconded by Alderman Paul Conner to adjourn the meeting at 6:31 pm. The motion was unanimously carried.

	Respectfully Submitted,	
Attest:	Mayor Pro Tem Tom Brown	
Doreen Putney, Town Clerk	·	

### TOWN OF RICHLANDS NORTH CAROLINA

Office of the Town Clerk (910) 324-3301 (910) 324-2324 fax



Mailing Address P.O. Box 245 Richlands. N.C. 28574

The Richlands' Board of Alderman met for a Special Call Meeting on Friday, June 25, 2021 at 9:00 am at the Richlands Town Hall. The purpose of the meeting was to approve existing year-end 2020/2021 budget amendments.

Present for the meeting were:

Mayor McKinley D. Smith Alderman Marilyn Bunce Alderman Tom Brown Alderman Kandy Koonce Alderman Paul Conner

Also present were:

Gregg Whitehead, Town Administrator

Doreen Putney, Town Clerk

Absent: Alderman Kent Painter

There were no citizens present.

#### I. <u>MEETING CALLED TO ORDER:</u>

Mayor McKinley D. Smith called the meeting to order at 9:02 am

#### II. NEW BUSINESS:

#### 1. <u>2020/2021 Fiscal Year Ending Budget Amendments #5 thru #9:</u>

Gregg Whitehead, Town Administrator presented the 2020/2021 fiscal year ending budget amendments to the Board for their review.

After a brief discussion, a **motion** was made by Alderman Paul Conner, seconded by Alderman Kandy Koonce to approve FY 2020/2021 ending budget amendments #5 thru #9. The motion was unanimously carried.

#### III. ADJOURN:

With no further business, a **motion** was made by Alderman Paul Conner, seconded by Alderman Kandy Koonce to adjourn the meeting at 9:11 pm. The motion was unanimously carried.

	Respectfully Submitted,	
ATTEST	Mayor McKinley D. Smith	
	Mayor McKilley D. Silliul	
Doreen Putney, Town Clerk		



#### TOWN OF RICHLANDS Regular Board Meeting

Agenda Item VI. - 1.
Public Hearing - Zoning Map Amendment

#### **Description:**

Public Hearing - Zoning Map Amendment.

#### **Review:**

The Board needs to hold a hearing to hear public comment concerning a proposed from NBI Financial LL to change the zoning map designation of three tracts consisting of approximately 108.45 acres of property (Onslow County Tax Parcels 43-38, 42-50 and 42-50.1) located along Richlands Loop Road in the Extra Territorial Jurisdiction of Richlands. The proposed zoning amendment will seek to change the zoning designation of the three tracts from the R-8 Residential and R-20 Residential zone to solely the RM-8 Residential Zone. The RM-8 Residential Zone will allow for multi-family housing, including apartments, town homes, and condominiums as permitted use in addition to single family stick-built residences.

