

**Town of Sunset Beach
Monthly Council
Work Session, Public Hearing(s) and Regular Meeting
June 5, 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; Bonita Bray, Finance Director; Kevin Dempsey, Fire Chief; Dustin Graham, Public Works Director; Ken Klamar, Police Chief; Hiram Marziano, Planning Director; Cindi Stephenson, Administrative Assistant; and Lisa Anglin, Town Clerk

Mayor Forrester called the Meeting to order at 6:00 pm.

Closed Session

MAYOR PRO-TEM SCOTT MADE A MOTION TO GO INTO CLOSED SESSION TO CONSULT WITH THE TOWN ATTORNEY CONCERNING PENDING LITIGATIONS CONCERNING JAGUAR'S LAIR AND THE PROPERTY LOCATED ON THE WEST END OF THE ISLAND AND TO DISCUSS A PERSONNEL MATTER. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

COUNCILMAN LARKIN MADE A MOTION TO RETURN TO OPEN SESSION AND RECONVENE THE MEETING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Work Session

Mayor Forrester called for agenda amendments and general discussions by the Council.

Approval of the Draft Agenda

The Council reviewed the agenda and made the following amendments:

- Added Natural Beach Grass Discussion
- Added Park Rules Discussion
- Added Leaf and Limb Pick-up Schedule Discussion
- Trash Can Roll Cart Program Discussion

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

Mayor and Council Comments/Discussions

Mayor Forrester congratulated Police Department Detectives Gurganus and Cox for their work which resulted in an arrest from a financial fraud case. Mayor Forrester also congratulated Police Officer James with saving the life of an overdose victim now that the officers have been provided with Narcan. Mayor

Mayor and Council Comments/Discussions (Cont.)

Forrester advised that the Fire Department personnel has received a written letter of praise from a resident for assisting with a fault smoke detector. Mayor Forrester advised that he will be meeting with Representative David Rouzer’s District Director on June 26th and requested topics from Council.

Councilman Corbett thanked Staff and the Committee for the successful Memorial Day ceremony recently held at the Town Park.

Councilman Larkin thanked resident Neil Gilbert for his email to the Council requesting consideration to join the Mayors National Climate Action Agenda concerning the Paris Climate Accord.

Monthly Meeting

The Meeting convened at 7:00 pm and the Pledge of Allegiance was recited by those in attendance.

Public Hearing

2017/2018 Proposed Budget

COUNCILMAN CERRATO MADE A MOTION TO OPEN THE 2017/2018 PROPOSED BUDGET PUBLIC HEARING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Forrester called for public comments.

Jan Harris 206 North Shore Drive West – Reviewed the Grant Project Ordinance adopted by Council on August 1, 2016 establishing the dredging project and requested to know how the Jink’s Creek portion of the project was to be funded.

Len Steiner 613 Kings Trail – Questioned the differing look of the budget document format from in past years and asked what tax rate recommendation was included. Mayor Forrester advised \$.16.

Charles Nern 647 Oyster Bay Drive – Voice support for the proposed budget and thanked the Council for not proposing a tax increase or a reduction in services, and for including funding for capital projects and merit increases for staff.

Mayor Forrester called for additional comments but no one came forward to be heard.

MAYOR PRO-TEM SCOTT MADE A MOTION TO CLOSE THE 2017/2018 PROPOSED BUDGET PUBLIC HEARING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Proposed UDO Amendment Article 9 Performance Standards Section 9.09 Off Street Parking Requirements Subsection D Minimum Number of Required Spaces

MAYOR PRO-TEM SCOTT MADE A MOTION TO OPEN THE PUBLIC HEARING CONCERNING THE PROPOSED UDO AMENDMENT FOR ARTICLE 9. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Forrester called for public comments but no one came forward to be heard.

Public Hearing (Cont.)

Proposed UDO Amendment Article 9 Performance Standards Section 9.09 Off Street Parking Requirements Subsection D Minimum Number of Required Spaces (Cont.)

