

Town of Cedar Point
Board of Commissioners Meeting
July 26, 2016

The Town of Cedar Point Board of Commissioners held their regularly scheduled monthly meeting on Tuesday, July 26, 2016 at 6:30 PM. Mayor Hatsell determined a quorum to be present, and opened the meeting with a Moment of Silence, followed by the Pledge of Allegiance.

PRESENT: Mayor Hatsell, Commissioners Castellano, D. Winberry, Meadows and F. Winberry, Town Administrator Seaberg, Town Attorney Whitford, Deputy Battaglia, Town Clerk Calhoun and public.

Mayor Hatsell presented the Agenda for Board approval and adoption. Commissioner D. Winberry made a **Motion** to adopt the Agenda as presented. Motion carried unanimously.

The Consent Agenda, consisting of the financial statements and the June 23, and 28, 2016 meeting minutes, was presented Board for approval. Commissioner D. Winberry made a **Motion** to approve the Consent Agenda as presented. Motion carried unanimously.

The next item presented for Board consideration was the No Wake Zone at Dolphin Bay Estates. Commissioner F. Winberry made a **Motion** to go into Public Hearing. Motion carried unanimously.

Mr. Steve Taylor, 130 Dolphin Bay Estates, initiated the petition to the Town. He stated that a number of commercial boats are leasing dockage adjacent to his property, and are not throttling down when coming into the canal. This create unnecessary wake activity, which damages the bulkhead and associated property. There was no other Public Comment concerning this petition.

Commissioner D. Winberry made a **Motion** to close the Public Hearing. Motion carried unanimously.

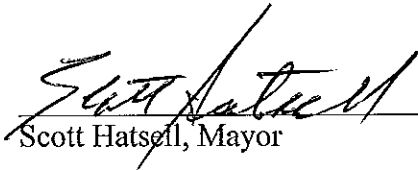
After discussion, there was no objection from the Board concerning the implementation of this No Wake Zone. Commissioner Meadows made a **Motion** to approve the petition for a No Wake Zone at Dolphin Bay Estates, and direct the Town Clerk to pursue this matter further. Motion carried unanimously.

40 Alex Garner, proprietor of The Bogue House Restaurant, was the next agenda item. Mr. Garner
41 wished the Town to make available a permit fee system for food trucks who do not have a brick
42 and mortar business location in Town limits. These trucks do not pay taxes to the Town as Mr.
43 Garner does, and he finds this unfair. Mayor Hatsell assured him that Town staff is already
44 looking into this matter.
45
46 The Text Change (TEXT-16-001), was next presented for Board approval and adoption to the
47 Town Ordinances. Commissioner Meadows expressed concern that if permanent structures were
48 allowed, would this include trucks and trailers, left parked on the ground permanently. Mr.
49 Whitford stated that could stay indefinitely, but would have difficulty complying with ADA
50 requirements. Permanent structures must be in compliance with all local, state and federal codes.
51 Further, the Town can make amendments and changes to this ordinances should other issues
52 arise, or further study or investigation warrants these changes.
53
54 Discussion followed, and there was no opposition from the Board concerning the adoption of this
55 Text Change. Commissioner Castellano made a **Motion** to adopt this Text Change (TEXT-16-
56 001) to the Cedar Point Code of Ordinances. Motion carried unanimously.
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58 The Commercial Site Plan for Bojangles Restaurant was the next Agenda item set for Board
59 approval. Mr. Seaberg presented a plan summary, beginning with the compatibility with the
60 Town's Comprehensive Plan. There was brief discussion among the Board, with no opposition
61 to this Commercial Site Plan.
62
63 Commissioner D. Winberry made a **Motion** to approve the Commercial Site Plan for Bojangles
64 Restaurant. Motion carried unanimously.
65
66 Mayor Hatsell opened the floor to Public Comment. Ms. Mary Miller, The Market at Cedar
67 Point proprietor, wanted to know if tent tops were removed, could the frames remain standing.
68 Mayor Hatsell indicated that they could remain, provided they were weighted down properly.
69
70 Deputy Battaglia presented his report.
71
72 Mr. Seaberg presented his Planning Board Report, outlining the Planning Board's unanimous
73 approval to recommend the Commercial Site Plan for Bojangles to the Board for approval. Their
74 next meeting is scheduled for August 2, 2016, however, there are currently no items up for
75 discussion on the Agenda.
76
77 Mr. Whitford offered the following during the Attorney Comments portion: The Town's
78 Itinerant Merchant Ordinance was repealed several years back in deference to the Privilege
79 License fees collected. This ordinance should have been adopted again, once the State did away
80 with Privilege License fees collected by local government. This ordinance would address Mr.
81 Garner's complaints with food trucks being in the Town.
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83 Commissioners Comments included the countdown to CedarFest Saturday, July 30, 2016 at 9:00
84 AM. Dock has been repaired to allow boat rides, and vendors are plentiful.
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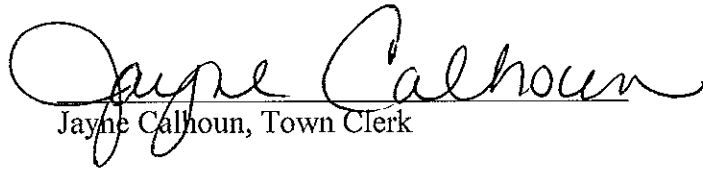
86 There being no further business to discuss, the meeting was adjourned. Commissioner
87 Castellano made a **Motion** to adjourn the meeting. Motion carried unanimously.

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89 The meeting adjourned at 7:3 PM.

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Scott Hatsell, Mayor



Jayne Calhoun, Town Clerk