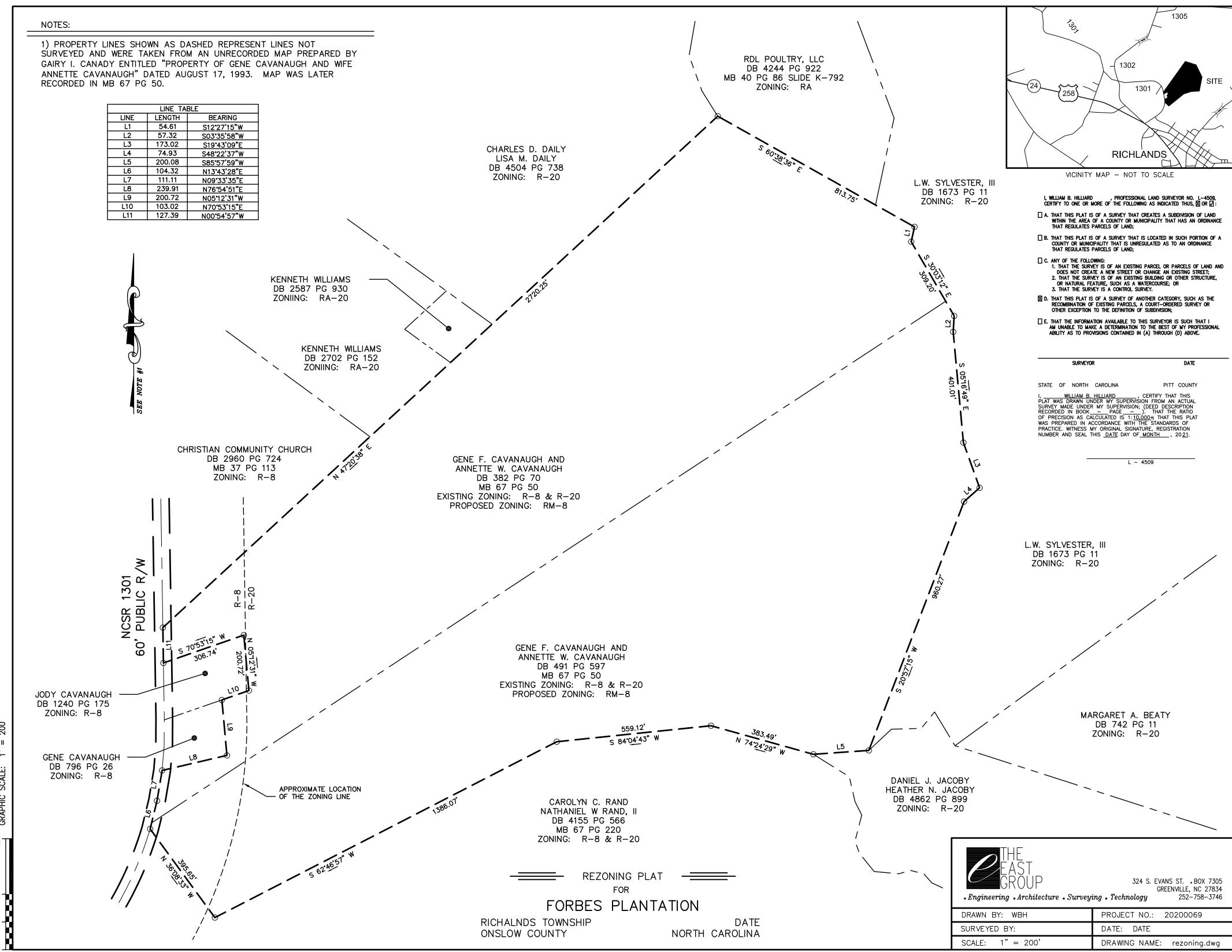
#### **Action Needed:**

Hold the public hearing.

#### **ATTACHMENTS:**

Description

NBI Financial LLC Rezoning Map





# TOWN OF RICHLANDS Regular Board Meeting

Agenda Item VIII. - 1.
Zoning Map Amendment (Ordinance 2021-04)

#### **Description:**

Zoning Map Amendment (Ordinance 2021-04).

#### **Review:**

Now that the Board has held the required public hearing, the Board may deliberate and vote on or table the zoning map amendment (Ordinance 2021-04) to rezone 108.45 acres of property located along Richlands Loop Road (the Cavanaugh Farm Property) from R-8 and R-20 to solely RM-8. A zoning map change to RM-8 will allow multi-family and single family developments.

Please note that the recently adopted land use ordinance language required by G.S. 160D, the Board is required to approve and/or acknowledge a Land Use Plan Consistency Statement either directly or by reference in the minutes. In addition 160D requires the Board to approve a statement of reasonableness that may consider: the size, physical conditions, and other attributes of the area proposed to be rezoned, (ii) the benefits and detriments to the landowners, the neighbors, and the surrounding community, (iii) the relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment; (iv) why the action taken is in the public interest; and (v) any changed conditions warranting the amendment.

Further guidance is provided regarding Board action on zoning map amendments in the attached guide letter.

