

**Town of Sunset Beach
Monthly Council
Work Session, Regular Meeting & Public Hearing
April 6, 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; Randy Walters, Building Inspector; Richard Childres, Assistant Fire Chief; Lisa Joyner, Police Chief; and Lisa Anglin, Town Clerk

**Work Session
6:45 pm**

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

Agenda Amendments

The Council added the following items to the agenda:

- Old Business d – Fire Station #2 Staffing Discussion
- New Business k – HB 338 discussion
- New Business m – Bushhogging Ordinance Discussion
- New Business n – Appointment of PRT Member Representative.

Council Discussion

Project Review Team (PRT) Meeting for the Ocean Isle Beach Shoreline Management Project
Councilman Sherrill read a prepared statement concerning the public misconception of his attendance at the PRT meeting held March 5, 2013. Councilman Sherrill advised that he was invited to attend the meeting as a member of the public by Ocean Isle Beach Mayor Debbie Smith. Councilman Sherrill advised that the meeting consisted of listening to the Army Corps of Engineers Field Team explain the EIS Scope of Work for the project, which was to identify all of the creatures within an area next to the proposed groin, both in and out of the water. Councilman Sherrill advised that he did not comment, ask questions, give input, hold discussions and did not associate with any of the regulatory representatives in attendance. Councilman Sherrill advised that he was not there as a Town representative and did not imply that the Town was in support of the terminal groin project. Councilman Sherrill advised that this was the only meeting he attended. The Council reached a consensus to make a formal appointment to the PRT to represent the Town at future meetings, if any, and added this item to the agenda as New Business n.

Council Discussion (Cont.)

The Heartbeat of Sunset Beach

Councilman Williams advised that “the Heartbeat of Sunset Beach” is a documentary of Sunset Beach produced by students from Massey Hill High School in Fayetteville. Ingram Planetarium will be showing the documentary on April 10, 2015 at 7:00 pm. Tickets are \$15.

Sunset Beach Merchants Association

Councilman Johnson advised that the Sunset Beach Merchants Association continue to meet and discuss methods of promoting Sunset Beach and the merchants.

Brunswick County Updates

Mayor Watts advised that several attended the Municipal Breakfast and heard County Departmental updates, which included Commissioner plans to update the County Vision Plan, the remedies the utilities department is proposing to handle the water demands, the property revaluation program appeals process and County park facilities funding challenges.

NC League of Municipalities (NCLM) Town Hall Day

Mayor Watts attended the Town Hall Day held in Raleigh and met with Representative Iler.

April Budget Work Sessions, and May Council Meeting and Budget Public Hearing

Mayor Watts reminded everyone of the upcoming Council calendar for the budget work sessions, public hearing and May Meeting as follows:

- Tuesday, April 21, 2015 – Draft of the proposed 2015/2016 Budget will be presented to Council during the 9:00 am Work Session
- Tuesday, April 28, 2015 Budget Work Session beginning at 9:00 am
- Wednesday, April 29, 2015 beginning at 9:00 am
- Thursday, April 30, 2015 beginning at 9:00 am
- Monday, May 11, 2015 Regular Council Meeting at 6:45 pm – rescheduled from May 4th
- Monday, May 11, 2015 Public Hearing for 2015/2016 proposed Budget at 7:00 pm.

Monthly Meeting and Public Hearing
7:00 pm

Call to Order & Pledge of Allegiance

Mayor Watts called the meeting to order and the Pledge of Allegiance was recited.

Approval of the Draft Agenda

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

Public Hearing

COUNCILMAN WILLIAMS MADE A MOTION TO OPEN THE PUBLIC HEARING. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Watts advised the Public Hearing is for Council to hear comments concerning the proposed Unified Ordinance Amendment (UDO) for Article 7 Supplemental Regulations Section 7.03 Modular Homes/Buildings.

Mayor Watts called for comments. None were heard.

COUNCILMAN SHERRILL MADE A MOTION TO CLOSE THE PUBLIC HEARING. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Public Comments on Agenda Items Only – Comments are limited to three (3) minutes per speaker

Karen Joseph 915 Sandpiper Bay Drive – Encouraged Council to staff Fire Station #2 even if it meant increasing the tax rate; reminded Council that Sunset Beach enjoys one of the lowest tax rates in North Carolina.

Rich Cerrato 517 Twisted Oak Lane – Questioned if the Sunset at Sunset festival was self-supported and advised that the proposed budget amendment doesn't reflect that the festival is self-supported.

