

**Town of Sunset Beach
Council Meeting
January 17, 2017**

MINUTES

Members Present: Mayor Robert Forrester, Mayor Pro-Tem Carol Scott, Councilman Peter Larkin, Councilman Mark Benton; Councilman John Corbett; and Councilman Rich Cerrato

Members absent: None

Attorney & Staff Present: Susan Parker, Town Administrator; Wes MacLeod, Cape Fear Council of Governments Planning Consultant; Kevin Dempsey, Fire Chief; Richard Childres, Assistant Fire Chief; Dustin Graham, Public Works Department Director; Joe Smith, Interim Police Chief; Cindi Stephenson, Public Works Administrative Assistant and Lisa Anglin, Town Clerk

Mayor Forrester 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

Councilman Cerrato added Old Business M. Weapons Theft Issue.

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

Public Comments on Agenda Items Only

Tom Vincenz 422 36th Street – Spoke in favor of the Pine Straw flyer and suggested it be sent to area landscapers; encouraged the Council to consider ordinances to regulate charcoal grills and open burning.

Old Business

Acceptance of Planning Board Explanation Concerning Plat Plan Review by Council to be Included in Approval Process

Wes MacLeod advised that a 20+ year search of Town ordinances was conducted concerning the Council being involved in the Plat Plan review and approval process in the past. The records indicated that the Council has not been included in the Plat Plan review and approval process. Mayor Forrester questioned if North Carolina allows for the Mayor and a Council member to sit on the Planning Board and if allowed the Council might want to consider that type of Board structure.

Consideration of Approval of Budget Amendment for Main Street sidewalks - Engineering Services

Bonnie Bray advised this Budget Amendment is needed for the Main Street Sidewalks Engineering Services approved by Council during the January 9, 2017 Meeting.

MAYOR PRO-TEM SCOTT MADE A MOTION TO APPROVE THE BUDGET AMENDMENT. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Old Business (Cont.)

Discussion of Budget Topics and Schedule Planning Session Date/Location

The Council discussed proposed budget topics such as establishing long term goals for a 5 – 10 year CIP, asset replacement/management plan and the Stormwater Management Plan funding. Councilman Cerrato advised that he has provided the Council and Staff with his Budget topics list by email. The Council designated the February 21, 2017 Meeting as a Planning Session.

Discussion of Annual Report Topics

COUNCILMAN CERRATO MADE A MOTION TO ELIMINATE THE PRODUCTION AND MAILING OF THE ANNUAL REPORT. MAYOR FORRESTER CALLED FOR DISCUSSION.

Councilwoman Scott stated that the Council has previously agreed to reduce the size of the report from 8 pages to 4. The Council discussed eliminating the Annual Report completely or eliminate the mailing of the Annual Report and only provide through the website and its email subscriber list. The Council discussed methods to increase the website email subscriber list.

COUNCILMAN CERRATO WITHDREW HIS MOTION.

MAYOR PRO-TEM SCOTT MADE A MOTION TO PRODUCE A FOUR (4) PAGE ANNUAL REPORT FOR MAILING AND TO INCLUDE AN ARTICLE TO ENCOURAGE PROPERTY OWNERS TO SIGN UP ON THE WEBSITE TO RECEIVE E-ALERTS. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Development of Outstanding Questions List for Attorney Grady Richardson

The Council discussed making a list of outstanding questions for Attorney Grady Richardson such as Main Street parking, use of the right of way, driveway ordinance (can it be enforced), cabanas (can we ban commercial vendors, limit?). Mayor Forrester requested Council members to email individual list to him; he will compile and provide the list to Attorney Richardson on February 6, 2017.

Concert Series Committee Meeting with Council

Councilman Cerrato reminded the Council of an event that happened at one of the Concert Series Concerts in which citizens gathering petition signatures were escorted from the property. Councilman Cerrato voiced concerns since this was a public event that was partially funded by taxpayer funds. Mayor Pro-Tem Scott advised that she thought the Committee members were being invited to meet with the Council to discuss their plans for next year and give an update.

