

**Town of Sunset Beach
Monthly Council
Work Session & Regular Meeting
June 4, 2012**

MINUTES

Members Present: Mayor Richard Cerrato, Mayor Pro-Tem Lou DeVita, Councilwoman Karen Joseph, Councilwoman Carol Scott, and Councilman Mike Williams.

Members absent: Councilman Wilson Sherrill

Attorney & Staff Present: Gary Parker, Town Administrator; Mike Isenberg, Town Attorney; Richard Childres, Assistant Fire Chief; Lisa Massey, Police Chief; Sandy Wood, Building Inspector; Dustin Graham, Public Works Director; Donna Rogers, Finance Director and Lisa Anglin, Town Clerk.

**Work Session
6:45 pm**

Mayor Cerrato called the Work Session to order, called for agenda amendments, and general discussions by the Council.

Council Discussion

Town 50th Anniversary

Councilwoman Scott advised that March 26, 2013 will be the 50th anniversary of the Town and requested Council to consider beginning celebration plans.

Sidewalk Request

Councilwoman Scott requested the Public Works Department to inspect the island sidewalks for ADA compliance, to remove any sand/gravel debris and to periodically inspect the sidewalks to remove debris buildup.

Parking Regulations

Councilwoman Scott commended the Police Department for enforcing the parking regulations and requested the Council investigate the use of bike patrols or meter maids to enforce the parking regulations instead of the patrol officers.

Gazebo Area Bathrooms

Councilwoman Joseph thanked the Public Works Department for installing the gazebo area bathrooms and building the ramps. Landscaping around the bathrooms, consistent with the Streetscape plan, is being planned.

Council Discussion (Cont.)

NC DOT – Bridge Fence Area

Councilwoman Joseph requested Staff to contact NCDOT concerning the appearance of the fenced area under the bridge; Dustin Graham advised that the area is scheduled to be cleaned within a week.

Violation Update

Councilwoman Joseph requested an update of the outstanding violation fines for the Bridge Grill. Attorney Isenberg advised that the suit has been filed and we are awaiting placement on the court schedule.

Community Meetings

Concerning the Community Meetings, Councilwoman Joseph distributed a Community Point of Contact list and the Sandpiper Bay Resident Center calendar. The Council will discuss and schedule the Community Meeting dates in the near future and email the determined dates to the contact list for notification of the residents.

Memorial Day Service

Councilman Williams thanked the Police department for the Memorial Day service held on May 28th.

Agenda Amendments

New Business Additions

Town Administrator Gary Parker requested Council add New Business Item F for consideration of awarding the street resurfacing bid and New Business Item G for appointment of representatives to attend a MPO meeting concerning becoming a member of the Grand Strand Metropolitan Planning Organization concerning transportation along with Shallotte, Ocean Isle Beach, Calabash and Carolina Shores.

Old Business Additions

Councilman Williams requested Council add Old Business Item E to discuss the compensation plan.

Future Agenda Items

Mayor Cerrato requested Council to consider reserve parking and additional parking on the island for Town citizens, parking permit system for side street residents, and a roundabout to be installed at the intersection of Main Street and Sunset Blvd. Mayor Cerrato also requested Council to consider a compensation study, employees shared medical cost and the take-home vehicles policy.

Monthly Meeting
7:00 pm

Call to Order & Pledge of Allegiance

Mayor Cerrato called the Monthly Meeting to order and the Pledge of Allegiance was recited. Mayor Cerrato stated “Does any member of the Council have a conflict of interest or the appearance of a conflict of interest with regard to any item on the agenda, and if so, please state so at this time?” No one spoke. Councilwoman Scott clarified that the Mayor is now reading the conflict of interest statement at the beginning of each meeting by recommendation of the School of Government and the Council of Governments.

Public Comments

Karla Squier 209 Olde Oak Lane – Objected to the placement of the sewer panel box on her home by the County contractor and requested the Council to seek a solution to the placement issue with the County.

Edward Gutknecht 753 High Gate Place – Thanked the Council for granting permission to install cigarette receptacle signs on the trash can posts on the beach strand.

Karen Dombrowski 719 Fairway Drive – Suggested that the Parking Study project is not needed as adequate parking is available on the island; informed the Council that Wrightsville Beach has metered parking and residents/visitors can purchase discounted parking passes; suggested the Council document unsightliness of the fenced area under the bridge for future use.

Consent Agenda Approval

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE THE FOLLOWING CONSENT AGENDA AS PRESENTED.

