

**Town of Sunset Beach  
Monthly Council  
Work Session and Regular Meeting  
August 3, 2015**

**MINUTES**

**Members Present:** Mayor Ron Watts, Mayor Pro-Tem Lou DeVita, Councilwoman Carol Scott, Councilman Wilson Sherrill, Councilman Mike Williams and Councilman Terry Johnson

**Members absent:** None

**Attorney & Staff Present:** Susan Parker, Town Administrator; Bonnie Schwerd, Finance Director; Dustin Graham, Public Works Director; Rawls Howard, Planning and Inspections Director; Richard Childres, Assistant Fire Chief; Joe Smith, Detective; and Lisa Anglin, Town Clerk

Mayor Watts called the Meeting to order at 6:00 pm.

**Closed Session**

MAYOR PRO-TEM DEVITA MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (3) TO CONSULT WITH ATTORNEY RICHARDSON CONCERNING LITIGATION WITH JAGUAR'S LAIR AND WITHERS AND RAVENEL. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council met in Closed Session for approximately 35 minutes and discussed the litigations with the Jaguar's Lair Bond Company and Withers & Ravenel.

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

**Work Session**

The Work Session convened at 6:45 pm. Mayor Watts called for agenda amendments and general discussions by the Council.

**Draft Agenda Review**

No amendments made.

**General Council Discussions**

**Concert Series** – Councilman Sherrill advised that a new band booked for the concert series brought their family and stayed on Sunset Beach for the week.

**Sunset at Sunset** – Councilman Williams advised that the Sunset at Sunset Road Race will not be held this year as the parties could not agree on the contract terms.

**August 18, 2015 Work Session** – Mayor Watts advised that Council has cancelled the August 18, 2015 Work Session in order for members to attend the Flood Map meeting at the Brunswick County Cooperative Extension Center in Bolivia scheduled on the same day.

General Council Discussions (Cont.)

Bird Island – Mayor Watts thanked Tom Thomas for constructing the new bench installed by Town Staff near the mailbox on Bird Island.

Mayor’s Meeting – Mayor Watts advised that the Sales Tax Re-distribution bill being proposed by the NC General Assembly was the topic of discussion with most Mayor’s opposing the bill.

Coastal Federation Meeting – Mayor Watts advised that he had attended the Coastal Federation meeting in New Bern and noted that several additional Towns have adopted resolutions opposing seismic testing and drilling off the NC coast.

Economic Development Conference – Mayor Watts advised that he will be attending the Economic Development Conference in Clinton soon.

5K Run – Mayor Watts advised that an informal 5K run is scheduled on the beach strand tomorrow from the pier to the jetty.

Bird Island Party – Mayor Watts advised that a local radio station is sponsoring a party to be held on Bird Island Saturday, August 15, 2015. Bands will be located on a barge in the waterway. State and local police, fire and rescue officials are aware and will be monitoring the event.

**Town Administrator Report**

Storm Water Conference – Susan Parker advised that she will be attending the Storm Water Conference in Austin, Texas for the remainder of this week.

Town Park – Parker will present the Council with a preliminary design for the Park bathroom unit and a pavilion for consideration. Parker advised that the landscaper will be planting a few trees in the Park along the driveway to prevent vehicles from driving into the park.

Main Street Widening – Parker advised that NC DOT will present a preliminary design for the Main Street Widening project to the Council on September 8, 2015.

Administrative Assistant Position – Parker advised that the position will be filled within two (2) weeks as interviews are underway.

**Monthly Meeting**

The Meeting convened at 7:00 pm and the Pledge of Allegiance was recited by those in attendance.

**Approval of the Draft Agenda**

COUNCILMAN JOHNSON MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Public Comments on Agenda Items Only**

No comments heard

### **Minutes for Approval Consideration**

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE JUNE 23, 2015 COMMUNITY MEETING MINUTES AND THE JUNE 29, 2015 REGULAR MEETING MINUTES AS PRESENTED. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

### **Departmental Reports**

Police – Detective Joe Smith advised the Council of several police incidences that occurred during July including the apprehension of a shoplifter at Food Lion, the arrest of a breaking and entering thief at Sea Trail and the rescue of a woman that drove her car down the boat ramp into the water.

Public Works – Dustin Graham advised that the storm water drainage system repair at the intersection of 30<sup>th</sup> Street and North Shore Drive has been completed. Graham advised that a bike rack has been installed at the birdwalk, and a bench is being installed at the Park and the Gazebo tomorrow.

Planning and Inspections – Rawls Howard distributed and reviewed a revised copy of the July Report with the Council as the report provided with the packet contained incorrect data. Howard advised that the GIS position is being advertised and interviews should begin soon. Howard advised that Randy Walters, Building Inspector, has resigned effective August 12<sup>th</sup>. Howard will be assuming the CAMA and Floodplain Administrator duties until a replacement inspector is hired. Howard advised that he attended the NC Zoning Officials Conference and received an update on the NC General Assembly's proposed bills affecting municipalities. Copies of the update were distributed.

Fire Department – Assistant Chief Childres advised that the 4-wheeler with the medic bed has been put into service on the beach strand. Childres advised that the NC General Assembly is considering HB 367 which, if adopted, will permit the sale & possession of fireworks in NC.

Finance Department – Schwerd advised that due to the lightning strike which damaged the Town Hall computer system, the finance updates will be delayed a month. Schwerd advised that the Debris Removal RFP will be advertised soon and Staff is beginning to prepare for the upcoming audit.

### **Old Business**

#### **Consideration of Approval of Ordinance Amendment for Article 10 Landscaping and Buffering Requirements**

Councilwoman Scott requested that in the future any Council revision made to a UDO amendment after the Planning Board recommendation is forwarded to Council should be returned to the Planning Board for further discussion or consideration prior to the formal Council adoption.