MAYOR PRO-TEM SCOTT MADE A MOTION TO CLOSE THE PUBLIC HEARING CONCERNING THE PROPOSED UDO AMENDMENT FOR ARTICLE 9. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

UDO Amendment Article 6 Zoning Districts Section 6.04 Table of Permitted/Special Uses, and Article 7 Supplemental Regulations Subsection 7.09 Privacy Fences

COUNCILMAN CERRATO MADE A MOTION TO OPEN THE PUBLIC HEARING CONCERNING THE PROPOSED UDO AMENDMENT FOR ARTICLE 6 AND ARTICLE 7. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Forrester called for public comments but no one came forward to be heard.

COUNCILMAN CERRATO MADE A MOTION TO CLOSE THE PUBLIC HEARING CONCERNING THE PROPOSED UDO AMENDMENT FOR ARTICLE 6 AND ARTICLE 7. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Scoping Meeting Update

Councilman Cerrato requested an update from Councilman Benton, Councilman Larkin and Susan Parker, who attended the May 5, 2017 Scoping Meeting. Councilman Larkin advised that he was not prepared to provide an update. Councilman Benton advised that the Consultant is tying up some loose ends with the Agencies. Parker advised that the notes from the Meeting have been distributed and are available on the Town website.

Public Comments on Agenda Items Only

Mayor Forrester called for public comments but no one came forward to be heard.

Approval of Minutes

The Council made a few grammatical error amendments to the Minutes.

COUNCILMAN BENTON MADE A MOTION TO APPROVE THE APRIL 3, 2017, APRIL 18, 2017 AND THE MAY 1, 2017 REGULAR MEETING MINUTES AS AMENDED AND THE BUDGET WORKSHOP MINUTES OF APRIL 26, 2017, APRIL 29, 2017 AND MAY 4, 2017 AS AMENDED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town Administrator Report

Hurricane Preparedness – Susan Parker, Town Administrator, reminded everyone that hurricane season began June 1st and encouraged those in attendance to make preparations now and pick up re-entry passes from Town Hall.

Paws Ability Event – Parker advised that the event was well attended and well organized; 27 animals were adopted and over \$6,000 raised.

Departmental Reports

Police – Police Chief Klamar reported that the Noise Ordinance decibel levels might need to be revised. Klamar will bring a recommendation to the Council in the future.

Public Works – Dustin Graham, Public Works Director, advised that the electric vehicle charging station has been installed. Graham informed the Council that the costs to add additional bike symbols and thermal striping in the bike lanes along Main Street are: 9 and under \$500 each, 10 and over \$300 each. Graham advised that the 1718/1802 beach access walkway is being extended 25’ at a cost of \$1,000; Staff will complete the extension. Parker advised that residents are circulating petitions that will be presented to the Town Clerk for certification for Cobia Street and North Shore Drive Extension. Graham advised that the Public Works Department Staff will be repairing a failing stormwater drain pipe on 30th Street next week.

Planning & Inspections – Hiram Marziano, Planning Director, reviewed the Department Report with Council and advised that three (3) permits have been issued for Riverside Drive. Marziano advised that the Council will begin receiving weekly Planning and Inspections Department update reports.

Fire – Chief Dempsey advised that the Beach Patrol season is underway and reminded everyone that it is hard to catch all violations with a limited Staff on the Strand.

Finance – Bonnie Bray, Finance Director, advised that the April 2017 financial report was included in the packet.

Old Business

Concert Series Committee Funds Request

Fred Thorne, Committee Chairman, addressed the Council concerning funding for the Concert Series. Thorne advised that the concert performers and the venue must be secured in January prior to the season, and due to lack of sponsorships and donations received, the number of concerts scheduled for 2017 was reduced to 7 from 15. The Committee requested \$25,000 from the Town to secure 15 concerts for the 2018 season.

