

**Town of Sunset Beach  
Monthly Council  
Work Session, Public Hearings and Regular Meeting  
June 27, 2016 – July Meeting**

**MINUTES**

**Members Present:** Mayor Ron Watts, Mayor Pro-Tem Carol Scott, Councilman Lou DeVita, Councilman Peter Larkin, Councilman Mark Benton and Councilman Rich Cerrato

**Members absent:** None

**Attorney & Staff Present:** Susan Parker, Town Administrator; Bonnie Schwerd, Finance Director; Lori Frye, Finance Department; Dustin Graham, Public Works Director; Kevin Dempsey, Fire Chief; Richard Childres, Assistant Fire Chief; Lisa Joyner, Police Chief; Joe Smith, Assistant Police Chief; Richard Hathcock, GIS/Planner; and Lisa Anglin, Town Clerk

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

**Closed Session**

MAYOR PRO-TEM SCOTT MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (6) TO DISCUSS A PERSONNEL MATTER. COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council met in Closed Session for approximately 45 minutes and discussed a personnel matter.

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

COUNCILMAN DEVITA MADE A MOTION TO RECONVENE THE MEETING. MAYOR PRO-TEM SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

**Work Session**

The Work Session convened at 6:45 pm. Mayor Watts called for agenda amendments and general discussions by the Council.

**Draft Agenda Review**

The Council reviewed the agenda and made no amendments.

**General Council Discussions**

Cabanas – Councilman Benton advised that the Council needs to go to the beach during the upcoming high tides to see the line of cabanas in advance of the Beach Patrol Review scheduled in September.

## **General Council Discussions (Cont.)**

**Fire Service** – Councilman Cerrato questioned the article in a recent Star News edition concerning Brunswick County re-evaluating the fire services and their decision to hire a firm to conduct a survey.

**Communication** – Mayor Pro-Tem Scott advised of misinformation that being circulated and encouraged citizens to contact the Council members directly for accurate information.

**GSATS** – Councilman Larkin attended the GSATS meeting on June 8, 2016 and the topics discussed included the Carolina Bays Parkway extension to Highway 17 near Brunswick Plantation; upcoming roundabout construction at the intersection of Ocean Isle Beach Road and Highway 179 and the continuation of I-140 from Leland to the Bolivia area.

**SB875** – Mayor Watts advised that the Bill remains in the House Rules Committee and the Representative Iler has been approached by the Palm Cove owners requesting to be removed from the Bill. Representative Iler has been requested by the Sunset Creek Commons and Sunset Beach West developers to continue with the de-annexation proceedings for their properties. Mayor Watts, Mayor Pro-Tem Scott and Attorney Richardson are scheduled to meet with Holly Smith, the Sunset Creek Commons Developer in the upcoming weeks.

**Sunset Beach West** – Mayor Watts advised that the litigation paperwork concerning ownership determination of the west end of the island has been filed.

## **Monthly Meeting**

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

### **Approval of the Draft Agenda**

MAYOR PRO-TEM SCOTT MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

### **Public Hearings**

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

Mayor Watts advised that the Public Hearing is to hear comments concerning a proposed amendment for Section 5.02 Pre-Application Meeting and Sketch Plan of Article 5 Review Process to add Proof of Ownership Requirement. Mayor Watts called for comments.

**Katie Hovermale 1429 Bay Street** – Agrees that the amendment to require proof of ownership is a good idea.

With no other citizens making comments, Mayor Watts closed the public hearings.

### **Public Comments on Agenda Items Only**

**Katie Hovermale 1429 Bay Street** – Voiced concerns with the dredging project costs and questioned the affected property owners cost sharing for the project; Questioned if the Stormwater Management Plan

### **Public Comments on Agenda Items Only (Cont.)**

will be completed and the issues repaired prior to the dredging or will the Bay area potentially fill in with stormwater runoff if the issues are not addressed prior to the dredging.

Carmel Zetts 402 2<sup>nd</sup> Street – Warned the Council about light pollution on the island and the harm it can cause to the animals.

Nina Marable 502 North Shore Drive – Concerned that the dredging project is proceeding too rapidly and that the affected property owners are not aware of the project or that they will be assessed the costs.

### **Town Administrator Report**

Susan Parker, Town Administrator, advised that Staff is prepared for the July 4<sup>th</sup> weekend holiday. Parker advised that the revised Stormwater Management Plan will be presented during the July 19, 2016 meeting. Parker advised that the ground in the Park near the restroom facility has been reseeded and the construction site cleaned. Staff is looking at the parking situation at the parking and brainstorming ideas to be business friendly while still maintaining parking for the park patrons such as installing post and rope fencing, additional plantings or erecting no parking signs.

