

AN ORDINANCE AMENDING CHAPTER 2. OF THE CITY OF SOUTHPORT CODE OF ORDINANCES AS IT PERTAINS TO BOARD, COMMITTEES AND COMMISSIONS

BE IT ORDAINED, by the Board of Aldermen of the City of Southport that Chapter 2, Article IV, of the Code of Ordinances entitled “Board, Committees and Commissions” is hereby amended to remove, replace, and add the following:

CHAPTER 2. ADMINISTRATION

ARTICLE IV. BOARDS, COMMITTEES AND COMMISSIONS

DIVISION 1: PARKS AND RECREATION COMMITTEE

Sec. 2-161. Creation and Purpose.

That there is hereby created a committee to be known as the Parks and Recreation Committee of Southport. The Parks and Recreation Committee shall advise on matters pertaining to Southport’s parks and recreation facilities and programs. The Committee shall work with the Parks and Recreation Director to recommend new rules and policies that provide guidance governing the operation and appropriate conduct by the public at the City’s recreation facilities including public parks, playgrounds, athletic fields, and gymnasiums.

Sec. 2-162. Membership and term.

Membership in the Parks and Recreation Committee shall consist of six (6) residents from within the City limits, and one (1) resident from the ETJ area. The six (6) City members shall be composed of three (3) members from Ward 1, three (3) members from Ward 2, and one (1) from the ETJ. The Mayor shall appoint an Alderman(s) to the Committee to act as a liaison(s) between the Parks and Recreation Committee and the Board of Aldermen. The liaison(s) shall be entitled to all privileges except making a motion, voting, and holding office. The Parks and Recreation Director shall attend all meetings of the Parks and Recreation Committee and serve as the City staff liaison. In the absence of the Director, the Assistant Director shall attend the meeting.

Open positions on the Committee will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All new applicants will be interviewed by the Chair, Vice Chair, and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Parks and Recreation Committee shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Committee for the remainder of the term. After the thirty (30) days, the Chair and Board liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Committee. Parks and Recreation Committee members shall serve without compensation. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

	JUNE	2023	2024	2025	2026
CITY	Ward 1		1		
	Ward 1		1		
	Ward 1		1		
	Ward 2			1	
	Ward 2			1	
	Ward 2			1	
ETJ	ETJ			1	

(terms 3-years to expire in June of the third year)

Sec. 2-163. Officers and Duties.

The recreation committee shall appoint from its membership a Chair, Vice-Chair, Secretary, and such other officers as it may deem necessary for the orderly procedure of its business. Officers will be nominated by the Committee each year during the first meeting of the term (July), or within sixty (60) days after a mid-term vacancy of an officer. The Committee may adopt by-laws, rules and regulations governing its procedure not inconsistent with the provisions of the state laws.

The duties for each position are as follows:

1. The Chair shall preside over all meetings, sign all official papers, appoint sub-committees, and call special meetings when necessary.
2. The Vice-Chair shall serve in the absence of the Chair.
3. The Secretary shall take the minutes of all meetings.
4. The Parks and Recreation Director shall submit a report of all activities and administration at each regular meeting.

Sec. 2-164. Meetings and Authority.

The regular meeting of the Committee shall be held on the second (2nd) Tuesday of each month. Special meetings shall be called by the Chair. The purpose of the special meeting shall be stated in the notice and given at least forty-eight (48) hours in advance of the meeting date.

Acceptance of an appointment to this Committee signifies an obligation of the appointee. It is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a member misses three regular meetings without a reasonable explanation, the Committee shall request the resignation of said member.

More than half of all appointed members of the Committee shall constitute a quorum for the purposes of conducting official meetings. At the discretion of the Chair, a meeting may proceed with less than a quorum in order to conduct routine matters.

After determining a quorum is present, the meetings shall include the following:

1. Call to Order by the Chair
2. Approval of minutes of previous meeting
3. Report from Parks and Recreation Director and any special committees
4. Old business
5. New business
6. Adjournment

Sec. 2-165. Responsibilities.

The Parks and Recreation Committee shall help provide, maintain, promote, and generally advise the parks, playgrounds, athletic fields, and recreational centers owned or controlled by the City of Southport.

