

**Town of Sunset Beach
Monthly Council Work Session
November 17, 2015**

MINUTES

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

Members absent: None

Attorney & Staff Present: Susan Parker, Town Administrator; Rawls Howard, Planning Director; Dustin Graham, Public Works Director; Kevin Dempsey, Fire Chief; Lisa Joyner, Police Chief; Bonnie Schwerd, Finance Officer and Lisa Anglin, Town Clerk.

Mayor Watts called the Work Session to order.

Draft Agenda Amendments

The following items were added to the agenda:

- Discussion of the vacancy
- Sunset at Sunset
- Certificates of Appreciation

Susan Parker, Town Administrator, advised that a Closed Session with Attorney Richardson was not needed as he has no updates to report to Council.

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

Public Comments

Elaine Wright 629 Millslough Lane - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Carol Santavicca 9109 Forest Drive – Thanked Councilman Johnson for his service to the Town.

Steve Blair 201 Shoreline Drive East - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Nina Marable 502 North Shore Drive - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Public Comments (Cont.)

Pete Jelstrom 1135 Park Road - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Karen Joseph 915 Sandpiper Bay Drive – Encouraged the Council to fill the vacancy with the person that received the next highest votes in the last election.

Robert Donnelly 213 Planters Ridge Drive – Reminded Council of his email offering input on the procedure for filling the vacancy and that his application and resume have been submitted.

Richard Hilderman 407 37th Street - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Sue Weddle 706 North Shore Drive - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Raymond Zetts 402 2nd Street - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

John Lupi 1293 Cotton Mill Court – Encouraged Council to fill the vacancy.

Jim Thomas 1520 North Shore Drive - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Tom Vincenz 437 37th Street – Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Katie Hovermale 1429 Bay Street - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Charles Nern 647 Oyster Bay Drive – Spoke in opposition of the negativity displayed.

Public Comments (Cont.)

James Thomas 518 Twisted Oak Lane - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Fran Thomas 518 Twisted Oak Lane - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

George Johnson 215 Crooked Gulley Circle - Spoke in opposition of the current Council appointing Mike Williams for the vacancy. Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Consideration of Adoption of Chapter 94 Noise Ordinance Amendment

The Council reviewed the Chapter 94 draft as amended during the November 2, 2015 meeting. The Council agreed to amend §94.04 (A) 13 to establish the time to be 7:30 am and 7:30 pm.

COUNCILWOMAN SCOTT MADE A MOTION TO ADOPT CHAPTER 94 TITLED NOISE REGULATIONS AS AMENDED. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILMAN SHERRILL, COUNCILWOMAN SCOTT AND COUNCILMAN WILLIAMS VOTED YES. COUNCILMAN JOHNSON VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Review and Consideration of Restriping Streetscape to Accommodate 3 ADA Parking Spaces

Susan Parker, Town Administrator, advised that the Streetscape area contains 68 parking spaces. NC Building Code requires a minimum of 3 handicapped spaces for an area this size. Staff has conferred with NCDOT and received permission to convert 5 parking spaces into 3 handicapped spaces.

Review and Consideration of Storm Water Management Plan Analysis

Susan Parker, Town Administrator, advised that five (5) firms submitted a RFQ for the development of the 5-10 year Stormwater Management Capital Improvement Plan and annual maintenance schedule including a funding analysis to determine affordability and funding options. Staff has evaluated each submittal, recommends McGill Associates and request authorization to negotiate a contract to be presented to the Council during the December meeting. Councilwoman Scott voiced opposition to Council taking action during Work Sessions. Councilwoman Scott requested to review the submittals.

COUNCILWOMAN SCOTT MADE A MOTION TO TABLE THE STORMWATER MANAGEMENT PLAN UNTIL THE DECEMBER MEETING. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of Street Resurfacing Contract per Change Order

Staff requested the approval of a change order for the Street Resurfacing Contract to include the additional streets cost of \$88,724.85 which was included in the 15/16 budget.

COUNCILMAN SHERRILL MADE A MOTION TO APPROVE THE STREET RESURFACING CONTRACT CHANGE ORDER TOTALING \$88,724.85. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Acceptance of Councilman Johnson Resignation

Councilman Johnson read a prepared statement explaining that his resignation is necessary because he is moving to another area within Brunswick County for personal reasons. His resignation is effective November 20, 2015.

COUNCILWOMAN SCOTT MADE A MOTION TO TABLE THE ACCEPTANCE OF COUNCILMAN JOHNSON’S RESIGNATION UNTIL THE DECEMBER MEETING. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Discussion of Vacancy

The Council discussed the requirement of Council to fill a vacancy as stated in NCGS 160A-63. The Council discussed varying procedures that can be followed in the selection of a person to fill the vacancy. Mayor Pro-Tem DeVita read a prepared statement outlining a selection procedure that will be distributed to each Council member for further discussion.