### **Departmental Reports**

Police – Assistant Chief Smith advised that the police officers will not be able to issue tickets unless no parking signs are installed in and near the Town Park. The Council discussed the island traffic issues concerning speeding and rolling through stop signs. Smith advised that the island is being patrolled but the radar units are not portable and when someone sees a marked police car they slow down. Smith advised that July 4<sup>th</sup> flyers have been distributed to all businesses, the No Fireworks banner is up and extra officers are scheduled to patrol. The Council suggested that the Coffee with the Chief be scheduled for once a quarter instead of monthly. Smith advised that the 2016 Boat Bash sponsored by WAVE 104 is scheduled for August 13<sup>th</sup> pending the US Coast Guard permit approval.

Public Works – Dustin Graham, Public Works Director, advised that NC DOT will be completing the paving project on Main Street the week of July 11<sup>th</sup>. Graham advised that Main Street will be swept weekly but the majority of the accumulation of sand and gravel is coming from the adjoining property owners not maintaining their runoff on their property. Staff will develop an education program to distribute. The Bike Rack has been installed at 40<sup>th</sup> Street.

Planning & Inspections – Richard Hathcock, GIS/Planner advised that seven (7) single family home permits and 24 remodeling permits were issued in May which is keeping both inspectors busy. Hathcock advised that signs posted within the right of way are being removed and returned to the owner with a copy of the sign ordinance.

Fire – Chief Dempsey advised that Beach Patrol is going great and with the majority of the issues related to cabanas. Dempsey advised that Fire Station #2 has been cleared and Staff will begin reopening the station this week.

Finance – Bonnie Schwerd, Finance Director, reviewed the May 31<sup>st</sup> Finance Snapshot with the Council. Schwerd stated that all departments are coming in at or under budget for fiscal year-end. Schwerd introduced Lori Frye who will assume the Deputy Finance Officer duties once appointed by Council. Council requested Schwerd to determine for the next meeting the surplus of revenue over expenses and what caused the surplus.

## **Old Business**

### **Discussion Concerning Shoreline Management and Pre-Dredging Analysis Phase 2**

Councilman Cerrato voiced concerns with the pre-dredging analysis project proceeding at a rapid pace. Mayor Watts advised that the Council several years ago voted to establish a dredging maintenance program. The Council then requested and received authorization from the State to move forward with the program. The initial dredging will encompass a full dredging of the finger canals, feeder channel, Jinks Creek, Mary's and Turtle Creek with all properties assessed. Afterwards, the district will be established, the estimated cost of further dredging maintenance will be determined and each affected property owner will be assessed over a period of time prior to the maintenance dredging occurring. Mayor Watts advised that the information being collected during the analysis will be needed to obtain the permits. Councilman Cerrato voiced concerns that the non-resident property owners are unaware of the project. The Council reached a consensus to hold a Community Meeting in September or October with meeting notices to be sent to all affected property owners. Susan Parker advised that all associated costs are reimbursable if the State awards the grant to the Town.

### **Consideration of Approval of Water Resources Development Project Grant Application for the 2016 Shoreline Management and Pre-Dredging Analysis and Post Construction Project and Consideration of Approval of Resolution for State Assistance Through the Shallow Draft Navigation Fund for the 2016 Shoreline Management and Pre-Dredging Analysis and Post Construction Project**

COUNCILMAN BENTON MADE A MOTION TO APPROVE THE WATER RESOURCES DEVELOPMENT PROJECT GRANT APPLICATION AND TO APPROVE THE RESOLUTION REQUESTING STATE ASSISTANCE THROUGH THE SHALLOW DRAFT NAVIGATION FUND FOR THE 2016 SHORELINE MANAGEMENT AND PRE-DREDGING ANALYSIS AND POST CONSTRUCTION PROJECT. COUNCILMAN DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

### **Discussion Concerning Environmental Resource Committee Membership**

Councilman Larkin and Councilman Benton advised that Richard Hilderman and Jan Harris applied to serve on the Environmental Resource Committee and both have been interviewed. The Council agreed that three (3) members were needed and encouraged anyone interested to apply. Mayor Pro-Tem Scott voiced concerns that the Town needs environmental professionals rather than unqualified citizens providing data to the Council.

