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6 Town of Cedar Point
7 Board of Commissioners Regular Meeting
8 May 21, 2019
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10 The Town of Cedar Point Board of Commissioners held their regularly scheduled monthly
11 meeting on Tuesday, May 21, 2019 at 6:30 PM. Mayor Hatsell determined a quorum to be
12 present and opened the meeting.
13

14 PRESENT: Mayor Hatsell, Commissioners Castellano, D. Winberry, Nash, and F. Winberry,
15 Town Administrator Seaberg, Town Attorney Whitford, Deputy Nakamura, Town Clerk
16 Calhoun, and public
17

18 Mayor Hatsell then asked for a moment of silence, followed by the Pledge of Allegiance.
19

20 The Agenda was presented for Board consideration and adoption. Commissioner Castellano
21 made a **Motion** to adopt the Agenda as presented. The Motion carried 4-0.
22

23 The Consent Agenda, consisting of the Financials, Zoning Permit Report and the Code
24 Enforcement Officer Report, were next presented for Board approval. Commissioner Nash made
25 a **Motion** to approve the Consent Agenda as presented. The Motion carried 4-0.
26

27 A Public Hearing to Hear and Discuss Public Comments Concerning a Text Change
28 (TXT-19-001), a Request to Allow Pot Bellied Pigs as Pets in Town Limits was the next item on
29 the agenda. Commissioner Nash made a **Motion** to go into Public Hearing. The Motion passed
30 unanimously.
31

32 Mr. Seaberg presented a brief summary of the application for the text change. This Text Change
33 would amend Section 3-2.2 under Chapter 3 of the Cedar Point Code of Ordinances along with
34 the following additions to be included in Article VII, Sections 15-303(c)(8), Section 15-
35 304(c)(7), Section 15-305(c)(6), Section 15-306(c)(5) and Section 15-306(c)(6) of the Cedar Point
36 Zoning Ordinance to allow hogs/pigs as pets. Mr. and Mrs. Pete Cochran submitted the
37 application for the text change due to a complaint lodged about a pot-bellied pig they kept as a
38 pet.

39 The proposed text change would require those wishing to keep pigs as pets to submit a Special
40 Use Permit to the Town. There is also a limit to how many pigs can be kept, which is limited to
41 one per household. Mr. Seaberg reminded everyone that this was discussed at the Work Session
42 Meeting May 16, 2019.

43
44 Commissioner Nash made a **Motion** to close the Public Hearing. Motion passed 4-0.

45
46 Board discussion followed.

47
48 Commissioner Nash asked that additional language be added allowing exceptions for livestock
49 driven activities such as pony rides or petting zoos at festivals, or a live Nativity scene.
50 Currently the way the Ordinance reads, no livestock is allowed in Town limits at all, regardless
51 of the activity proposed. A Special Use Permit would be required for those residents who
52 wished to keep certain livestock animals as pets. For those wishing to have livestock animals at
53 their events, such as the festivals, or Nativity scenes, a zoning permit would be required, limiting
54 the amount of time the animals could be used, which is 3 consecutive days.

55
56 Mr. Seaberg presented a draft of the updated Ordinance and Zoning Ordinance proposing these
57 changes.

58
59 Mr. Whitford suggested that the proposed changes should be in front of the Board. The options
60 would be to print out the draft ordinance or postpone the vote until the June 24, 2019 meeting.
61 Mr. Seaberg has printed the drafts off, therefore the Motion can be made this evening.

62
63 Commissioner Nash made a **Motion** to accept the Text Change and additional amendments to
64 the Cedar Point Code of Ordinances as well as the Cedar Point Zoning Ordinance. Motion
65 carried 4-0.

66
67 A second Public Hearing was the next agenda item. Commissioner F. Winberry made a **Motion**
68 to go into Public Hearing. Motion carried 4-0.

69
70 A Conditional Use Permit (CUP-19-001) application was submitted for Board consideration and
71 approval. This is a request to operate an open-air market at 1046 Cedar Point Boulevard, per
72 Article VII, Section 15-311(c)(21), of the Cedar Point Zoning Ordinance. Mr. Seaberg presented
73 a brief overview of the application and related documents. The Planning Board unanimously
74 approved this application, with conditions stipulated by Town Staff, including any flags or
75 temporary signage be restricted to that one-acre portion of the area, which will be the site of the
76 proposed open-air market.

77
78 Town Clerk Calhoun presented the list of individuals who wished to speak.

79
80 Mr. Larry Bragg spoke of their contributions to the Town. He noted that the market was among
81 the few businesses who were open directly after the hurricane but gave credit to customers who
82 couldn't afford to purchase food items, post storm. He believes that a farmer's market is greatly
83 needed in this area, as there isn't one in the vicinity.