Consideration of Adoption of Ordinance 93.05 Designated Smoking Areas

MAYOR PRO-TEM SCOTT MADE A MOTION TO ADOPT ORDINANCE 93.05 TITLED DESIGNATED SMOKING AREAS. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Adoption of Ordinance Amendment for 92.41 Charcoal Grill

The Council made minor grammatical amendments.

COUNCILMAN LARKIN MADE A MOTION TO ADOPT THE AMENDMENT FOR ORDINANCE 92.41 AS AMENDED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Adoption of Revised 2017 Meeting Calendar

The Council reviewed the revised 2017 Meeting Calendar to remove the ERC Committee Meeting date and reduced the Planning Board Meeting schedule to one Meeting per month. The Council reached a consensus to leave the calendar as is and for Meetings to be cancelled if needed.

Old Business (Cont.)

Consideration of Adoption of Ordinance Amendment for Article 9 Performance Standards Section 9.09 Off Street Parking Requirements to amend Subsection D to Add Carry-Out Restaurants Parking Regulations

COUNCILMAN CORBETT MADE A MOTION TO ADOPT THE ORDINANCE AMENDMENT FOR ARTICLE 9 PERFORMANCE STANDARDS SECTION 9.09 OFF STREET PARKING REQUIREMENTS SUBSECTION D AS PRESENTED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Adoption of Ordinance Amendment for Article 6 Zoning Districts, Section 6.04 Table of Permitted/Special Uses and Article 7 Supplemental Regulations, Section 7.09 Privacy Fences Concerning Fences

COUNCILMAN BENTON MADE A MOTION TO ADOPT THE ORDINANCE AMENDMENT FOR ARTICLE 6 ZONING DISTRICTS, SECTION 6.04 TABLE OF PERMITTED/SPECIAL USES AND ARTICLE 7 SUPPLEMENTAL REGULATIONS, SECTION 7.09 PRIVACY FENCES AS PRESENTED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Adoption of Resolution Opposing Off Shore Drilling

COUNCILMAN LARKIN MADE A MOTION TO ADOPT THE RESOLUTION OPPOSING OFF SHORE DRILLING AS PRESENTED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of the following 2016/2017 Budget Amendments

- i. Year-end Departmental Transfers
- ii. 10th Street Additional Hurricane Matthew Expenses
- iii. 1718/1802 Beach Access Walkways
- iv. Hurricane Matthew Disaster Recovery Revenue

Bonnie Bray, Finance Director, explained the 2016/2017 Budget Amendments.

COUNCILMAN CORBETT MADE A MOTION TO APPROVE THE 2016/2017 BUDGET AMENDMENTS AS PRESENTED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

New Business

Consideration of Adoption of 2017/2018 Budget and Establishment of Tax Rate at \$.16 per \$100 Valuation

The Council reviewed the proposed 2017/2018 Final Budget and made the following amendments:

- Salary Study - \$30,000
COUNCILMAN BENTON MADE A MOTION TO REMOVE THE SALARY STUDY FUNDING OF \$30,000 FROM THE BUDGET. 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.

New Business (Cont.)

Consideration of Adoption of 2017/2018 Budget and Establishment of Tax Rate at \$.16 per \$100 Valuation (Cont.)

- Merit Pay - \$7,482.39

COUNCILMAN BENTON MADE A MOTION TO REDUCE THE MERIT PAY POOL FROM 3% TO 2.5% TOTALING \$7,482.39. 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.

MAYOR PRO-TEM SCOTT MADE A MOTION TO EXCLUDE DUSTIN GRAHAM AND KEVIN DEMPSEY FROM THE MERIT PAY POOL DUE TO RECENT SALARY INCREASES. 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.

- Concert Series - \$10,000

COUNCILMAN CORBETT MADE A MOTION TO INCREASE THE CONCERT SERIES FUNDING TO \$25,000. MAYOR FORRESTER CALLED FOR A VOTE. COUNCILMAN CORBETT VOTED YES. COUNCILMAN BENTON, MAYOR PRO-TEM SCOTT, COUNCILMAN CERRATO AND COUNCILMAN LARKIN VOTED NO. THE MOTION DID NOT PASS.

