

NAVASSA REGULAR COUNCIL MEETING

October 19, 2023

7:30 P.M.

MEMBERS PRESENT

Eulis Willis, Mayor
William Ballard, Councilman

Jerry Merrick, Councilman
Ida Dixon, Councilwoman
Ernest Mooring, Councilman

MEMBERS ABSENT

Thurman Everett, Councilman

STAFF PRESENT

Norwood Blanchard, Attorney
Officer Scott Solari
Dale Thomas, Police Chief

Michelyn Alston, Clerk
Landin Holland, Planner

CITIZENS & VISITORS PRESENT

Clifton Ballard
Darlene Jones
Jamayn McNeil
Frank Willis

Patricia Carter
Franz Council
Lena McNeil
Beulah Dixie

Barbara Carter
Crystal McNeil
Vanessa Lacer
Tonya Lowe

Council Member Ballard led the Invocation.
Mayor Willis called October 19, 2023, meeting to order at 7:30 pm.

ADJUSTMENT & APPROVAL OF AGENDA

COUNCILWOMAN DIXON MADE A MOTION SECONDED BY COUNCILMAN BALLARD TO REMOVE SPECIAL POLICE SERVICE CONTRACT FROM THE AGENDA. ALL VOTED IN FAVOR.

APPROVAL OF MINUTES

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILWOMAN DIXON TO APPROVE THE MINUTES WITH NECESSARY CORRECTION. ALL VOTED IN FAVOR.

VENDORS/VISITORS WITH TOWN BUSINESS

Mike Kozlosky, Executive Director from WMPO presented the FY 23 Annual report and Abby Lorenzo, Deputy Director presented WMPO 2050 Plan.

BUSINESS

Street Repairs

Councilman Merrick reported that Mr. Hall will begin the repair work this weekend to Church Street and a letter has been sent to the citizen on Ivester Court concerning their timeline for street repair.

Attorney Contract for Land Use

Councilman Mooring made a motion seconded by Councilwoman to hire Michael Best Attorney Firm for Land Use issues. The motion died for lack of vote.

Councilman Merrick asked that the contract reflect that all matters must come before the board for approval to proceed.

Mayor Willis stated the contract has specified himself, Mayor Pro Tem or three members will assign duties.

Councilman Merrick asked that the wording be changed so all assignments can come before the board, he is not comfortable with the amount that may be charged for services.

Councilman Ballard agreed with Councilman Merrick regarding the cost factor and Councilwoman Dixon has no objection to his services but requesting a cap on the cost before spending.

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN MERRICK TO TABLE UNTIL FURTHER INFORMATION IS PROVIDED TO BOARD. 3-YEAS, 1-NAY

PLANNING DEPARTMENT

Councilman Merrick asked to be excused from voting because he wasn't present at the public hearing. The Mayor and Attorney stated he must vote.

Councilwoman Dixon stated her unreadiness asking could stipulation be placed on the rezoning to avoid any type of businesses being open on that property.

Councilman Mooring reviewed the General Business listing and informed the public based on the comments that were made he didn't see any of those businesses permitted in the GB Zoning.

Rezoning Ordinance

**ORDINANCE APPROVING A REQUEST TO AMEND
THE OFFICIAL ZONING MAP OF THE TOWN OF NAVASSA,
THE ZONING ORDINANCE OF THE TOWN OF NAVASSA**

WHEREAS, pursuant to N.C. Gen. Stat. §160D-702, the Town may adopt a zoning ordinance to regulate development within its territorial jurisdiction;

WHEREAS, On June 24, 2009, the Town of Navassa Town Council enacted the Town of Navassa Zoning Ordinance which established a comprehensive zoning plan for the properties located within the Town of Navassa corporate limits.

WHEREAS, pursuant to N.C. Gen. Stat. §160D-6-2, the Town may amend its zoning ordinance after giving proper public notice and holding a public hearing;

WHEREAS, the Planning Board has received an application for an amendment to the Official Zoning Map of the Town of Navassa, North Carolina (“Official Zoning Map”) to rezone the below listed parcel:
Case: RZ-02-23
PIN(s): 219901074923
Addresses: 2341 Cedar Hill Road
Owner(s): Clifton Ballard
Applicant(s): Clifton Ballard

WHEREAS, the applicant is requesting that the zoning designation for the subject property be changed from the R-15 (Residential District) to the GB General Business District, which is attached hereto and incorporated herein by reference; and,

WHEREAS, in accordance with the procedures set forth in the Town of Navassa Town Zoning Ordinance, the Planning Board met to consider the proposed amendment on September 13, 2023, at which meeting a motion to approve the proposed map amendment passed by a vote of 5 to 0; and,

WHEREAS, this Board has reviewed these written recommendations of the Town of Navassa Planning Board; and

WHEREAS, in accordance with North Carolina General Statutes and with the provisions set forth in Section 16.7(3) of the Town of Navassa Zoning Ordinance, the Town Council duly advertised and held a public hearing to consider the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF NAVASSA TOWN COUNCIL THAT:

The Town of Navassa Town Council does hereby approve the request to rezone PIN 219901074923, 2329 Cedar Hill Road, Navassa, NC, from R-15 Residential District to GB General Business District.

Read, approved, and adopted this on the 19th day of October 2023

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN MOORING TO APPROVE THE ORDINANCE REQUESTING TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF NAVASSA. 3-YEAS, 1-NAY.