#### **Action Needed:**

Act as desired.

#### ATTACHMENTS:

#### Description

- Zoning Map Amendment (Ordinance 2021-04)
- NBI Financial Rezoning Map
- NBI Financial Rezoning Map 2
- Land Use Plan Consistency Statement (NBI Financial)
- **D** Board Guidance for Map Amendment Actions

#### STATE OF NORTH CAROLINA TOWN OF RICHLANDS

### ORDINANCE 2021-04

#### **Ordinance Amending Official Richlands Zoning Map**

Introduced: July 13, 2021

Adopted:

WHEREAS, the Town of Richlands (hereinafter Town), has been formally petitioned by Forbes Plantation, LLC, owners of Onslow County Tax Parcels 43-38, 42-50, and 42-50.1, to have the Richlands Zoning Map amended; and

WHEREAS, the proposed Map Amendment will change the zoning designation of Onslow County Tax Parcels 43-38, 42-50 and 42-50.1 (located along Richlands Loop Road) from the R-8 Residential Zone and R-20 Residential Zone to the RM-8 Residential Zone; and

WHEREAS, the aforementioned three tracts are adjacent to a residential zone and the request has been reviewed and deemed appropriate by the Richlands Planning Board; and

WHEREAS, the Richlands Board of Aldermen has posted the required notice and a public hearing for the proposed Map Amendment was held on July 13, 2021; and

NOW, THEREFORE, BE IT ORDAINED:

SECTION 1. That the Richlands Board of Aldermen amend the Official Zoning Map of the Town of Richlands by rezoning all of Onslow County Tax Parcels 43-38, 42-50 and 42-50.1 from the R-8 Residential Zone and R-20 Residential Zone to the RM-8 Residential Zone.

SECTION 2. That the Richlands Board of Aldermen recognize and concur with the findings and recommendation of the Comprehensive Land Use Plan Consistency Statement provided by the Richlands Planning Board dated June 2, 2021.

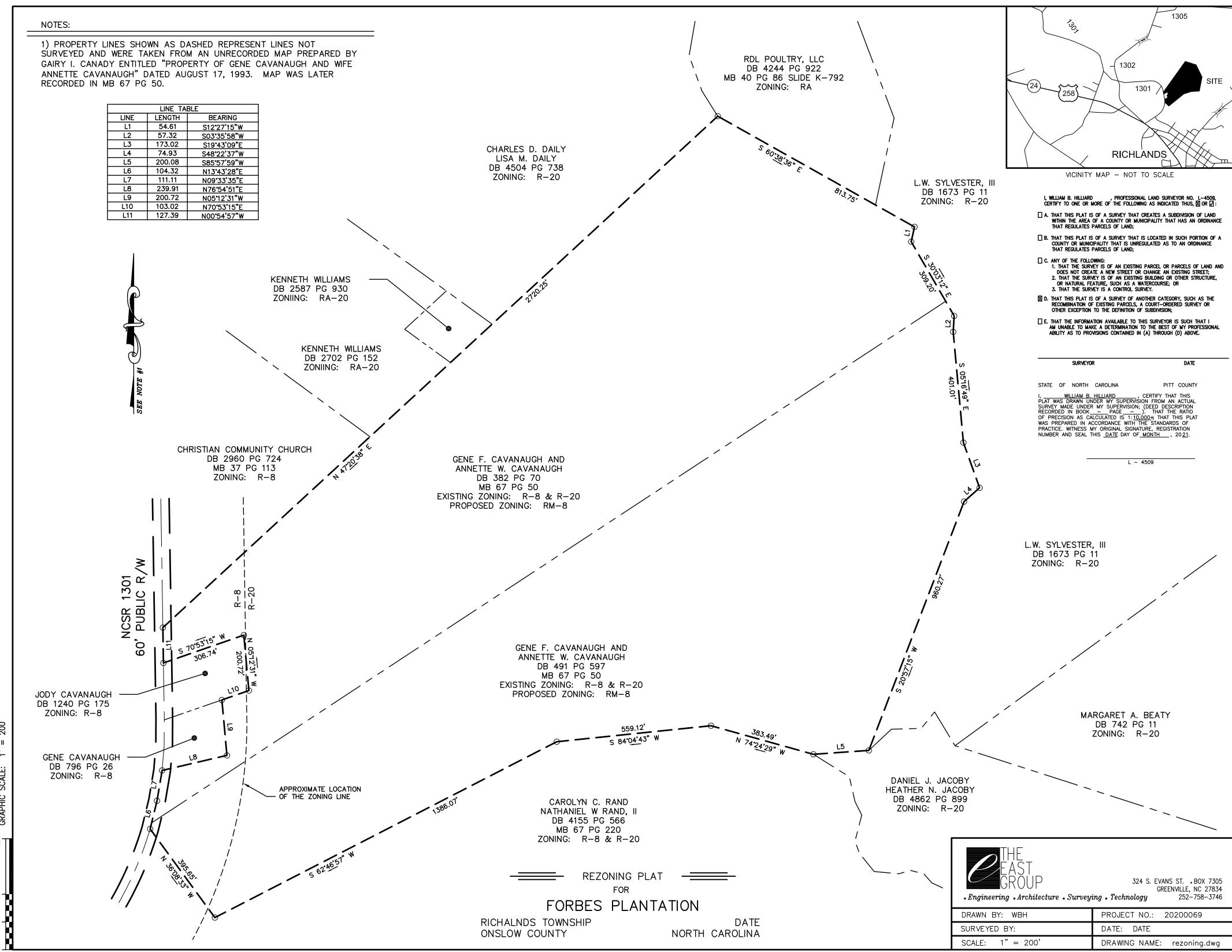
SECTION 3. All existing ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 4. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

