

**Town of Sunset Beach
Council Meeting
July 19, 2016**

MINUTES

Members Present: Mayor Ron Watts, Mayor Pro-Tem Carol Scott, Councilman Lou DeVita, Councilman Peter Larkin, Councilman Mark Benton and Councilman Rich Cerrato

Members absent: None

Attorney & Staff Present: Grady Richardson, Town Attorney; Susan Parker, Town Administrator; Bonnie Schwerd, Assistant Town Administrator/Finance Director; Kevin Dempsey, Fire Chief; Dustin Graham, Public Works Department Director; and Lisa Anglin, Town Clerk

Mayor Watts called the Meeting to order at 9:00 am and the Pledge of Allegiance was recited by those in attendance.

Draft Agenda Review and Approval

The Council made the following amendments to the agenda:

COUNCILMAN CERRATO MADE A MOTION TO APPROVE THE AGENDA AS AMENDED. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Public Comments on Agenda Items Only

None

Old Business

Stormwater Management Plan Presentation of Revised Proposal and Consideration of Awarding Contract

John Vials and Bill Roark, McGill Associates and Michael Norton, Compass Pointe Engineering presented the Council the revised Stormwater Management Proposal. The proposal includes reviewing existing stormwater infrastructure studies, maps, plans, ordinances and permits, developing a GIS inventory of the Town's existing stormwater infrastructure, assessing the capacity and condition of the existing system, identifying the deficiencies within the existing system, determining flow control and water quality solutions to alleviate deficiencies, prioritizing identified solutions and develop a 10-year Capital Improvement Plan, identifying strategies for funding solutions and compiling the information into a Stormwater Management Plan. The study area has been expanded to include all of Town limits excluding areas with approved stormwater permits/stormwater management plans and NCDOT right of ways. Surveying is proposed to begin in September with final document providing deliverables in February 2017 in preparation for the 2017/2018 budget process.

COUNCILMAN CERRATO MADE A MOTION TO ACCEPT THE STORMWATER MANAGEMENT PLAN PROPOSAL AND TO AWARD THE CONTRACT TO MCGILL ASSOCIATES WITH A TOTAL LUMP SUM FEES OF \$323,900 PLUS UP TO \$10,000 FOR VIDEO INSPECTION OF THE STORM SEWERS AND CLEANING FOR INSPECTION PURPOSES. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Old Business (Cont.)

UDO Omission Independent Investigation Update

Susan Parker, Town Administrator reported to the Council that the review of the conversion and adoption of the UDO uncovered no proof or intent of any person to knowingly omit land use sections. What was discovered was a flawed process in that an editorial copy of the conversion was not maintained to demonstrate what was amended, added and deleted. Also the ordinance adopted by Council in December 2012 which read “to repeal Title XV Land Usage and adopt Article 1 – 13 including Appendix A – C” is in conflict with Article 1 Section 1.13 which reads “These regulations shall become effective on December 3, 2012. Upon such date, these regulations shall supersede, repeal, and replace the Flood Damage Prevention Ordinance, Stormwater Management Ordinance, Zoning Ordinance, and Subdivision Ordinance.” The Building Code was included in the section that was repealed. Staff is continuing to review the repealed section to determine if any other ordinances need to be adopted by Council.

Property Owner Survey Discussion/Development

Mayor Pro-Tem Scott advised that no survey questions have been received from Council members. Susan Parker, Town Administrator advised that a standardized survey template is available that the Council can review and amend to add additional questions. The survey would be performed by an independent agency and the estimated cost is \$10,000 - \$12,000. The Council requested Parker to provide a sample for consideration.

Discussion Concerning Council Chambers Audio/Video Upgrades

Councilman Benton will meet with several companies on site next week to provide quote for updating audio and hearing impaired equipment, installing video equipment and providing videography services.

Dredging Discussion

Mayor Watts advised that the Town has been awarded a State grant totaling \$2,779,327 for the Shoreline Management and Pre-Dredging Analysis and Construction project. Councilman Cerrato requested the Environmental Resource Committee to develop questions to be addressed including concerns to be discussed during the October 8th Community Meeting. Councilman Cerrato suggested invitations including RSVP request to be sent to all affected property owners.

COUNCILMAN CERRATO MADE A MOTION TO REQUEST THE ENVIRONMENTAL RESOURCES COMMITTEE TO DEVELOP QUESTIONS TO BE ADDRESSED INCLUDING CONCERNS TO BE DISCUSSED RELATED TO ENVIRONMENTAL IMPACTS DURING THE OCTOBER 8TH COMMUNITY MEETING. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. COUNCILMAN LARKIN, COUNCILMAN CERRATO, COUNCILMAN DEVITA, COUNCILMAN BENTON VOTED YES. MAYOR PRO-TEM SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Councilman Cerrato requested the Council to consider enacting Capital Project Ordinances for the Stormwater Management Plan project and the Pre-Dredging Project. Mayor Watts advised that the Council will be discussing the Financial Policy in September and requested the Capital Project Ordinances discuss be including with that discussion. The Council agreed.

Old Business (Cont.)