Sec. 2-166. Amendments

The Parks and Recreation Committee may amend their By-Laws at any Regular meeting of the Committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

Sec.2-167 through 2-174. Reserved.

DIVISION 2. BEAUTIFICATION COMMITTEE

Sec. 2-175. Purpose.

The purpose of the Beautification Committee shall be to review and recommend action on public beautification projects, in general, and to maintain specific public areas exclusively, including weeding, planting, mulching, pruning, and, in some cases painting and staining.

Sec. 2-176. Membership and Term.

Membership of the Beautification Committee will be limited to nine (9) full members appointed by the Board of Aldermen. All members shall be residents of the greater Southport area, as designated by the zip code 28461. A minimum of six (6) members shall live within the legal City limits. The Mayor shall appoint an Alderman(s) to the Committee to act as a liaison(s) between the Beautification Committee and the Board of Aldermen. The liaison(s) will be entitled to all privileges except making a motion, voting, and holding office. There will also be a City staff liaison assigned by the City Manager to support the Committee.

Open positions on the Committee will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All new applicants will be interviewed by the Chair, Vice Chair, and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Beautification Committee shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Committee for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair, and Board Liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Committee. Beautification Committee members shall serve without compensation. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
City Resident (6+)	4		1	
Other Member (3)			3	

(terms 3-years to expire in June of the third year)

Sec. 2-177. Officers and Duties

The Officers of the Committee shall be Chair, Vice-Chair, Secretary and Treasurer. Officers will be nominated by the Committee during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.

The duties for each position are as follows:

1. The Chair shall issue an agenda prior to each meeting, shall preside over all meetings, sign all official papers, call special meetings as necessary, approve all expense reimbursements in advance of individual outlay, and perform all such duties usually bestowed upon a Chairman.
2. The Vice-Chair shall serve in the absence of the Chair.
3. The Secretary shall maintain and publish complete minutes of each meeting, be responsible for all Committee correspondence, and keep and maintain a membership attendance record.
4. The Treasurer shall maintain and publish a financial report at each meeting, which keeps track of expenses incurred and budgeted funds remaining to spend and be responsible for submitting check requests to the City Finance Director for individual reimbursement of approved expenses incurred.

Sec. 2-178. Meetings and Authority

The regular meeting of the Committee shall be held on the third (3rd) Monday of each month. Special meetings shall be called by the Chair. The purpose of the special meeting shall be stated in the notice and given at least forty-eight (48) hours in advance of the meeting date.

Acceptance of an appointment to this Committee signifies an obligation of the appointee. It is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a

member misses three regular meetings without a reasonable explanation, the Committee shall request the resignation of said member.

More than half of all appointed members of the Committee shall constitute a quorum. At the discretion of the Chair, a meeting may proceed with less than a quorum in order to conduct routine matters.

After determining a quorum is present, the meetings shall include the following:

1. Call to Order by the Chair
2. Approval of minutes of previous meeting
3. Report of standing or special committees
4. Old business
5. New business
6. Adjournment

Sec. 2-179. Amendments

The Beautification Committee may amend their By-Laws at any Regular meeting of the Committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

Secs. 2-180 through 2-191. Reserved.

DIVISION 3. HISTORIC PRESERVATION COMMISSION.

Sec. 2-192. Creation and Appointment

There is hereby created, pursuant to G.S. § 160D-303, a historic preservation commission, hereafter referred to as the “Commission.” The Commission shall consist of seven (7) full members and two (2) alternate members, who shall be appointed by the Board of Aldermen. All members appointed to the Commission shall, before entering their duties, qualify by taking an oath of office as required by G.S. § 160D-309. Initially appointed terms shall be staggered so that two (2) members serve a one-year term, three (3) members serve a two-year term, and two (2) members serve a three-year term. Thereafter, the Board of Aldermen shall appoint members to terms of three (3) years. (Refer to Table A below for the initial term expiration dates).

Table A. Scheduled Staggered Term Expirations.

June	2023	2024	2025	2026
Full Members		2	3	2
Alternates				2

(all terms become 3-year after the original term expires)

Open positions on the Commission will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All new applicants will be interviewed by the Chair, Vice Chair and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next

Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Commission will strive to have the same interview committee for every interview.