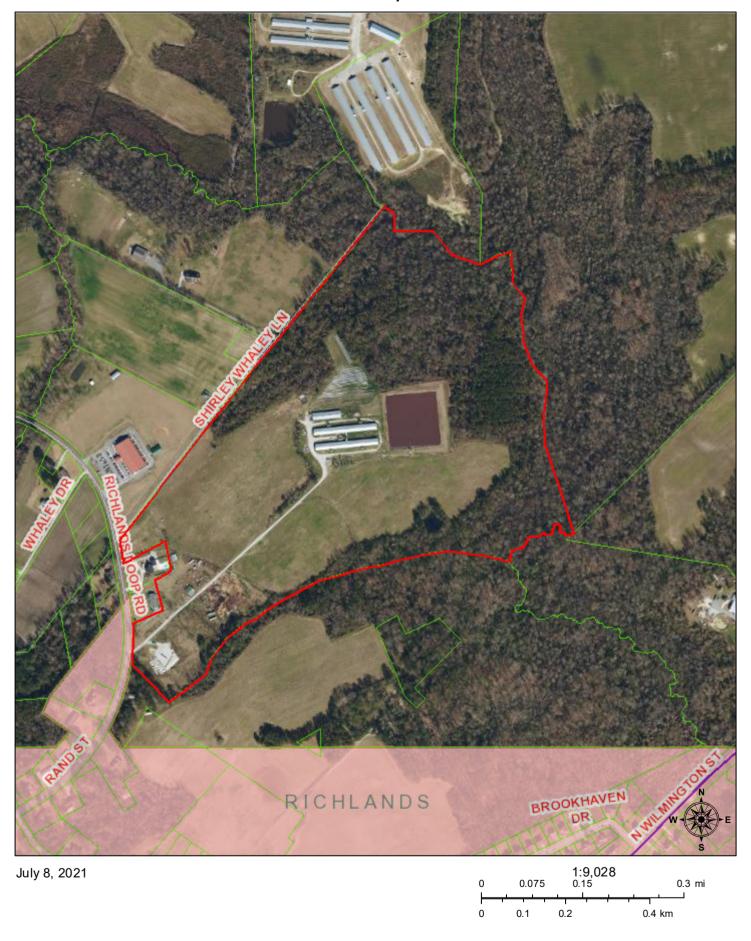
SECTION 5. This ordinance shall be effective immediately upon its adoption.

