

**Town of Sunset Beach  
Monthly Council  
Work Session & Regular Meeting  
June 2, 2014**

**MINUTES**

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

**Members absent:** None

**Attorney & Staff Present:** Susan Parker, Town Administrator; Mike Isenberg, Town Attorney; Donna Rogers, Finance Director; Cindi Stephenson, Deputy Finance Director; Dustin Graham, Public Works Director; Kevin Dempsey, Fire Chief; Lisa Joyner, Police Chief; Randy Walters, Building Inspections Department, 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**

Councilman Johnson requested Council to consider adding a discussion concerning Chapter 95 Shading Devices to this agenda. The Council agreed to add as Old Business d.

**MS Bike Ride Event**

Representatives from the MS Breakaway to the Beach Event informed the Council of this year's event scheduled for October 18<sup>th</sup> and 19<sup>th</sup> and thanked the Council and Staff for the support in past years. The event will begin and end in Sunset Beach this year and over 350 cyclists have registered to participate thus far. Volunteers are needed for set-up, break-down, registration, rest stop support, photography, make lunches, as cheerleaders. Information will be provided to appear on the Town website and Channel 99.

**Council Discussion**

**Sewer Assessment Deadline** – Councilwoman Scott advised that the deadline to pay the sewer assessment in full without accruing interest is approaching and requested Staff to verify the deadline and place information on the website and email to the points of contact for distribution.

**Memorial Day Ceremony** – Mayor Watts thanked the Staff, Boy Scouts, singer, and musicians for a great event.

**Sunset Concert Series** – Mayor Watts advised that the Sunset Concert Series started last Wednesday night and was well attended.

**Council Discussion (Cont.)**

Channel 99 – Mayor Watts advised that Channel 99 is live and requested comments and feedback to be sent to Staff.

Old Bridge Preservation Society Museum – Mayor Watts advised that the Old Bridge Preservation Society opened the Tender House Museum on May 24<sup>th</sup>.

Community Meeting – Mayor Watts advised that the Community Meeting held on May 14<sup>th</sup> was well attended and informative.

Budget Work Sessions – Mayor Watts advised that the Council held three (3) Budget Work Sessions that were all well attended and informative.

Run Sunset Beach – Mayor Watts advised that the 1<sup>st</sup> Annual Run Sunset Beach was held on March 18<sup>th</sup> and was well attended.

Dredging Equipment – Councilwoman Scott requested Staff to determine why the dredging equipment which is blocking Jink’s Creek has not been removed.

**Monthly Meeting  
7:00 pm**

**Call to Order & Pledge of Allegiance**

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

**Consideration of Draft Agenda Adoption**

COUNCILMAN WILLIAMS MADE A MOTION TO APPROVE THE AGENDA AS AMENDED. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Public Hearing**

North Shore Drive Extension, 16th, 17th, 18th and 19th Streets Underground Power Lines Project Preliminary Assessment Roll

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

Mayor Watts called for comments. None 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 Hearing**

Proposed Amendments to various UDO Sections

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

John Corbett 423 Sailfish Street – Thanked the Planning Board and the Council for the work performed by both for the proposed UDO amendments. Stated the importance of enforcement and requested the Staff use a friendly approach when enforcing the ordinances.

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 Hearing**

Rezoning - Fire Station #2; Town Park; Boat Ramp

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

Mayor Watts called for comments. None 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**

No comments heard

**Town Administrator Report**

Hurricane Preparedness Forum

Susan Parker advised that Staff participated in the Brunswick County Hurricane Preparedness Forum held May 29<sup>th</sup>. Staff will be meeting soon to review the Town Emergency Preparedness Plan. Hurricane information is being added to Channel 99. Parker reminded citizens to get hurricane passes now.

Solar Trash Can Advertising Panels

Susan Parker requested Council direction for Staff to develop a policy that will allow non-profit and civic organizations the opportunity to use the ad panels on the solar trash cans for advertisement. The Council agreed for Staff to develop a policy.