Any member desiring to resign from the Commission shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Commission for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair and Board liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

Alternate members shall not be entitled to vote on matters before the Historic Preservation Commission except when a full member is absent from a duly called meeting and is specifically indicated by a majority of regular members. All full and alternate members of the Historic Preservation Commission must be residents within the corporate limits of the City of Southport.

The Mayor shall appoint an Alderman(s) to the Committee to act as a liaison(s) between the Historic Preservation Commission and the Board of Aldermen. The liaison is not a voting member but can observe and discuss ongoing reviews. At least one (1) member of the City's Planning Department staff will be assigned to serve as administrator to ensure and facilitate enforcement of the provisions of this ordinance.

Sec. 2-193 Qualification of Members

A majority of the members of the Commission shall have demonstrated education, experience, special interest, or a combination thereof, in historic preservation, history, architecture, architectural history, archaeology, cultural anthropology, planning, or related field.

Sec. 2-194 Rules of Procedure

a. The Commission shall adopt rules of procedure necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. The rules of procedure shall provide for at least the following:

1. Selection of Commission officers.
 - i. The Officers of the Commission shall be Chair, and Vice-Chair. Officers will be nominated by the Historic Preservation Commission during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.
2. Time and place of regular meetings and calling of special meetings.
3. Procedure for conduct of public hearings.
4. Keeping of minutes and Commission records.
5. Conduct of voting.
6. Conflicts of interest policy.

7. Attendance policy.
 8. Forms to be used in applying for Certificates of Appropriateness.
 9. Sufficient project information to make sound determinations regarding applications for Certificates of Appropriateness.
 10. List of minor work for which the City Staff may issue Certificates of Appropriateness.
- b. The Commission shall meet at least quarterly. All meetings shall be conducted in accordance with the North Carolina Open Meetings Law, G.S. Chapter 143, Article 33C (G.S. §§ 143-318.9 to 318.18).
 - c. The Commission shall annually present to the Board of Aldermen a report of its activities, budget, findings, recommendations, and actions, which shall be made available to the public.

Sec. 2-195 through Sec. 2-199 are unchanged from the current Code.

Sec. 2-200. through Sec. 2-204. Reserved.

DIVISION 4. FORESTRY COMMITTEE

Sec. 2-205. Purpose

The purpose of the Forestry Committee shall be to review and recommend actions to preserve and enhance the community's trees. Recognizing that the historical personality of the City is in part defined by its trees, in particular the live oaks. The Committee's actions will include:

1. Protection of existing trees;
2. Tree replenishment;
3. Public Education;
4. Other functions related to the community's forest environment.

Sec. 2-206. Membership and Terms

Membership in the Forestry Committee is limited to seven (7) full members as appointed by the Board of Aldermen. The Board of Aldermen can appoint "alternate" members, at the recommendation of the Committee Chair. The alternate members will not have regular voting privileges unless voted in by a majority of regular members. In the absence of a full member, the corresponding (City or ETJ) alternate may be voted in with voting privileges. If the corresponding alternate is absent, either alternate may be voted into the meeting with full voting privileges. All full and alternate members of the Forestry Committee must be residents of the City or the ETJ area.

The Committee may also retain "consulting members" who have particular skills or expertise beneficial to the Committee's purpose. Any person possessing these skills or expertise, including City employees, may serve on the Committee as a "consulting member" with the approval of the Committee Chair. The Mayor shall appoint an Alderman(s) to the Forestry Committee to act as a liaison(s) who shall be entitled to all privileges except making a motion, voting, or holding office. There shall also be a City staff liaison assigned by the City Manager to support the Committee.

Open positions on the Committee will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All applicants will be interviewed by the Chair, Vice-Chair and Board of Aldermen liaison, who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Commission will strive to have the same interview committee for every interview. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants.

Any member desiring to resign from the Committee shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the Committee for the remainder of the term. After the thirty (30) days, the Chair and Board liaison will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Committee. Forestry Committee members shall serve without compensation. (Refer to Table A below for term expiration dates.)