84 Deb Bragg is an organic eater and frequent shopper at The Market and commented on Jeff and
85 Mary's contribution to the community.
86
87 Ashley Ramsey feels it would be really great to have a farmer's market in Cedar Point.
88
89 Susan Rosebro stated that The Market has it all and promotes healthy eating and farm to table
90 sustenance. Jeff and Mary give classes on all facets of organic eating and cooking. She believes
91 it will enhance the Town.
92
93 There were no further public comments.
94
95 Ms. Mary Miller spoke on behalf of her application for the Open-Air Market. They are wishing
96 to offer a place that provides produce as well as offer the opportunity for customers to meet the
97 farmers who grow the meats and produce. Residents of our area are driving to Beaufort and New
98 Bern to shop at farmer's markets in those areas but having one in the Town will keep the tax
99 base in Cedar Point. It's currently slated to be held on the first and third Saturday of the month
100 but would like the opportunity to expand the scheduled based on demand. The County Health
101 Department provided a grant of tables, chairs and tents for the farmers to set up their produce and
102 meats.
103
104 Commissioner Castellano made a **Motion** to close the Public Hearing. Motion carried 4-0.
105
106 Board discussion followed.
107
108 Commissioner Nash had no issues with the application and offered praise to the Millers for their
109 contribution to the community.
110
111 Mayor Hatsell entertained a Motion to approve the Conditional Use Permit. Commissioner
112 Castellano made a **Motion** to approve the Conditional Use Permit application with condition of
113 flags and signs being met, and all vendors must obtain an Itinerant Merchant from the town prior
114 to selling.
115
116 A vacant seat prompted the Board to appoint a new member to the Planning Board. Mr. Joseph
117 Marello was a Board of Adjustment member and would be an asset to the Planning Board as
118 well. Commissioner F. Winberry made a **Motion** to appoint Mr. Joseph Marello to the Planning
119 Board. Motion carried 4-0.
120
121 The next item for Board consideration was a Resolution to Dispose of Surplus Property. This
122 resolution effectively gives town staff the authority to dispose of surplus property via online
123 sales or proper disposal, i.e, trash or landfill. Commissioner Castellano made a **Motion** to
124 approve the Resolution to Dispose of Surplus Property. The Motion carried 4-0.
125
126 There was no Deputy Report.
127
128 Mr. Seaberg next presented his Town Administrator report. The first item was the park property
129 and the Master Plan.

130 A draft will become available very soon, and that draft will be presented to the Board upon
131 receipt. Mr. Seaberg is also meeting with the Forestry Service to get further instruction or advice
132 to clear out the brush and downed trees. A report will be presented to the Board following this
133 meeting.

134
135 The Planning Board held their regular meeting on May 7, 2019. They discussed the tabled
136 matter of the RV Park Plan and approved the Site Plan. The Planning Board also approved the
137 draft UDO. With the UDO implementation, the RV Park Plan Reviews would not only come
138 through the Planning Board, but also the Board of Commissioners for review.

139
140 Mr. Seaberg requested a Public Hearing Date be set for the June 25, 2019 meeting to present the
141 UDO to the public. He also offered the option of holding a Work Session on June 20 to further
142 discuss any last-minute edits or changes to the UDO.

143
144 Mr. Whitford stated he is unable to attend the Work Session meeting on June 20, 2019. Mayor
145 Hatsell does not feel it's necessary for him to attend the Work Session. Commissioner
146 Castellano is also unable to attend the Work Session meeting.

147
148 Commissioner Nash made a **Motion** to set the Public Hearing date for the UDO for the June 25,
149 2019 meeting. The Motion carried 4-0.

150
151 The final draft of the Budget was presented and discussed at the Work Session. A booklet
152 format will be prepared for Board consideration next week. A Public Hearing must be scheduled
153 to present the proposed Budget to the public.

154
155 Commissioner F. Winberry made a **Motion** to set the Public Hearing date for the Budget for
156 June 25, 2019. Motion carried 4-0.

157
158 The Mayor opened the floor to public comment.

159
160 Ms. Pat Konarski wished to know when and how the Surplus items would be sold. Town Clerk
161 Calhoun stated it would be advertised.

162
163 Commissioner Comments:

164
165 Commissioner F. Winberry commented on potholes at Bojangles and Hill Street. Mr. Seaberg
166 stated that NCDOT will be resurfacing Highway 24 just past the Bojangles intersection. Mr.
167 Seaberg will alert them to the Hill Street pothole as well.

168
169 The Board then went into Closed Session in accordance with NCGS 143-318.11(a)(6), Personnel
170 Matters.

171
172 Commissioner D. Winberry made a **Motion** to go into Closed Session. Motion carried 4-0.

173
174 The Board went into Closed Session at 7:32 PM

175 The Board returned to Open Session at 7:54 PM.
176
177 Commissioner F. Winberry made a **Motion** to approve the Town Administrator's contract. The
178 Motion carried 4-0.
179
180 There being no further business to discuss, the meeting was adjourned.
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182 Commissioner F. Winberry made a **Motion** to adjourn the meeting. The Motion carried 4-0.
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184 The meeting adjourned at 7:55 PM

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Scott Hatsell, Mayor


Jayne Calhoun, Town Clerk