1. Departmental Reports:
 - a) Police
 - b) Public Works
 - c) Building Inspections
 - d) Fire
2. Disposition of Directives
 - a) Preliminary Assessment Notice appeared in Brunswick Beacon – 11/16/11
 - b) Preliminary Assessment Notice and Resolution mailed to affected property owners – 11/16/11
 - c) Preliminary Assessment Resolution Public Hearing held – 12/05/11
 - d) BEMC informed to begin underground project – 12/9/11
 - e) Ordinance 50.03 prepared for Municode – 01/24/12; 130.09, 130.12, 130.14 prepared for Municode – 04/18/12; Ordinance 151.113 & 130.15 prepared for Municode – 05/21/12
 - f) Request letter mailed to NC DOT concerning repaving of Main St. – 02/28/12; Received NC DOT acknowledgement letter – 03/05/12
 - g) Set up Meeting with NC DOT for Bridge Landscaping Plan approval and funding – Meeting set for 02/27/12 and held; DOT in process of defining project area for landscaping; Resolution mailed to NCDOT 04/05/12; NC DOT defined project area 04/23/12; Agreement rec'd from NCDOT for Council consideration – 05/17/12

Consent Agenda Approval (Cont.)

- h) Personnel Policy final amendments made, Whistleblower Policy added, copies made for each Staff & Council members and Staff meetings held at 9:00 am & 12:00 noon on 05/22/12
- i) Street Resurfacing RFP ad in Beacon 05/16/12
- j) Memorial Day Services held 05/28/12
- k) Community Meeting - Dates selection in progress
- l) Edward Gutknecht notified of Council permission to install cigarette signs on strand – 05/17/12
- m) Council directive concerning Special Use Permits sent to Planning Board – 05/31/12

3. Departmental Updates

COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A VOTE OF 4-0.

Old Business

Consideration of Parking Study Project and Cost

The Council advised that the price received for the proposed parking study was more costly than expected. The Council agreed to re-evaluate the need for a parking study at the end of the summer after the effectiveness of the current parking regulations have been tested and are known.

MAYOR PRO-TEM DEVITA MADE A MOTION TO REJECT THE PARKING STUDY PROPOSAL RECEIVED FROM KIMLEY-HORN & ASSOCIATES. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

Consideration of Park Design Firm Cost

Gary Parker advised that the quote received from Withers & Ravenel was \$35,855 but after negotiations the final cost was set at \$30,000 for the entire scope of work requested. Gary Parker advised that the revenue generating analysis (\$2,500) has been removed from the scope of work so the new contract price will be \$27,500.

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE THE CONTRACT WITH WITHERS AND RAVENEL FOR THE PARK DESIGN PROPOSAL FOR \$27,500 AND TO AUTHORIZE GARY PARKER TO EXECUTE THE CONTRACT. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

Tolling Agreement Update

Gary Parker advised that one (1) meeting has been held with Coastal Communities staff to determine what percentage of infrastructure is and is not complete. Councilman Sherrill, Councilwoman Joseph, and Staff members Gary Parker and Sandy Wood will meet later this week with Mark Saunders to begin negotiations for the establishment of a timeline for infrastructure completion.

Old Business (Cont.)

Sewer Report Update

Councilwoman Scott, Councilman Sherrill and Staff member Sandy Wood are in the process of developing a punch list of issues, problems, and misconceptions with the Sewer Project in preparation for a meeting with Brunswick County Commissioners, Marty Lawing, County Manager, and Jerry Pierce, County Public Utilities Director, to review the punch list, to air our grievances with the project and to seek answers and solutions for the residents of Sunset Beach.

Compensation Plan

Councilman Williams questioned if the Town cell phone has been retrieved from former Fire Chief Chris Barbee. Gary Parker advised no but it will be by the end of this week. Councilman Williams voiced his concerns that the compensation package of a 2% COLA, 2% Merit and 1% Longevity Bonus included by Council in the 2012/2013 proposed Budget is too high and recommended only a 2% COLA be included.

COUNCILMAN WILLIAMS MADE A MOTION TO AMEND THE 2012/2013 PROPOSED BUDGET TO INCLUDE ONLY A 2% COLA. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR CERRATO CALLED FOR DISCUSSION.

Councilwoman Scott agreed that the proposed compensation package is too high but recommended that this discussion be delayed until Councilman Sherrill was present so that the Council as a whole could participate in the discussion and vote.

Councilman Williams agreed and the motion was withdrawn.