Plan Consistency Statement

**PLAN CONSISTENCY STATEMENT
ZONING MAP AMENDMENT
CLIFTON BALLARD REZONING –
2341 CEDAR HILL ROAD (PIN 219901074923)**

Pursuant to N.C. Gen. Stat. §60D-605(a) the Town of Navassa Planning Board hereby approves and adopts the following Plan Consistency Statement for the rezoning of 2329 Cedar Hill Road (Tax Parcel # 219901074923) from the R-15 (Residential) to GB (General Business). The Board finds the following:

- 1) The proposed zoning of General Business is **inconsistent** with the Blueprint Brunswick 2040 Land Use Plan which designates this property as Medium Density Residential; however,
- 2) The Town of Navassa has identified a need for commercial development in this portion of the Town as development pressure along Cedar Hill Road continues to increase.
- 3) The Town has determined that limited commercial growth along Cedar Hill Road will support this demand as residential growth continues to occur.

Therefore, the requested zoning would be **reasonable and, in the public's, best interest.**

Upon a motion that the application is, although in conflict with the Blueprint Brunswick 2040 Land Use Plan, is in the public's best interest, the motion was seconded and passed on a vote of 3 to 1. Read, approved, and adopted this on the 19th day of November 2023.

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN MOORING TO APPROVE THE PLAN CONSISTENCY STATEMENT ZONING MAP AMENDMENT CLIFTON BALLARD REZONING. 3-YEAS, 1-NAY.

Resolution NPDES MS4 Stormwater Program

**RESOLUTION AFFIRMING THE TOWN OF NAVASSA COUNCIL'S SUPPORT
REGARDING IMPLEMENTATION OF A COMPLIANT NPDES MS4 STORMWATER PROGRAM**

A **RESOLUTION** to develop and implement a compliant stormwater management program that meets the requirements of the Town of Navassa National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit number NCSNCS000518 to discharge stormwater, inclusive of the required Stormwater Management Plan to be prepared by the Town of Navassa and approved by the North Carolina Department of Environmental Quality.

WHEREAS, Section 402(p) of the federal Clean Water Act requires NPDES permits for stormwater discharges from municipal separate storm sewer systems; and

WHEREAS, in North Carolina, NPDES Permits are issued by the North Carolina Department of Environmental Quality; and

WHEREAS, the North Carolina Department of Environmental Quality issued the Town of Navassa its third NPDES MS4 Permit for discharge of stormwater on December 1, 2012; and

WHEREAS, the Town of Navassa was issued Notice of Violation number NOV-2023-PC-0458 on August 29, 2023, for noncompliance with the issued NPDES MS4 Permit; and

WHEREAS, the Town of Navassa acknowledges the specific Notice of Violation requirement to obtain a new individual NPDES MS4 Permit; and

WHEREAS, the Town of Navassa acknowledges the specific Notice of Violation requirement to conduct a self-audit of permit compliance for the balance of permit requirements not specifically audited by the North Carolina Department of Environmental Quality, and to develop a draft Stormwater Management Plan to comply with Section 402(p)(3)(B)(iii) of the Clean Water Act, 40 CFR 122.34(b) and NPDES MS4 Permit requirements, and to submit its draft Stormwater Management Plan to the North Carolina Department of Environmental Quality no later than December 31, 2023 for review and approval; and

WHEREAS, the Town of Navassa acknowledges the specific Notice of Violation requirement to adopt a Council Resolution to implement a compliant and enforceable stormwater management program as defined by both the NPDES MS4 Permit number NCS000518 and the required new Stormwater Management Plan, and said resolution is to be submitted to the North Carolina Department of Environmental Quality no later than October 29, 2023; and

WHEREAS, the Town of Navassa acknowledges the requirement to provide adequate funding and staffing to implement a Stormwater Management Program that complies with its NPDES MS4 Permit and approved Stormwater Management Plan; and

WHEREAS, the Town of Navassa acknowledges that North Carolina Department of Environmental Quality enforcement action and penalties could result from non-compliance with the specific requirements in Notice of Violation number NOV-2023-PC-0458; and

WHEREAS, the Town of Navassa acknowledges that any North Carolina Department of Environmental Quality enforcement action and penalties may not prohibit the U.S. Environmental Protection Agency from taking its own enforcement action for non-compliance with the issued NPDES MS4 Permit.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Navassa hereby affirms its support for development and implementation of a compliant NPDES MS4 Stormwater Program.

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BALLARD TO APPROVE RESOLUTION AFFIRMING THE TOWN OF NAVASSA COUNCIL'S SUPPORT REGARDING IMPLEMENTATION OF A COMPLIANT NPDES MS4 STORMWATER PROGRAM. ALL VOTED IN FAVOR.

The Planner informed the board that Cypress Landing with 60 units will be coming before the Planning Board and Town Council soon. Lena Springs Subdivision wants to dedicate their streets to the town however, they are not in good condition.

POLICE DEPARTMENT

Dale Thomas introduced himself to the public as the new Police Chief, giving a brief about himself and stating some of his goals are to grow the department and to work on getting more grants for police equipment.

Councilman Ballard asked if he has plan on getting more police cars and Chief stated he will be investigating federal program for vehicles.

COUNCILMEMBER REPORT

Councilman Mooring informed the board that the punch list for the Municipal Building was not completed at this time but was informed that brick can be placed on the front portion of the metal building.

Mayor Willis requested that Councilman Mooring and Councilman Merrick stay on top of this project.

ADJOURNMENT

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILWOMAN DIXON TO ADJOURN THE MEETING. ALL VOTED IN FAVOR.

ATTEST:

Town Clerk

Mayor Pro Tem