COUNCILMAN LARKIN MADE A MOTION TO INCREASE THE CONCERT SERIES FUNDING TO \$10,000. MAYOR FORRESTER CALLED FOR A VOTE. COUNCILMAN BENTON, MAYOR PRO-TEM SCOTT, COUNCILMAN CORBETT AND COUNCILMAN LARKIN VOTED YES. COUNCILMAN CERRATO VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

COUNCILMAN BENTON MADE A MOTION TO ADOPT THE 2017/2018 BUDGET AS AMENDED AND TO ESTABLISH THE TAX RATE AT \$.16 PER \$100 VALUATION. MAYOR PRO-TEM CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Adoption of the 2017/2018 Fee Schedule

Staff requested the Council to amend the 2017/2018 Fee Schedule for the Special Event Fee – Water/Irrigation Access from Metered Cost to a flat fee of \$10.

MAYOR PRO-TEM SCOTT MADE A MOTION TO ADOPT THE 2017/2018 FEE SCHEDULE AS AMENDED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Adoption of the Auditor Contract

The Council reviewed the proposed Auditor Contract from S. Preston Douglas & Associates as recommended by Bray.

COUNCILMAN LARKIN MADE A MOTION TO APPROVE THE AUDITOR CONTRACT WITH S. PRESTON DOUGLAS & ASSOCIATES. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

New Business (Cont.)

Consideration of Acceptance of the Planning Board Recommendation for UDO Amendment for Article 10 Landscaping and Buffering Requirements Section 10.06 Preservation of Trees and Schedule a Public Hearing for June 26, 2017 at 7:00 pm

The Council reviewed the proposed UDO Amendment for Section 10.06 Preservation of Trees and questioned the proposed language with the type of trees that will require a permit to remove and the need for a certification or verification of property ownership of the location where the removal is proposed. Hiram Marziano was directed to provide Council with language to address their concerns.

MAYOR PRO-TEM SCOTT MADE A MOTION TO ACCEPT THE PLANNING BOARD RECOMMENDATION AND SCHEDULE A PUBLIC HEARING FOR JUNE 26, 2017 AT 7:00 PM. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Review upcoming Agenda Items and Identify New Agenda Items for June 20, 2017 Meeting

The Council reviewed the June 20, 2017 Agenda and added the following topics:

- **Natural Beach Grass Discussion** - Mayor Pro-Tem Scott advised of the property owner that received a violation letter for tall grass but that the owner contends that his yard is a nature scape. The Council was advised that the current ordinance doesn't allow for nature scapes but Staff will bring forth an amendment for consideration.
- **Park Rules Discussion** - Mayor Pro-Tem Scott requested the Council to consider enacting a moratorium on the issuance of Special Event permits pending a review and potential amendment of the Park Rules concerning usage, and to consider amending the Special Event fees to increase the fees for for-profit entities holding events in the Town Park.
- **Leaf and Limb Pick-up Schedule** - The Council requested Staff to determine the costs savings of reducing the island leaf and limb pickup to one time a month instead of two; the mainland pickup schedule will remain the same.
- **Trash Can Roll Cart Program Discussion** - The Council was informed of the difficulties with the roll cart program and hiring an employee to perform the duties. The Council requested the Staff to re-advertise the position and research other means of providing the service. Parker will contact the realtors that manage the rental properties.

Public Comments

Charles Nern 647 Oyster Bay Drive – Due to the late hour that the Meeting had reached, Mr. Nern reserved his comments for the next Meeting.

Adjournment

COUNCILMAN BENTON MADE A MOTION TO ADJOURN THE JUNE 5, 2017 COUNCIL MEETING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town of Sunset Beach
Robert Forrester, Mayor

Submitted by:
Lisa Anglin, Town Clerk

*The June 5, 2017 Minutes were approved by Council during the August 7, 2017 Council Meeting.