Minutes for Approval Consideration

COUNCILMAN WILLIAMS MADE A MOTION TO APPROVE THE FEBRUARY 2, 2015 REGULAR MEETING MINUTES, THE FEBRUARY 23, 2015 SPECIAL MEETING MINUTES, THE MARCH 2, 2015 REGULAR MEETING MINUTES AND THE MARCH 17, 2015 WORK SESSION MINUTES AS PRESENTED. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town Administrator Report

Town Park – Parker advised that the revised plans are being submitted to the State for the Stormwater permit on Wednesday.

Town Administrator Report (Cont.)

30th Street/North Shore Drive Stormwater System Repair – Parker advised that the 10’ Utility Easement needed for the repair has been obtained. An objection was submitted to the State. The State has reviewed the objection and deemed that the Town is in compliance.

Beach Rules Signs – Councilwoman Scott requested Staff to revisit the placement of the beach signs on 38th and 39th Street as she is receiving complaints that the signs were placed in the sight lines of people’s back yards.

Departmental Reports

Police – Chief Joyner advised that Deputy Chief Adams retired effective March 31, 2015 with over 30 years of law enforcement service in North Carolina. Mr. Adams will be presented a plaque during the May Council Meeting. Councilwoman Scott is preparing a draft Noise Ordinance for Council consideration.

Public Works – Dustin Graham advised that the restroom removed from the island for repairs has been replaced and is operational. Graham advised that the beach signs have been installed at all of the walkways. Graham advised that NCDOT has been contacted to determine if the silt fence can be removed from the roundabout area.

Planning and Inspections – Randy Walters advised that the department has seen an increase in new home construction applications and plans for commercial construction have been submitted for review. Walters advised that the floodplain maps are expected to be released in June or July, 2015.

Fire Department – Assistant Chief Childres advised that the department participated with the County-wide Smoke Alarm Rally on March 28th and installed 28 smoke detectors in the area. Childres advised that the transition of the Beach Patrol Operation from the Public Works Department to the Fire Department has gone smoothly.

Finance Department – Bonnie Schwerd reviewed the February 2015 financial snapshot with the Council noting that the Town’s operating expenditures have decreased by 11.49% from the same period last year.

Closed Session

COUNCILWOMAN SCOTT MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (3) AND (5) TO CONSULT WITH ATTORNEY RICHARDSON IN ORDER TO PRESERVE THE ATTORNEY-CLIENT PRIVILEGE AND TO ESTABLISH THE COUNCIL POSITION CONCERNING POTENTIAL REAL ESTATE NEGOTIATIONS. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

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

Closed Session (Cont.)

The Council met in Closed Session for approximately 20 minutes. No action taken. Parker advised that Staff was given instructions concerning areas of opportunities for land development/acquisition for Town Hall and parking.

MAYOR PRO-TEM DEVITA MADE A MOTION TO RECONVENE THE APRIL 6, 2015 REGULAR MEETING. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Old Business

Consideration of Approval of Ordinance Amendment for Article 7 Section 7.03 Modular Homes/Buildings

COUNCILWOMAN SCOTT MADE A MOTION TO ADOPT THE ORDINANCE AMENDMENT FOR THE UNIFIED DEVELOPMENT ORDINANCE (UDO) ARTICLE 7 SECTION 7.03 DELETING SUBSECTION B. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Retaining Jerry Mannen as the Board of Adjustment Attorney

MAYOR PRO-TEM DEVITA MADE A MOTION TO RETAIN JERRY MANNEN AS THE BOARD OF ADJUSTMENT ATTORNEY. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Filming of Council Meeting Discussion

Parker advised that the filming contract review by Attorney Richardson has not been completed as of today.

Fire Station #2 Staffing Discussion

Assistant Chief Childres advised that effective today Fire Station #2 will be staffed at night by personnel that worked as Beach Patrol during that day. Mayor Pro-Tem DeVita requested that changes made to any level of service provided by the Town needs to be discussed with Council prior to the decision being made.

New Business

Consideration of Acceptance of the Planning Board Recommendation for Amendment to UDO Article 7 Section 7.09 Privacy Fences and Schedule Public Hearing for May 11, 2015 at 7:00 pm

MAYOR PRO-TEM DEVITA MADE A MOTION TO ACCEPT THE PLANNING BOARD RECOMMENDATION FOR THE UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT FOR ARTICLE 7 SECTION 7.09 AND TO SCHEDULE A PUBLIC HEARING FOR MAY 11, 2015 AT 7:00 PM. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of Donations Policy

Parker advised that this is the first draft of the Donation Policy for review and requested Council to submit amendments to Schwerd.

