

**Town of Sunset Beach  
Monthly Council  
Work Session, Regular Meeting & Public Hearing  
June 1, 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; Kevin Dempsey, 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.

**Draft Agenda Review**

No agenda amendments were made.

**General Council Discussions**

**Closed Session** – The Council discussed amending the Regular Meeting start time temporarily to begin at 6:00 pm to hold the Closed Session first, followed by the Work Session at 6:45 pm and the Regular Meeting at 7:00 pm.

COUNCILMAN WILLIAMS MADE A MOTION TO TEMPORARILY AMEND THE REGULAR MEETING START TIME TO 6:00 PM TO HOLD THE CLOSED SESSION FIRST FOLLOWED BY THE WORK SESSION AT 6:45 PM AND THE REGULAR MEETING AT 7:00 PM. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANMIOUS VOTE.

**Community Meeting** – Councilman Sherrill advised that the Community Meeting scheduled for June 10, 2015 is in conflict with the Summer Concert Series and requested Council to consider rescheduling.

COUNCILMAN SHERRILL MADE A MOTION TO RESCHEDULE THE JUNE 10, 2015 COMMUNITY MEETING TO TUESDAY, JUNE 23, 2015 AT 7:00 PM. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Memorial Day Ceremony** – Mayor Watts thanked Fire Chief Dempsey, Police Chief Joyner and the Veteran’s Memorial Day Committee for their hard work on the Memorial Day ceremony.

**General Council Discussions (Cont.)**

Town Park – Mayor Watts advised that he is getting very positive feedback concerning the Park.

Annual Report – Mayor Pro-Tem DeVita requested Council to submit topics/ideas for the Annual Report which he is preparing for the August mailing.

**Monthly Meeting and Public Hearings**  
**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**

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

**Main Street and Shoulder Paving Discussion – NC DOT Chad Kimes**

Bonnie Schwerd reviewed the proposed funding sources for the \$540,000 needed for the Main Street shoulder widening project, Future Development Fund \$210,000, Future Street Paving Fund \$200,000 and the remaining Streetscape Fund balance \$130,000. Susan Parker advised that the additional paving is not for parking but rather for the safety of pedestrians and bicyclists. Chad Kimes added that any pavement outside of the travel lane promotes safety. A brief discussion was held concerning the storm water issues, culverts and catch basins. Councilwoman Scott voiced concerns that the home and/or property owners along Main Street have not been informed of this project.

COUNCILMAN WILLIAMS MADE A MOTION TO ACCEPT THE NCDOT PROPOSAL FOR WIDENING OF MAIN STREET BY 4’ ON EACH SIDE AND TO COMMIT FUNDING FOR THE PROJECT. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. COUNCILMAN WILLIAMS, JOHNSON AND SHERRILL VOTED YES. COUNCILWOMAN SCOTT AND MAYOR PRO-TEM DEVITA VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

**Closed Session**

COUNCILMAN JOHNSON MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (3) TO CONSULT WITH ATTORNEY RICHARDSON CONCERNING LITIGATION WITH THE PALM COVE PROPERTY OWNERS, THE DEVELOPER OF JAGUAR’S LAIR AND WITHERS AND RAVENEL. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

COUNCILMAN WILLIAMS MADE A MOTION TO RETURN TO OPEN SESSION. COUNCILMAN SHERRILL 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 30 minutes and consulted with Attorney Richardson concerning litigation with the Jaguar's Lair Developer, the Palm Cove property owners and Withers & Ravenel.

**Public Comments on Agenda Items Only**

Bobby Greer – Spoke in favor of offshore drilling and other alternative energy explorations and requested Council not to send letter of opposition to the Governor.

**Minutes for Approval Consideration**

COUNCILMAN JOHNSON MADE A MOTION TO APPROVE THE APRIL 28 & 29, 2015 BUDGET WORK SESSION MINUTES AND THE MAY 11, 2015 REGULAR MEETING MINUTES AS PRESENTED. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Town Administrator Report**

Beach Walkway Repair – Susan Parker advised that a grant application has been submitted to CAMA proposing to widen the 1<sup>st</sup> Street walkway for ADA compliance and to add several rest areas.