New Business

Annual Report Discussion

Councilwoman Joseph reviewed a list of Annual Report topics that could be included and suggested Council submit topics to be added. The Council discussed the reasoning behind Council's decision to produce and mail the Annual Report in early September.

Council Position for Annexation Issues

House Bill 925

The Council discussed recent General Assembly action (House Bill 925) concerning involuntary annexations laws that would require a referendum vote of only the registered voters in the affected areas before a municipality could annex an area. The Council discussed services and amenities provided to the residents of the areas surrounding municipalities such as the beach, parks, business accessibility, roadways, police and fire services, etc. and agreed that the cost of those services and amenities sometimes needs to be shared by annexing surrounding areas. The Council reached a consensus to draft a letter to Governor Purdue requesting a veto of House Bill 925. Mayor Cerrato advised that his view is different than Council's and refused to sign the letter. Mayor Pro-Tem DeVita and the four (4) Council members will sign the letter.

House Bill 1043

Gary Parker advised that the General Assembly has formed a Committee to study the dissolving of Extraterritorial Jurisdictions (ETJ) areas controlled by municipalities for zoning. The Council discussed the importance of controlling the zoning surrounding the municipalities in order to control growth and appearance. The Council will continue to watch this Committee.

New Business (Cont.)

West Brunswick High School Internship Program

The Council discussed the proposed West Brunswick High School Internship Program, which department could utilize the internship student(s) and the type of work the student(s) would be allowed to do by law. The Council reached a consensus for Gary Parker and Dustin Graham to contact the Internship Program Coordinator for more information, to determine if the Town would be able to participate with the program after speaking with the Coordinator, and to invite the Coordinator to the July 17, 2012 Council Work Session for further discussion.

Public Viewing Email System

The Council discussed a Public Viewing Email System and the logistics involved with setting up this type of system. The Council agreed that the current procedure for fulfilling public information request is adequate and sufficient.

MAYOR PRO-TEM DEVITA MADE A MOTION NOT TO PROCEED WITH THE INSTALLATION OF A PUBLIC VIEWING EMAIL SYSTEM. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

NCDOT Bridge Landscaping Agreement

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE NCDOT BRIDGE LANDSCAPING AGREEMENT. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

Consideration of Awarding Bid for Street Re-Surfacing Project

Gary Parker advised that J. P. Russ & Son, Inc. was the lowest bidder at \$354,250 but the company does not hold a North Carolina paving contractor's license. It also failed to execute the bid bond. Gary Parker advised that Barnhill Contracting Company was the next to lowest bidder at \$366,900 and recommended the Council award the Re-surfacing Project bid to Barnhill Contracting Company by way of adoption of the Resolution prepared by Attorney Isenberg.

COUNCILMAN WILLIAMS MADE A MOTION TO ADOPT THE RESOLUTION TO AWARD THE PAVING RE-SURFACING PROJECT TO BARNHILL CONTRACTING COMPANY. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

Consideration of Appointment of Representatives to attend MPO Meeting

Gary Parker advised the Council of a MPO meeting that will be held in Carolina Shores on June 12, 2012 at 10:30 am to discuss becoming a member of the Grand Strand Metropolitan Planning Organization concerning transportation along with Shallotte, Ocean Isle Beach, Calabash and Carolina Shores. The Council was requested to appoint representatives for this meeting.

COUNCILWOMAN SCOTT MADE A MOTION TO APPOINT MAYOR PRO-TEM DEVITA AND COUNCILMAN WILLIAMS TO REPRESENT THE COUNCIL AT THE MPO MEETING ON JUNE 12, 2012. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

Public Comments

Ron Watts 421 Shoreline Drive West – Advised Council that the Grand Strand MPO is exploring extending South Carolina Highway 31 into Brunswick County which would be good for the area; advised that General Assembly is making changes to the annexation law due to municipalities not providing required services to annexed areas; commended Council for postponing the compensation plan until all members of Council were present; requested Council to include funding from the accommodations tax for promotion in the budget; requested Council consider dredging the feeder canal during the winter as boaters are reporting issues with exiting the canals during low tide.

Bill Ehling 610 Triangle Trail – Reminded Council of the salary study conducted recently presented which determined that our salaries fall within the average range; recommended not cancelling any Monday night meetings.

Adjournment

COUNCILWOMAN JOSEPH MADE A MOTION TO ADJOURN THE JUNE 4, 2012 COUNCIL MEETING. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

Town of Sunset Beach

Richard Cerrato, Mayor

Submitted by:

Lisa Anglin, Town Clerk

*The June 4, 2012 Minutes were approved July 2, 2012.