New Business (Cont.)

Consideration of Approval of Mutual Assistance Agreement with the Leland Police Department and Consideration of Approval of Mutual Assistance Agreement with the Boiling Spring Lakes Police Department

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE MUTUAL ASSISTANCE AGREEMENTS WITH THE LELAND POLICE DEPARTMENT AND THE BOILING SPRING LAKES POLICE DEPARTMENT. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of the 2014/2015 Budget Ordinance Amendment for Sunset at Sunset

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE 2014/2015 BUDGET ORDINANCE AMENDMENT FOR SUNSET AT SUNSET. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of Public Works/Administration Administrative Assistant Position

Parker requested permission to convert the Public Works vacancy into an administrative assistant position and to hire now. Councilwoman Scott requested the hiring be delayed until the new budget year. Parker advised the Public Works Department is very busy during the summer months and the Public Works Director needs the position filled now to handle the administrative portion so he can be in the field more.

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE CONVERSION OF THE VACANT PUBLIC WORKS DEPARTMENT POSITION INTO AN ADMINISTRATIVE ASSISTANT POSITION AND TO FILL THE POSITION NOW. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCIL MAN WILLIAMS AND COUNCILMAN SHERRILL VOTED YES. COUNCILMAN JOHNSON AND COUNCILWOMAN SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Town Hall Dumpster Discussion

Parker requested Council to allow the Town Hall Dumpster to be closed to the public due to the public abuse of the privilege by leaving trash bags on the ground around the dumpster, and depositing TV's, mattresses and other prohibited materials around the dumpster which then must be removed by the Public Works Department staff. The Council reviewed pictures depicting the Town Hall Dumpster issues. The Council agreed for the Town Hall Dumpster to be closed to the public.

Town Park Rules Discussion

Parker requested Council to begin thinking of the Town Park Rules which will need to be in effect prior to the tentative opening date of May 31, 2015.

Consideration of Approval of a Letter Concerning a Global Look at Coast Issues

The Council reviewed and discussed the letter concerning a global look at coastal issues and reached a consensus to convert the letter into a Resolution to be forward to President Obama, and all East Coast Senators, and Representatives. The Council discussed contacting all East Coast Governors, Mayor, County Governing Bodies and Municipal Governing Bodies to request they also adopt a similar resolution in an effort to promote change.

New Business (Cont.)

Consideration of Approval of a Letter Concerning a Global Look at Coast Issues (Cont.)

MAYOR PRO-TEM DEVITA MADE A MOTION TO DRAFT A RESOLUTION USING THE VERBIAGE FROM THE LETTER CONCERNING GLOBAL LOOK AT COAST ISSUES. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of Resolution Opposing Oil and Gas drilling Explorations

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE RESOLUTION OPPOSING OIL AND GAS DRILLING EXPLORATIONS. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of Letter to Senator Rabon and Representative Iler Concerning SB369

COUNCILMAN WILLIAMS MADE A MOTION TO APPROVE THE LETTER TO SENATOR RABON AND REPRESENTATIVE ILER CONCERNING SB369 AND SB608. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Discussion concerning SB338

The Council discussed SB338 concerning economic development grant opportunities and reached a consensus to take no action at this time.

Consideration of Approval of Letter to Senator Rabon and Representative Iler Concerning SB324/HB255

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE LETTER TO SENATOR RABON AND REPRESENTATIVE ILER CONCERNING SB324/HB255. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Discussion concerning Bush hogging Ordinance

The Council discussed several recent emails received concerning the Bushhogging Ordinance and the request for differing requirements for large parcels. After a brief discussion, the Council reached a consensus to leave the current ordinance as written.

PRT Member Representative Appointment

COUNCILMAN JOHNSON MADE A MOTION TO APPOINT COUNCILWOMAN SCOTT AS THE PRT MEMBER REPRESENTATIVE FOR THE TOWN OF SUNSET BEACH. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Public Comments

Paul Piatek 448 Egret Drive – Encouraged the Council to expedite the completion of the park as soon as possible.

Public Comments (Cont.)

David Stuart, Area Developer/Real Estate Agent – Informed the Council of the commercial development activities in the area and encouraged the Council to review the zoning ordinances and regulations to ensure the Town is small business friendly.

Adjournment

MAYOR PRO-TEM DEVITA MADE A MOTION TO ADJOURN THE APRIL 6, 2015 COUNCIL MEETING. COUNCILWOMAN SCOTT 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