COUNCILMAN BENTON MADE A MOTION TO APPOINT RICHARD HILDERMAN AND JAN HARRIS AS MEMBERS OF THE ENVIRONMENTAL RESOURCE COMMITTEE. COUNCILMAN LARKIN SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. COUNCILMAN LARKIN, COUNCILMAN BENTON, COUNCILMAN DEVITA AND COUNCILMAN CERRATO VOTED YES. MAYOR PRO-TEM SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

## **New Business**

### **Consideration of Adoption of UDO Amendment for Article 5 Section 5.02 Pre-Application Meeting and Sketch Plan to Add Proof of Ownership**

The Council reviewed the proposed UDO Amendment for Article 5 Section 5.02 Pre-Application Meeting and Sketch Plan. Councilman Larkin questioned if the ownership clause and signature line had been added to all applicable applications. Parker advised yes.

**New Business (Cont.)**

**Consideration of Adoption of UDO Amendment for Article 5 Section 5.02 Pre-Application Meeting and Sketch Plan to Add Proof of Ownership (Cont.)**

COUNCILMAN BENTON MADE A MOTION TO ADOPT THE UDO AMENDMENT FOR ARTICLE 5 SECTION 5.02 PRE-APPLICATION MEETING AND SKETCH PLAN AS PROPOSED. COUNCILMAN DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Consideration of Approval of Letter Opposing HB 483 – Land Usage**

The Council reviewed the proposed letter opposing HB 483 concerning land usage that would allow developers to bypass the Board of Adjustment and go directly to the Court system and would give third parties one year to appeal a decision.

COUNCILMAN DEVITA MADE A MOTION TO APPROVE THE PROPOSED LETTER OPPOSING HB 483. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Consideration of Approval of the Multi-Jurisdictional Disaster Debris Management Contract**

The Council reviewed the Multi-Jurisdictional Disaster Debris Management Contract and was advised that the Town will only use in an emergency situation if needed.

COUNCILMAN BENTON MADE A MOTION TO APPROVE THE MULTI-JURISDICTIONAL DISASTER DEBRIS MANAGEMENT CONTRACT. COUNCILMAN LARKIN SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Review and Consideration of Adoption of Street Light Acceptance Policy**

The Council reviewed the proposed Street Light Acceptance Policy. The Council reached a consensus to compare the policy with UDO Article 9 Performance Standards Part III Outdoor Lighting for uniformity. The policy will be reconsidered for adoption during the October meeting.

**Chapter 99 Town Park Regulations Discussion**

The Council discussed the proposed Chapter 99 Town Park Regulations and made minor amendments. Staff will revise and provide a final draft for review during the August 1, 2016 Meeting.

**Fee Schedule Discussion Including Special Events**

The Council reviewed the proposed 2016/2017 Fee Schedule. Bonnie Schwerd advised that additional special event fees were omitted in error but would be added.

COUNCILMAN CERRATO MADE A MOTION TO APPROVE THE 2016/2017 FEE SCHEDULE AS AMENDED. MAYOR PRO-TEM SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Consideration of Appointment of the Deputy Finance Officer**

MAYOR PRO-TEM SCOTT MADE A MOTION TO APPOINT LORI FRYE AS ACCOUNTANT/DEPUTY FINANCE OFFICER. COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**New Business (Cont.)**

**Review upcoming Agenda Items and Identify New Agenda Items for July 19, 2016 Meeting**

The Council added to the Disposition of Directives, the Community Meeting scheduled for October 8, 2016 at 10:00 am. The location is to be determined.

**Public Comments**

Dave Stuart – Property Owner/Property Manager/Real Estate Agent – Advised that 7 of his signs were removed and delivered to him with a copy of the ordinance, advised that the signs were on private property, requested the signs be put back and suggested the Town be more business friendly.

Katie Hovermale 1429 Bay Street – Disagreed with an employee working overtime on Saturday to collect signs.

Karen Joseph 915 Sandpiper Bay Dr. – Encouraged the Council to install a rope fence or plantings in the Park to outline the parking area , agreed that speeding is occurring in every development not just on the island and recognized that the police officers can’t be everywhere; encouraged the Council to appoint a mainland resident to the Environmental Resource Committee since the two (2) appointed today both reside on the island.

Bob Tone Sea Lane – Advised that the “Maze Man” will be on the beach this week making and mazes for beachgoers to enjoy; Advised that the Beach Chair Sit-A-Thon to benefit the Turtle Patrol is scheduled for July 3<sup>rd</sup>.

Carmel Zetts 402 2<sup>nd</sup> St. – Advised that the “Maze Man” family will also be having a wedding on the beach this week and a family 5K race on the strand is also planned.

**Adjournment**

COUNCILMAN DEVITA MADE A MOTION TO ADJOURN THE JUNE 27, 2016 COUNCIL MEETING. COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Town of Sunset Beach**

*Carol Scott, Mayor Pro-Tem*

Submitted by:

*Lisa Anglin, Town Clerk*

\*The July 27, 2016 (July Meeting) Minutes were approved by Council during the September 6, 2016 Meeting.