Meeting Procedures

Councilman Cerrato requested the Council to determine when newly elected officials will be sworn in during the December meeting following an election to avoid confusion in the future. The Council agreed that the newly elected officials should be sworn at the beginning of the December meeting but after the exiting members have had an opportunity to express farewells. The Council will consider an ordinance amendment during the August 1, 2016 meeting.

Fire Chief Summary of Fire

Fire Chief Kevin Dempsey reported that at approximately 1:30 am Friday, July 15th the fire department responded to a house fire in the 1300 block of East Main Street. Arriving within four (4) minutes upon dispatch from 911 personnel found one home fully involved and the fire had spread to 3 others due to the windy conditions. A propane tank was also fueling the intensity of the fire. Ten department from surrounding areas including Horry County assisted to extinguish the fire. One home was a total loss and 3 others sustained major damage. The investigation conducted by the Department and County Fire Marshalls, ATF agents and SBI agents determined that the cause of the fire was a charcoal grill left downstairs under the house that contained hot coals was blown over by the wind onto an area containing pine straw which ignited and spread to the propane tank. Dempsey advised that the first unit to respond had two (2) members which only allowed the crew to establish a water supply, start applying water to the structures and wait for additional manpower. The second unit which also had two (2) members responded to Canal Drive and established a water supply, started applying water to the structures and waited for additional manpower. The limited number of full-time fire personnel hindered the department from being able to enter the structures until mutual aid arrived. Dempsey advised that the owner did use the grill in the driveway area away from the home but moved it to under the house afterwards. The Council discussed holding a meeting with the rental companies and developing a flyer concerning grilling safety. The Council also discussed adopting an ordinance prohibiting pine straw near homes. Dempsey will provide sample ordinances for the Council to consider.

SB 875 Update

Mayor Watts advised that SB875 (De-annexation) will become a topic again in December since the Sunset Creek Commons and Sunset Beach West developers are requesting its continuation with Senator Rabon and Representative Iler. Mayor Watts advised that a meeting was held with Holly Smith who is the developer of Sunset Creek Commons, and she expressed dissatisfaction with the Town's building permit costs and the lack of police presence in the development. Mayor Watts encouraged Staff to conduct a building permit costs analysis with surrounding areas and for the police department to increase patrols within the development. Mayor Watts advised that Sunset Creek Commons Phase 1 is 50% occupied and plans for Phase 2 are underway. A follow-up meeting with Ms. Smith is planned for August.

New Business

Acceptance of Mayor Watts Resignation

Mayor Watts submitted his resignation advising that he will no longer be a resident of the Town since his home has sold.

MAYOR PRO-TEM SCOTT MADE A MOTION TO ACCEPT THE RESIGNATION OF MAYOR WATTS. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

New Business (Cont.)

Selection Procedure for Replacement

The Council discussed the selection procedure for the Mayor replacement and reached a consensus to advertise the position accepting application through August 19th followed by Council interviews of the applicants. The Council will discuss the interview procedures during the September 6, 2016 meeting. Mayor Pro-Tem Scott will assume the Mayor duties until the replacement is named.

Review upcoming Agenda Items and Identify New Agenda Items for August 1, 2016 Meeting

The Council reviewed the upcoming agenda items. Councilman Benton requested a discussion concerning Sidewalks on Main Street and Highway 179 be added to the August 1, 2016 agenda. Bonnie Schwerd, Finance Director, requested the Resolution Application for a Fire Truck be added to the August 1, 2016 agenda. Mayor Pro-Tem Scott announced that she would be absent on August 16th and requested the Council consider cancelling the meeting. Mayor Watts advised that at this time only one item is slated for the August 16th agenda.

MAYOR PRO-TEM SCOTT MADE A MOTION TO CANCEL THE AUGUST 16, 2016 COUNCIL MEETING. COUNCILMAN LARKIN SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Public Comments

Richard Hilderman 407 37th St. – Encouraged the Council to regulate against pine straw near homes.

Shantal Registrar 408 39th St. – Advised Council that she was recently contacted by the Building Inspection Department concerning an open permit for her sewer installation from three (3) years ago in which the plumber didn't complete the job and close the permit questioning why it took years for the property owner to be notified; advised the Council of a vacant lot adjacent to her property that is overgrown even though it was mowed in May and requested Council to consider amendment to require vacant lots to be mowed more than twice a year.

Closed Session

MAYOR PRO-TEM SCOTT MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (3), (a) (5) and (a) (6) TO DISCUSS AN EMPLOYMENT CONTRACT, TO CONSIDER NEGOTIATIONS WITH JAGUAR'S LAIR AND TO DISCUSS A PERSONNEL MATTER, . COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council met in Closed Session for approximately 45 minutes.

COUNCILMAN DEVITA MADE A MOTION TO RETURN TO OPEN SESSION. MAYOR PRO-TEM SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

COUNCILMAN DEVITA MADE A MOTION TO RECONVENE THE OPEN SESSION. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Adjournment

MAYOR PRO-TEM SCOTT MADE A MOTION TO ADJOURN THE JULY 19, 2016 COUNCIL MEETING. COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town of Sunset Beach

Carol Scott, Mayor Pro-Tem

Submitted by:

Lisa Anglin, Town Clerk

*The July 19, 2016 Minutes were approved by Council during the September 6, 2016 meeting.