COUNCILMAN JOHNSON MADE A MOTION TO APPROVE THE UDO AMENDMENT FOR ARTICLE 10 LANDSCAPING AS REVISED BY COUNCIL. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

#### **Consideration of Action Concerning Jaguar's Lair**

Mayor Watts advised that no updates are available and no action is needed at this time.

**Old Business (Cont.)**

Consideration of Dissolving the Jaguar's Lair Negotiating Team

Mayor Watts advised that the Negotiating Team is no longer needed at the present time, but could be re-established at a later date if needed.

COUNCILMAN JOHNSON MADE A MOTION TO DISSOLVE THE JAGUAR'S LAIR NEGOTIATING TEAM. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

Consideration of Approval of RFP for Town Promotional/Marketing Service

The Council reviewed the RFP for the Town Promotional/Marketing Service with the scope of work developed by Mayor Watts. Councilwoman Scott requested that the RFP include retirement marketing as well as tourism marketing. Schwerd was requested to determine if accommodations tax funds could be used to promote the area as a retirement destination.

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE RFP AS AMENDED WITH A DUE DATE OF AUGUST 28, 2015. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILMAN SHERRILL AND COUNCILWOMAN SCOTT VOTED YES. COUNCILMAN JOHNSON AND COUNCILMAN WILLIAMS VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Consideration of Approval of the Non-Profit Agency Grant Funding Policy

The Council reviewed the final draft of the policy and discussed the procedure for awarding funds under this policy. Councilwoman Scott remarked that the purpose is the assist organizations with a specific task not to fund the organization 100 percent.

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE NON PROFIT AGENCY GRANT FUNDING POLICY. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILMAN SHERRILL AND COUNCILMAN JOHNSON VOTED YES. COUNCILMAN WILLIAMS VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Discussion Concerning Non-Profit Funding

The Council discussed funding of the non-profit agencies that requested funding during the budget process. Councilman Johnson advised that since he has been the Merchants Association liaison he has witnessed the new leadership become energized, increase the membership base, and plan and execute promotional events. Parker reminded the Council that a Staff Report concerning the Non-Profit Agencies that requested funding will be presented to Council during the September 8, 2015 Meeting for Council consideration. The total amount requested was \$125,500 and the Council allocated \$40,000 in the 2015/2016 budget for funding of tourism related agencies. Councilman Johnson advised that the Merchants Association is developing plans for fall events now that requires funding.

COUNCILMAN SHERRILL MADE A MOTION TO APPROPRIATE \$15,000 FROM THE ACCOMMODATIONS TAX CONTINGENCIES FUND FOR THE SUNSET BEACH MERCHANTS ASSOCIATION. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR AVOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

**New Business**

Consideration of Approval of the Landscaping Contract Renewal the with Nature Works

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE LANDSCAPING CONTRACT RENEWAL WITH NATURE WORKS FOR THREE (3) YEARS AT A COST OF \$34,450 PER YEAR. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

Consideration of Acceptance of the Proposed Ordinance Amendment for Article 3

Administrative/Legislative Authority from the Planning Board and to Schedule a Public Hearing for September 8, 2015 at 7:00 pm.

Howard presented Article 3 as recommended by the Planning Board for Council acceptance and requested that a Public Hearing be scheduled for September 8, 2015 at 7:00 pm. The Council provided grammatical amendments.

COUNCILWOMAN SCOTT MADE A MOTION TO ACCEPT THE PLANNING BOARD RECOMMENDATION FOR UDO AMENDMENTS FOR ARTICLE 3 ADMINISTRATIVE/LEGISLATIVE AUTHORITY AS AMENDED BY COUNCIL AND TO SCHEDULE A PUBLIC HEARING FOR SEPTEMBER 8, 2015 AT 7:00 PM. COUNCILMAN SHERRILL SECONDED THE MOTION. MAOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

Consideration of Acceptance of the Proposed Ordinance Amendment for Article 4 Legislative/Quasi-Judicial Procedure from the Planning Board and to Schedule a Public Hearing for September 8, 2015 at 7:00 pm

Howard presented Article 4 as recommended by the Planning Board for Council acceptance and requested that a Public Hearing be scheduled for September 8, 2015 at 7:00 pm.

COUNCILWOMAN SCOTT MADE A MOTION TO ACCEPT THE PLANNING BOARD RECOMMENDATION FOR UDO AMENDMENTS FOR ARTICLE 4 LEGISLATIVE/QUASI-JUDICIAL PROCEDURE AS PRESENTED. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

Consideration of Authorization for Clerk to Advertise ABC Board Position with Term Expiration of October, 2015

COUNCILMAN SHERRILL MADE A MOTION TO AUTHORIZE THE CLERK TO ADVERTISE THE ABC BOARD POSITION WITH A TERM EXPIRATION OF OCTOBER 2015. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

Mayor Pro-Tem DeVita and Councilwoman Scott will conduct the interviews and report to the Council during the October Meeting or Work Session.

**Public Comments**

Darren Bouley 1831 Wonderland Street – Distributed a Sunset Beach Merchants Association proposal outlining the fall events planned including a farmer’s market and a fall festival.

**Public Comments (Cont.)**

Fred Thorne 1790-4 Queen Anne Street – Thanked the Council for supporting the Concert Series advised that the concerts have experienced record attendance this year.

**Adjournment**

COUNCILMAN SHERRILL MADE A MOTION TO ADJOURN THE AUGUST 3, 2015 COUNCIL MEETING. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Town of Sunset Beach**

*Ron Watts, Mayor*

Submitted by:

*Lisa Anglin, Town Clerk*

\*The August 3, 2015 Minutes were approved by Council during the September 8, 2015 meeting.