COUNCILWOMAN SCOTT MADE A MOTION TO ADD TO THE DECEMBER MEETING AN OLD BUSINESS ITEM TO DISCUSS THE ESTABLISHMENT OF A SELECTION PROCEDURE TO FOLLOW WHEN FILLING A COUNCIL VACANCY AND TO BEGIN NOW TO ACCEPT APPLICATIONS FOR THE CURRENT VACANCY THROUGH JANUARY 1, 2016. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. COUNCILMAN JOHNSON, COUNCILWOMAN SCOTT AND COUNCILMAN SHERRILL VOTED YES. MAYOR PRO-TEM DEVITA AND COUNCILMAN WILLIAMS VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Consideration of Rescheduling the December 7th Meeting to December 14th

Mayor Watts requested the December meeting be rescheduled since Mayor Pro-Tem DeVita will be unable to attend. Councilwoman Scott disagreed with rescheduling regular meeting dates.

COUNCILMAN WILLIAMS MADE A MOTION TO RESCHEDULE THE DECEMBER 7TH MEETING TO DECEMBER 14TH. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. COUNCILMAN SHERRILL, COUCILMAN JOHNSON, COUNCILMAN WILLIAMS AND MAYOR PRO-TEM DEVITA VOTED YES. COUNCILWOMAN SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Consideration of Cancelling the December 15th Work Session

COUNCILMAN WILLIAMS MADE A MOTION TO CANCEL THE DECEMBER 15TH WORK SESSION. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. COUNCILMAN SHERRILL, COUCILMAN JOHNSON, COUNCILMAN WILLIAMS AND MAYOR PRO-TEM DEVITA VOTED YES. COUNCILWOMAN SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Sunset at Sunset

Councilman Williams advised that the Sunset at Sunset Committee is requesting \$5,000 to begin planning the 10th anniversary of the Sunset at Sunset Celebration. This request is in addition to the budgeted funds retained from prior festivals. Councilwoman Scott and Mayor Watts questioned the purpose of the request. A Committee member advised that the additional funding is needed to secure entertainment and associated expenses.

COUNCILMAN WILLIAMS MADE A MOTION TO APPROPRIATE \$5,000 FROM THE TOURISM FUNDS TO THE SUNSET AT SUNSET COMMITTEE TO BEGIN THE PLANNING PROCESS FOR THE 10TH ANNIVERSARY OF THE SUNSET AT SUNSET CELEBRATION. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. COUNCILMAN JOHNSON, COUNCILMAN SHERRILL, MAYOR PRO-TEM DEVITA AND COUNCILMAN WILLIAMS VOTED YES. COUNCILWOMAN SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Certificates of Appreciation

The Council provided direction to the Town Clerk as to who should receive Certificates of Appreciation during the December meeting.

Public Comments

George Johnson 215 Crooked Gulley Circle – Encouraged the Council to complete the process of filling the vacancy during a public meeting.

Charles Nern 647 Oyster Bay Drive - Encouraged Council to work together and move forward.

Carol Santavicca 9109 Forest Drive – Encouraged residents to stop accusing the Council members of corruption.

Mark Benton 409 40th Street – Thanked Council members for their support to utilize a process to fill the vacancy that consist of accepting applications, interviewing candidates and the new Council making the appointment.

John Corbett 423 Sailfish Street – Advised that the Veteran’s Memorial Dedication and the Veteran’s Day Ceremony was a great event attended by an estimated 1,200 people. Thanked the Town and Staff for participation.

Fran Thomas 518 Twisted Oak Lane – Thanked Councilman Johnson for explaining his reasons for resigning.

Public Comments (Cont.)

Linda Ruddick 1008 Park Road – Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Steve Blair 201 Shoreline Drive East – Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Robert Donnelly 213 Planters Ridge Drive – Reminded Council that he has submitted his application and resume for consideration.

Jim Thomas 1520 North Shore Drive – Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment. Thanked Mayor Watts and Councilwoman Scott for support of process.

Katie Hovermale 1429 Bay Street – Spoke in favor of the Council utilizing a process to fill the vacancy consisting of accepting applications, interviewing candidates and the new Council making the appointment.

Ray Zetts 402 2nd Street – Commented that the relationship between the island and mainland residents is good.

Closed Session – NCGS 143-318.11 (a) (6)

COUNCILWOMAN SCOTT MADE A MOTION TO GO INTO CLOSED SESSION AS PURSUANT TO NCGS 143-318.11 (a) (6) TO PERFORM THE ANNUAL EVALUATION OF SUSAN PARKER. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council met in Closed Session for approximately 30 minutes.

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

MAYOR PRO-TEM DEVITA MADE A MOTION TO RECONVENE THE WORK SESSION. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Watts advised that the Council gave Susan Parker an excellent review.

COUNCILMAN JOHNSON MADE A MOTION TO APPROVE A 4.8% SALARY INCREASE FOR SUSAN PARKER. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Adjournment

MAYOR PRO-TEM DEVITA MADE A MOTION TO ADJOURN THE NOVEMBER 17, 2015 COUNCIL WORK SESSION. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

Town of Sunset Beach

Ron Watts, Mayor

Submitted by:

Lisa Anglin, Town Clerk

*The November 17, 2015 Work Session minutes were approved by Council during the December 14, 2015 meeting.