COUNCILMAN CERRATO MADE A MOTION TO TABLE THIS UNTIL THE FEBRUARY 21, 2017 MEETING AND FOR STAFF TO CONTACT AND INVITE THE COMMITTEE MEMBERS TO ATTEND. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Discussion Concerning a Hiring Justification Process

Councilman Cerrato suggested that the Town Administrator and/or department head to submit to the Town Council a written hiring justification prior to filling any vacancies. Mayor Pro-Tem Scott advised that she is drafting revisions for the personnel policy which will be provided to the Council by the end of February. Councilman Larkin stated that the justification process occurs during the budget process.

Old Business Items Moved from January 9, 2017 Meeting

Approval of Final Draft of Pine Straw Flyer and Recipient List

The Council reviewed the flyer and made final revisions.

MAYOR PRO-TEM SCOTT MADE A MOTION TO APPROVE THE PINE STRAW FLYER AS AMENDED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council discussed the method in which the flyer is to be distributed; mailing, website and e-alerts, Channel 99, Facebook, emailed to rental and real estate companies, area landscapers and posted on the Town Hall entry doors. Concerning the grilling safety flyer, Chief Dempsey advised that he will be scheduling meeting with all POA's to conduct safety meeting and is exploring refrigerator magnets to be given to all property owners. Chief Dempsey is preparing a draft charcoal grill ordinance for Council consideration. Chief Dempsey agreed that the Pine Straw flyer should be mailed.

COUNCILMAN CORBETT MADE A MOTION TO DISTRIBUTE THE PINE STRAW FLYER BY MAIL AND ALL OTHER SOCIAL MEDIA OUTLETS AVAILABLE. MAYOR FORRESTER CALLED FOR A VOTE. MAYOR PRO-TEM SCOTT, COUNCILMAN CORBETT AND COUNCILMAN LARKIN VOTED YES. COUNCILMAN CERRATO AND COUNCILMAN BENTON VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Consideration of Temporary Police Officer for Island/Strand During Summer Season

COUNCILMAN CERRATO MADE A MOTION TO NOT HIRE A TEMPORARY POLICE OFFICER FOR THE ISLAND/STRAND FOR THE SUMMER SEASON. MAYOR FORRESTER CALLED FOR DISCUSSION.

Councilman Benton advised that patrol officers are seen on the island often and if needed on the strand, they can get there quickly. Mayor Pro-Tem Scott stated that she is not prepared to approve hiring a police officer today and suggested this be added to the budget Planning Session. Councilman Corbett stated that a police officer is needed on the island/strand during the summer season and advised that Chief Dempsey offered to reduce the beach patrol staff to accommodate for the officer. Mayor Forrester stated that the new Police Chief, once hired, should be involved in this decision.

MAYOR FORRESTER CALLED FOR A VOTE. COUNCILMAN BENTON, MAYOR PRO-TEM SCOTT AND COUNCILMAN CERRATO VOTED YES. COUNCILMAN CORBETT AND COUNCILMAN LARKIN VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Discussion Concerning Employee Salary & Benefits Package Study; Revision /Development of Benefits Package for Existing and Future Employees and Consideration of Approval of Salary Study RFP

COUNCILMAN CERRATO MADE A MOTION NOT TO APPROVE THE SALARY STUDY RFP. MAYOR FORRESTER CALLED FOR DISCUSSION.

Mayor Pro-Tem Scott advised that the salary study is not needed at this time. Councilman Larkin advised that soliciting for a RFP doesn't cost the Town until the contract is awarded. Councilman Larkin stated that not looking at salaries and benefits is an injustice to the Council and Staff.

Old Business (Cont.)

Discussion Concerning Employee Salary & Benefits Package Study; Revision /Development of Benefits Package for Existing and Future Employees and Consideration of Approval of Salary Study RFP (Cont.)

MAYOR FORRESTER CALLED FOR A VOTE. COUNCILMAN BENTON, MAYOR PRO-TEM SCOTT AND COUNCILMAN CERRATO VOTED YES. COUNCILMAN CORBETT AND COUNCILMAN LARKIN VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Review of Proposed Beach Rules for Amendment Consideration during the February 6, 2017 Meeting for Ordinance 95.07 titled Placing Obstructions on the Beach Strand

The Council made final revisions to the proposed Ordinance Amendment for 95.07 titled Placing Obstructions on the Beach Strand including prohibiting cabanas between 1st and 27th Street, increasing the spacing between cabanas to 12' and changing the installation and removal hours.