Adopted at a regular monthly meeting on July 13, 2021.

	McKinley Smith, Mayor
ATTEST:	Approved as to form:
Doreen Putney, Town Clerk	Town Attorney
	*



### GoMaps



U.S. Fish and Wildlife Service, National Standards and Support Team, wetlands\_team@fws.gov
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

## TOWN OF RICHLANDS NORTH CAROLINA

Office of the Town Administrator (910) 324-3301 (910) 324-2324 fax



Mailing Address P.O. Box 245 Richlands. N.C. 28574

June 2, 2021

Land Use Plan Consistency Statement Richlands Planning Board

RE: NBI Financial LLC Proposal to Rezone 108.45 acres from R-8 and R-20 to RM-8.

The Richlands Planning Board finds the action to amend the Town's Zoning Map by changing Tax Parcels 43-38, 42-50, and 42-50.1, located along the Richlands Loop Road in the Extra Territorial Jurisdiction of Richlands from the R-8 Residential and R-20 Residential Zone to solely the RM-8 Residential Zoning District, to be consistent with the adopted 2009 CAMA Land Use Plan. The proposed zoning change to RM-8 Residential Zoning District will allow as a permitted use multi-family housing as well as single family housing. The 2009 CAMA Land Use Plan encourages cluster development in the un-incorporated areas, seek to accommodate the development and appropriate placement of a variety of housing types, and emphasize the development of affordable housing.

The Richlands Planning Board met on May 26, 2021 to review and discuss the proposed zoning map amendment. The Richlands Planning Board unanimously voted to recommend that the proposed zoning map amendment be approved by the Richlands Board of Aldermen.

Sincerely,

Marilyn Bunce

Vice Chair, Richlands Planning Board

Marlyn Bunce

#### **BOARD GUIDANCE FOR ZONING MAP AMENDMENT ACTIONS**

#### **BOARD OF ALDERMEN ACTION ON AMENDMENTS.**

- (A) At the conclusion of the legislative hearing on a proposed amendment, the Board of Aldermen may proceed to vote on the proposed ordinance, refer it to a committee for further study or take any other action consistent with its usual rules of procedure.
- (B) The Board of Aldermen is not required to take final action on a proposed amendment within any specific period of time, but it should proceed as expeditiously as practicable on petitions for amendments since inordinate delays can result in the petitioner incurring unnecessary costs.
- (C) Voting on amendments to this Chapter shall proceed in the same manner as other ordinances, subject to §153.441 of this Chapter.

#### ULTIMATE ISSUE BEFORE BOARD OF ALDERMEN ON AMENDMENTS.

- (A) (1) In deciding whether to adopt a proposed amendment to this Chapter, the central issue before the Board of Aldermen is whether the proposed amendment advances the public health, safety or welfare.
- (2) All other issues are irrelevant and all information related to other issues at the public hearing may be declared irrelevant by the Mayor and excluded.
- (B) In particular, when considering proposed minor map amendments:
- (1) The Board of Aldermen shall not consider any representations made by the petitioner that, if the change is granted, the rezoned property will be used for only one of the possible range of uses permitted in the requested classification. Rather, the Board of Aldermen shall consider whether the entire range of permitted uses in the requested classification is more appropriate than the range of uses in the existing classification; and
- (2) The Board of Aldermen shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.



# **TOWN OF RICHLANDS Regular Board Meeting**

Agenda Item VIII. - 2.

Solid Waste Collection Services Update & Review

#### **Description:**

Solid Waste Collection Services Update & Review (GFL Environmental).

#### **Review:**

With the solid waste collection contract between the Town and GFL Environmental effective July 1, 2021, Ms. Norma Yanez, Government Contracts Manager for GFL Environmental, wishes to address the Board an provide an update regarding the town-wide replacement of the solid waste collection carts and any service changes we can expect.