**Departmental Reports**

Police – Chief Joyner advised that Brunswick County Sheriff Department Officers and State Troopers were in the area performing traffic stops for licenses, registrations, seat belts, etc. during this past week on State roadways within Town limits.

## **Departmental Reports (Cont.)**

### **Public Works**

Bird Nesting Signs – Dustin Graham advised that the bird nesting sign has been installed on the east end of the beach strand and the trash cans have been relocated closer to the emergency access.

Streetscape – Graham advised that NC DOT is requiring the contractor to remove the broken concrete and the pipe at the intersection of Main Street and Sunset Blvd. South and to install a swale for drainage.

Roundabout – Graham advised that the project is on schedule for completion by June 21<sup>st</sup> with the landscaping to be installed in the fall.

Bridge Landscaping – Graham advised that the year warranty on the landscaping expires June 30<sup>th</sup> and Staff will be meeting with NCDOT concerning landscaping that needs to be replaced.

Island Recycling – Graham advised that the solar recycling cans are accumulating more recycling than was expected so a 30 yard dumpster for the public works department has been ordered.

Park – Graham advised that the park construction is progressing with a completion date of early-July expected.

Mayor Watts asked Dustin Graham if the East end emergency access was accessible for the Public Works Department staff to travel to and from the beach strand and Graham advised yes.

### **Building Inspections**

Councilman Johnson inquired about the role of the Technical Review Committee (TRC) and the approval process. Randy Walters advised that the TRC is comprised of all department heads and two (2) members of the Planning Board. The process is Staff review, TRC review and recommendation to the Planning Board for review, approval or denial and notification to the Town Council of action taken.

Fire Department – Chief Dempsey advised that the Fire Department Personnel will be training this week in water rescue and flare testing. Mayor Watts asked Chief Dempsey if the East end emergency access was accessible for his department to travel to and from the beach strand and Chief Dempsey advised yes.

Finance Department – Donna Rogers reviewed the Budget at a Glance ending April 30, 2014 with the Council. Rogers advised that the first PARTF grant draw for the park construction was received in May and the Town will submit a draw request each quarter.

### **Old Business**

#### **Consideration of Adoption of the Resolution Confirming the Assessment Roll and Levying Assessments**

COUNCILWOMAN SCOTT MADE A MOTION TO ADOPT THE RESOLUTION CONFIRMING THE ASSESSMENT ROLL AND LEVYING ASSESSMENTS. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Old Business (Cont.)**

Consideration of Adoption of the Ordinance Amending Various Sections of the UDO

Councilwoman Scott questioned allowing accessory structures to be placed within 5 feet of the property line citing potential appearance issues for lots that backup to each other. Randy Walters explained that some districts currently allow accessory structures within 5 feet of the property line while others require 25 feet. The UDO amendments recommended are to promote uniformity among all of the districts. Councilman Sherrill stated that Section 10.05 is too restrictive and dictates how a property owner is to landscape.

COUNCILWOMAN SCOTT MADE A MOTION TO ADOPT THE ORDINANCE AMENDING VARIOUS SECTIONS OF THE UDO. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILMAN WILLIAMS, COUNCILWOMAN SCOTT AND COUNCILMAN JOHNSON VOTED YES. COUNCILMAN SHERRILL VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Consideration of Approval of Rezoning Municipal owned Properties from MB-1 Mainland Business District to RI-1- Recreational and Institutional District and Concurrence Zoning Map Amendment

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE REZONING OF THE FIRE STATION 2, TOWN PARK AND BOAT RAMP FROM MB-1 TO RI-1 AND TO ADOPT THE ORDINANCE APPROVING THE ZONING MAP AMENDMENT. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Discussion concerning Chapter 95 Shading Devices