Roundabout Plantings – Parker is in contact with NCDOT concerning the replacement of the plants that didn't survive prior to the warranty period expiring.

Request for Proposals (RFP's) – Parker advised that Staff is working on the following RFP's: multi-modal pathway along Sunset Blvd. North; dredging analysis; and street paving.

Town Park – Parker advised that the Memorial Donation Brochure will be delivered to Council during the June 16<sup>th</sup> Work Session while Council is discussing phase 2 of the Park.

**Departmental Reports**

Police – Chief Joyner thanked the volunteers for assistance with the Memorial Day ceremony. Joyner advised Council that 80+ citations were issued over the Memorial Day Holiday weekend.

Public Works – Dustin Graham advised that NCDOT is scheduling maintenance to repair the bridge roadway dip on the island side. Graham advised that the chipper is being repairs therefore the yard debris is being reported in cubic yards on the Public Works Department report.

Planning and Inspections – Rawls Howard advised that the Inspections Department continues to see an increase in the number of building permit applications. Howard advised the Department is preparing for a CRS inspection to obtain a better rating for the Town in order to achieve a cost savings on flood insurance premiums for the property owners.

Fire Department – Chief Dempsey advised that the Ladder Truck has been repaired and is in service. Dempsey spoke of the Beach Patrol issues that occurred during the holiday weekend and advised that the Beach Patrol Staff is receiving additional training. Dempsey stated that glass on the beach seems to be a major problem.

Finance Department – Bonnie Schwerd reviewed the April 30, 2015 Finance Snapshot with the Council.

**Old Business**

Consideration of Awarding Bid for 30<sup>th</sup> Street & North Shore Drive Storm Water Drainage System Repair

COUNCILMAN SHERRILL MADE A MOTION TO AWARD THE 30<sup>TH</sup> STREET AND NORTH SHORE DRIVE STORM WATER DRAINAGE SYSTEM REPAIR BID TO J. P. RUSS & SON FOR \$98,000. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Acceptance of the Planning Board Recommendation including Additional Amendments made by Council during the May 19<sup>th</sup> Work Session for Amendment to UDO Article 10 Landscaping and Buffering Requirements and Schedule Public Hearing for June 29, 2015 at 7:00 pm

COUNCILWOMAN SCOTT MADE A MOTION TO ACCEPT THE PLANNING BOARD RECOMMENDATION FOR AMENDMENT TO UDO ARTICLE 10 LANDSCAPING AND BUFFERING REQUIREMENTS AND TO SCHEDULE A PUBLIC HEARING FOR JUNE 29, 2015 AT 7:00 PM. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Acceptance of the Planning Board Report for Amendment to UDO Article 6 Section 6.04 Permitted Uses – Swimming Pools

COUNCILWOMAN SCOTT MADE A MOTION TO TABLE THE PLANNING BOARD REPORT FOR AMENDMENT TO THE UDO ARTICLE 6 CONCERNING SWIMMING POOLS. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Acceptance of the Planning Board Report for Amendment to UDO Article 6 Section 6.04 Permitted Uses – Dune Walkovers

COUNCILWOMAN SCOTT MADE A MOTION TO TABLE THE PLANNING BOARD REPORT FOR AMENDMENT TO THE UDO ARTICLE 6 CONCERNING DUNE WALKOVERS. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Scheduling a Public Hearing for June 29, 2015 at 7:00 pm if Council is Considering a Text Amendment Approval for c) or d) above

The Council did not take action as both items above were tabled.