MAYOR PRO-TEM SCOTT MADE A MOTION TO ACCEPT THE REVISIONS AND TO CONSIDER THE ORDINANCE AMENDMENT DURING THE FEBRUARY 6, 2017 MEETING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Discussion to Address the Procedural and Process Confusion Regarding the Council's Reversal to Allow Cabanas

The Council discussed the procedural and process confusion regarding the Council's reversal to allow cabanas. Mayor Pro-Tem Scott stated that she thought the reconsideration of the decision to ban cabanas was going to be on the agenda. Councilman Corbett stated that the agenda did include the proposed revisions for 95.07 items which is the cabana regulations. Councilman Benton stated that the citizens were not made aware that the cabana ban was going to be reconsidered and the Council needs to give clear notice to the citizens when considering controversial issues. Councilman Cerrato questioned the rules of procedures recently adopted which requires ¾ vote to amend an ordinance at first reading. Mayor Pro-Tem Scott stated that the rule is a State requirement. Mayor Forrester read a prepared statement concerning Council Members conduct during meetings and the events surrounding the cabanas ban and reconsideration.

COUNCILMAN CORBETT MADE A MOTION TO TAKE A FIVE (5) MINUTE RECESS. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Weapons Theft Issue

Councilman Cerrato questioned the communication delay in advising the Council of the weapons theft. Councilman Cerrato questioned if Brunswick County Sheriff Ingram has been included in the investigation and if the Sheriff has been involved with the police chief search.

New Business

Public Education Regarding Grilling Safety Precautions

Councilman Cerrato advised that he provided the Council with a copy of the Ocean Isle Beach Charcoal Grill Ordinance. Fire Chief Dempsey advised that the Town had a similar ordinance in the past but it was repealed. Chief Dempsey is drafting an ordinance for Council consideration.

New Business (Cont.)

Authorization for Town Clerk to Advertise the Four (4) Board of Adjustment April 2017 Term Expiration Positions and Approval to Request Assistance from the Brunswick County Commissioners with ETJ Representation

MAYOR PRO-TEM SCOTT MADE A MOTION TO AUTHORIZE THE TOWN CLERK TO ADVERTISE THE FOUR BOARD OF ADJUSTMENT APRIL 2017 TERM EXPIRATION POSITIONS AND TO REQUEST ASSISTANCE FROM THE BRUNSWICK COUNTY COMMISSIONERS WITH ETJ REPRESENTATION. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Acceptance of the Environmental Resource Committee Dredging Report and Attachments

The Council acknowledged receipt of the Environmental Resource Committee Dredging Report and the attachments. The Council assured the Committee that the information will be considered.

Review upcoming Agenda Items and Identify New Agenda Items for February 6, 2017 Meeting

The Council reviewed the upcoming Agenda items and identified new Agenda items as follows:

- Added - Pine Straw Ordinance consideration 03/07/17 Chief Dempsey
- Added - Dredging Consultant Update 04/03/17 Council
- Removed – Board of Election Voting Location Update
- Removed – Debris Removal Contract
- Changed date – Draft Personnel Policy Revision 03/06/17
- Changed date – Dredging Survey Discussion 04/03/17 Council
- Changed date – Chapter 51 Building Code 04/03/17 Wes MacLeod

Public Comments

Carol Santavicca 9109 Forest Drive – Supports sending the Annual Report by email to avoid the costs of mailing it; stated that she lives in a pine tree forest; encouraged the Council to stop changing the beach strand laws.

Jack Klugman 1012 Great Egret Circle – Encouraged the Council to adopt an ordinance prohibiting pine straw and questioned if the Council had considered the health issue related to pine straw.

Adjournment

COUNCILMAN CORBETT MADE A MOTION TO ADJOURN THE JANUARY 17, 2017 COUNCIL MEETING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

Town of Sunset Beach

Robert Forrester, Mayor

Submitted by:

Lisa Anglin, Town Clerk