Councilman Johnson advised that the wind gusts experienced on the beach strand this past weekend caused some cabanas to collapse and become damaged. Councilman Johnson advised that business owners have contacted him expressing that the damage could have been caused by the restrictions imposed by the Town ordinance requiring the tie downs to be within the footprint of the cabana instead of extending out 2 feet from each pole. Attorney Isenberg reviewed the cabana documents provided, prior to the meeting, and advised Council that the documentation does not establish a specific measurement for the tie downs outside of the footprint but that the diagrams do show the tie downs outside of the footprint. Attorney Isenberg recommended contacting the manufacturers directly for guidance as to how far out the tie downs should be placed. Susan Parker advised that the direction from Council was to determine that if the current ordinance was adhered to when erecting a cabana whether the manufacturer's warranty would be invalid and it would not. Parker also advised that the documentation warns that tie downs are not sufficient in sand or soft soil and recommends weights or sandbags be placed on each pole. The Council discussed the placement of the tie downs, potential tripping hazards and impediment for emergency response vehicles.

COUNCILMAN SHERRILL MADE A MOTION TO NOT AMEND THE CURRENT ORDINANCE AS IT RELATES TO THE TIE DOWN METHODS FOR SHADING DEVICES. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

## **New Business**

### **Discussion of Seismic Testing Letter**

Mayor Watts, Councilwoman Scott and Mayor Pro-Tem DeVita attended the Seismic Testing Forum held at the Shallotte Town Hall on May 12<sup>th</sup>. Councilwoman Scott requested the Council consider adopting a resolution in opposition of seismic testing and Councilman Johnson agreed. Mayor Pro-Tem DeVita, Councilman Williams and Councilman Sherrill requested additional information before a resolution is adopted. Mayor Watts requested Councilwoman Scott to draft a Resolution for the Council to consider during the June 30, 2014 meeting.

### **Consideration of Adoption of the Proposed Fee Schedule**

Bush-hogging Rates and Recommended Procedural Changes – The Council reviewed the information provided concerning the past practice of bush hogging and cost. Susan Parker requested the Council to direct Staff to develop a bush-hogging contractor list to be communicated to the vacant lot owners and for the Town to utilize on a rotational basis when needed, to develop a late fee policy and to propose amendments for 93.01. Council agreed.

Copy Fees – The Council reviewed the proposed fee schedule and the updated per copy cost as provided by Donna Rogers and agreed to the increases as per the schedule.

COUNCILMAN SHERRILL MADE A MOTION TO ADOPT THE PROPOSED FEE SCHEDULE AS AMENDED. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

### **Consideration of Scheduling 14/15 Proposed Budget Public Hearing for June 30, 2014**

COUNCILMAN WILLIAMS MADE A MOTION TO SCHEDULE A PUBLIC HEARING FOR THE 2014/2015 PROPOSED BUDGET FOR JUNE 30, 2014 AT 7:00 PM. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

## **Public Comments**

Richard Hilderman 407 37<sup>th</sup> Street – Expressed that seismic testing will have a negative impact on the coastal economy.

Betty Oaks 412 Cobia Street – Requested the Council to start bush-hogging to get rid of the rats; expressed that the roundabout is confusing motorists and encouraged the Council to ensure that the police and fire department budgets are funded since they look after citizens.

Bill Ehling 610 Triangle Court – Questioned if the Town is going to continue maintaining the ponds.

Richard Cerrato 517 Twisted Oak Lane – Read a prepared statement concerning the financial condition of the Town and the budgeting process.

Carol Santavicca 9109 Forest Drive – Agreed to a tax increase if needed to maintain the current level of services provided.

**Public Comments (Cont.)**

Charles Nern 647 Oyster Bay Drive – Thanked the Council and Staff for a wonderful Memorial Day Ceremony, expressed that the roundabout is working great.

Karen Joseph 915 Sandpiper Bay Drive – Thanked the Council and Staff for their hard work in preparing a budget that properly funds the Town without a tax increase.

**Adjournment**

COUNCILMAN SHERRILL MADE A MOTION TO ADJOURN THE JUNE 2, 2014 COUNCIL MEETING. COUNCILMAN WILLIAMS 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 June 2, 2014 minutes were approved by Council during the June 30, 2014 Council meeting.