**New Business**

Consideration of Adoption of the 2015/2016 Fee Schedule

MAYOR PRO-TEM DEVITA MADE A MOTION TO ADOPT THE 2015/2016 FEE SCHEDULE AS PRESENTED. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Adoption of the 2015/2016 Operating Budget Ordinance including the Establishment of the 2015/2016 Ad Valorem Tax Rate at 16¢ per \$100 valuation

Councilwoman Scott read a prepared statement opposing the proposed 2015/2016 Operating Budget and the proposed tax rate. Councilman Johnson read a prepared statement supporting the proposed 2015/2016 budget and the proposed tax rate.

**New Business (Cont.)**

Consideration of Adoption of the 2015/2016 Operating Budget Ordinance including the Establishment of the 2015/2016 Ad Valorem Tax Rate at 16¢ per \$100 valuation (Cont.)

MAYOR PRO-TEM DEVITA MADE A MOTION TO ADOPT THE 2015/2016 PROPOSED OPERATING BUDGET ORDINANCE AND TO ESTABLISH THE 2015/2016 AD VALOREM TAX RATE AT 16¢ PER \$100 VALUATION. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILMAN SHERRILL, COUNCILMAN WILLIAMS AND COUNCILMAN JOHNSON VOTED YES. COUNCILWOMAN SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Consideration of Acceptance of the Planning Board Reports for UDO Amendments as follows:

Article 6 Section 6.04 Permitted Uses - BB1District – Multi-Family; Article 6 Section 6.06 (C) (B) MR3 District and Article 6 Section 6.04 Permitted Uses for Outdoor Display/Storage of Merchandise and Consideration of Scheduling a Public Hearing for June 29, 2015 at 7:00 pm for the Proposed UDO Amendments listed in c) that Council is Considering Approval

COUNCILWOMAN SCOTT MADE A MOTION TO ACCEPT THE PLANNING BOARD REPORTS AND TO SCHEDULE PUBLIC HEARINGS FOR JUNE 29, 2015 AT 7:00 PM FOR THE FOLLOWING PROPOSED UDO AMENDMENTS:

- Article 6 Section 6.04 Permitted Uses - BB1District – Multi-Family;
- Article 6 Section 6.06 (C) (B) MR3 District, and
- Article 6 Section 6.04 Permitted Uses for Outdoor Display/Storage of Merchandise

MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Acceptance of Settlement offered with Palm Cove

Mayor Watts advised a settlement offer has not been received from Palm Cove and this item will be tabled.

Consideration of Signing Letter for Environment North Carolina to be Forwarded to Governor McCrory requesting North Carolina be Removed from the Offshore Drilling Plan

COUNCILMAN JOHNSON MADE A MOTION TO APPROVE THE LETTER FOR ENVIRONMENT NORTH CAROLINA TO BE FORWARDED TO GOVERNOR MCCRORY. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Public Comments**

John Corbett 423 Sailfish Street – Thanked everyone involved with the Memorial Day ceremony and advised that the Veteran’s Memorial dedication ceremony is being planned for November 11, 2015.

Karen Joseph 915 Sandpiper Bay Drive – Advised that residents and visitors are using the Park more and more every day.

Charles Nern 647 Oyster Bay Drive – Advised that the Park is a great asset and that the Staff demonstrated great efforts to get it opened; advised that the employees are any organizations greatest asset; stated that the roundabout is working well and that golf carts on the bridge present a safety hazard.

**Public Comments (Cont.)**

Ray Zetts 402 2<sup>nd</sup> Street – Advised that vehicles speeding along North Shore Drive East between 6<sup>th</sup> Street and Sunset Blvd. South are dangerous and encouraged the Council to consider re-installing the speed bump.

Bill McLane 202 North Shore Drive West – Advised that vehicles speeding along North Shore Drive East between 6<sup>th</sup> Street and Sunset Blvd. South are dangerous and the Police Department should be proactive to remedy the problem.

Carmel Zetts 402 2<sup>nd</sup> Street – Advised that commercial vehicles are being parked overnight in the public parking area.

**Adjournment**

COUNCILMAN SHERRILL MADE A MOTION TO ADJOURN THE JUNE 1, 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**

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**Ron Watts, Mayor**

Submitted by:

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Lisa Anglin, Town Clerk