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
City/ETJ Resident (7)		1	6	
Alternates		1	1	
Consultants	Serve at their will with approval of the Forestry Committee Chair			

(terms 3-years to expire in June of the third year)

Sec. 2-207. Officers and Duties

The Officers of the Committee shall be the Chair, Vice Chair, and Secretary. Officers will be nominated by the Forestry Committee during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.

The duties for each position are as follows:

1. The Chair shall issue an agenda prior to each meeting, shall preside at all meetings, sign all official papers, call special meetings as necessary, and perform all such duties usually bestowed upon a Chairman.
2. The Vice-Chair shall serve in the absence of the Chair.
3. The recording Secretary shall maintain and publish complete minutes of each meeting, be responsible for all committee correspondence and keep and maintain membership attendance records.

Sec. 2-208. Meetings and Authority

The regular meeting of the Forestry Committee shall be held the second Tuesday of each month, at 5:00 p.m., at the Indian Trail Meeting Hall. Special meetings shall be called by the Chair. The purpose of the special meeting must be stated in the notice and there shall be at least (48) hours before the meeting date.

Acceptance of an appointment to this Committee signifies an obligation of the appointee, and it is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a member misses three regular meetings without a reasonable explanation, the Committee shall request the resignation of said member and shall request the Board of Aldermen to fill the vacancy.

Four members of the Committee shall constitute a quorum.

After determining a quorum is present, the meetings shall include the following:

1. Call to Order
2. Approval of Minutes of the previous meeting
3. Report of standing or special committees
4. Old/Recurring Business
5. New Business
6. Adjournment

Sec. 2-209. Amendments

The Forestry Committee may amend its By-Laws at any Regular meeting of the Committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

Secs. 2-210. through 2-214. Reserved

DIVISION 5. LOCAL ABC BOARD

Sec. 2-215. Purpose

The local ABC Boards serve the City responsibly by controlling the sale of spirituous liquor and promotion customer friendly, modern, and efficient stores.

Sec. 2-216. Membership and Terms

The City of Southport local ABC Board shall consist of five (5) members, who are appointed by the Board of Aldermen. The Board of Aldermen shall appoint members of a local board based on the appointees' interest in public affairs, good judgement, knowledge, ability, and moral character. The Mayor shall serve or appoint an Aldermen to serve as a liaison between the ABC Board and the Board of Aldermen. The Store Manager shall serve the local board in an administrative role.

Open positions on the Board will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All new applicants will be interviewed by the Chair, Vice Chair, and Board of Aldermen liaison, who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview

committee. The Commission will strive to have the same interview committee for every interview. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants.

Any member desiring to resign from the ABC Board shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of thirty (30) days following the resignation, to serve on the ABC Board for the remainder of the term. After the thirty (30) days, the Chair, Vice Chair, and Board liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Board. Officers of the ABC Board shall be the Chair, which will be nominated by the ABC Board. The Chair shall preside over all meetings, call special meetings as necessary, and perform all duties usually bestowed on a Chair. The ABC Store Manager shall act as Secretary of the Board. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
Full Members (5)	1		2	2

(terms 3-years to expire in June of the third year)

Sec. 2-217. Duties of ABC Board

A local ABC Board is governed by North Carolina General Statute Chapter 18B: Regulation of Alcoholic Beverages. The local governing board appoints the members and reviews all sales reports, and store updates. General operation of the store and personnel matters is the responsibility of the ABC Store Manager and members of the local ABC Board.

All other regulations and responsibilities of the ABC Board are included in Chapter 18B, Articles 7 and 8 of the North Carolina General Statutes.

NOW, THEREFORE, BE IT ORDAINED by the City of Southport Board of Aldermen that the proposed Code of Ordinances amendment of Chapter 2, Article IV: Boards, Committees and Commissions, is hereby adopted and shall become effective immediately. All provisions of any City ordinance or resolution in conflict with this Ordinance are hereby repealed.

The foregoing Ordinance, having been submitted to a vote, received the following vote, and was duly adopted this the ____ day of April 2023.

Ayes: _____

Noes: _____

Absent or Excused: _____

Joseph P. Hatem, M.D., M. P. H.
Mayor, City of Southport

Dorothy Dutton, Asst City Manager/Clerk