#### **Action Needed:**

Receive the update.



Agenda Item VIII. - 3.
Budget Amendment 2021-01

#### **Description:**

Budget Amendment 2021-01.

#### **Review:**

The Board needs to adopt Budget Amendment 2021-01 in order to properly budget unspent drug forfeiture funds from FY 2020-2021.

#### **Action Needed:**

Approve the amendment.

#### **ATTACHMENTS:**

Description

■ Budget Amendment 2021-01

#### BUDGET AMENDMENT # I FY ENDING 2021 /2022 PUBLIC SAFETY

Account Number	Description	Increase	Decrease	Explanation
10-510-8100	NC State Forfeiture	\$63.15		Unspent from FY 20/21 Carry over
10-399-0000	Fund Balance		\$63.15	
10-510-8200	Fed US Tres-Forteiture	\$5,192.57		Unspent from FY 20/21 Carry over
10-399-0000	Fund Balance		\$5,192.57	
				(A)
		1		

Date Approved by Board of Aldermen:	
Date entered into FMS:	



*Agenda Item IX. - 1.* Administrator Notes and Updates

#### **Description:**

- No RDR meeting for July is scheduled at this time.
- The Memorandum of Understanding to expand the Jacksonville MPO to include all of Onslow County has been signed by NCDOT. MPO staff will be coordinating with the town to get our Transportation Advisory Committee (TAC) member, Alderwoman Kandy Koonce, onboard. The TAC is scheduled to meet sometime in August.

Review: Action Needed:



# **TOWN OF RICHLANDS Regular Board Meeting**

*Agenda Item X. - 1.*June 2021 Police Report

**Description:** 

Attached is the Police Activity Log for June 2021.

**Review:** 

**Action Needed:** 

Receive the Police Report.

#### ATTACHMENTS:

Description

June 2021 Police Activity Log

### **Activity Log Event Summary (Totals)**

# Richlands Police Department (06/01/2021 - 06/30/2021)

Adminstration Run	43
Animal Complaint	1
Assault	1
Assist EMS	2
Assist Other RPD Officer	16
Business Check	1,989
Call for Service	266
Citation	85
Civil Problem	1
Domestic Dispute	4
Fingerprinting	8
Foot Patrol	6
FTO Training	11
Incident Report	13
Larceny	4
Loud Muffler	2
NOL	8
Open Door/Windows	8
Patrol Zone 1	82
Patrol Zone 3	84
Patrol Zone 5	72
Property Damage	1
Safe Movement Violation	5
Seatbelt	10
Special Assignment	1
Stoplight/Sign	15
Suspicious Vehicle/Person/Incident	10
Transport to Jail	7
Unlock Car	8
Vehicle Check Before Shift	75
Vehicle Stop	144
Warrant	6
Window Tint Violation	1

Alarm Activation	11
Arrest	8
Assist Citizen	26
Assist Other Agency	20
Bank Escort	3
Business Walk Through	15
Careless & Reckless	4
Cite & Release	9
Crash	7
DWLR	14
Follow up Investigation	2
Found Property/Safe Keeping	1
Funeral Escort	2
Juvenile Problems	1
Lighting Violation	41
Noise Complaint	3
Open Container	1
Operational Reports	7
Patrol Zone 2	83
Patrol Zone 4	107
Patrol Zone 6	76
Registration Violation	29
Seat Belt Initiative Check Point	1
Selective Traffic Enforcement	54
Speeding	35
Supplement to report	7
Task Force Event	13
Trespassing	3
Vehicle Check After Shift	74
Vehicle Searches	14
Verbal Warnings	84
Weapons Offense	1
	· <del></del>

### **Activity Log Event Summary (Totals)**

Richlands Police Department (06/01/2021 - 06/30/2021)

**Total Number Of Events: 3,745** 

Date: 07/01/2021 -- Time: 11:07 Page 2