

**Town of Sunset Beach
Monthly Council
Work Session & Regular Meeting
September 9, 2013**

MINUTES

Members Present: Mayor Richard Cerrato, Mayor Pro-Tem Lou DeVita, Councilwoman Karen Joseph, Councilwoman Carol Scott, Councilman Wilson Sherrill, and Councilman Mike Williams.

Members absent: None

Attorney & Staff Present: Gary Parker, Town Administrator; Mike Isenberg, Town Attorney; Donna Rogers, Finance Director; Cindi Stephenson, Deputy Finance Director; Kevin Dempsey, Fire Chief; Lisa Massey, Police Chief; Dustin Graham, Public Works Director; Sandy Wood, Building Inspections Department Director, and Lisa Anglin, Town Clerk.

**Work Session
6:45 pm**

Mayor Cerrato called the Work Session to order, called for agenda amendments, and general discussions by the Council. Mayor Cerrato read a prepared statement concerning items to be placed on the October 7, 2013 agenda.

Agenda Amendments

The following items were added to the agenda:

- Authorization for Town Administrator to Sign the NC DOT Encroachment Agreement Concerning the Bridge Fencing and Allocation of Funds to Replace the Chain Link Fencing with Nautical Rope Fencing,
- Discussion to Amend Ordinance 93.02 Lots to be Kept Free of Fire Hazards

The Clerk advised the Council that Angela Willis, with the NC Department of Coastal Management, has contacted the Town requesting to hold a public hearing on November 6 or 7, 2013 at 5:00 pm at either the Town Hall or Fire Station 1. The purpose of the hearing is to hear proposed comments concerning the removal of Inlet Hazard Area (IHA) designation for Mad Inlet. The Council agreed to allow the NC Department of Coastal Management to hold a public hearing at Fire Station 1.

Certificates of Appreciation

Mayor Cerrato presented Certificates of Appreciation to Rebecca Justice and Brandice Jordan for assistance and quick action during a freak accident at CVS which trapped an individual between the building and the car she was driving.

Monthly Meeting
7:00 pm

Call to Order & Pledge of Allegiance

Mayor Cerrato called the monthly meeting to order and the Pledge of Allegiance was recited. Mayor Cerrato stated “Does any member of the Council have a conflict of interest or the appearance of a conflict of interest with regard to any item on the agenda, and if so, please state so at this time?” No one spoke.

Public Comments

Monty Simpson 490 Dunieth Street Calabash – Advised that he owns a lot in Jaguars Lair, requested confirmation that the roadways will be paved before the bonds would be released and requested that the property owners be allowed to offer input concerning the negotiations with Coastal Communities.

Consent Agenda Approval

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE THE FOLLOWING
CONSENT AGENDA AS PRESENTED:

1. Minutes
 - a) August 5, 2013 Special Meeting Minutes
 - b) August 5, 2013 Regular Meeting Minutes
 - c) August 20, 2013 Work Session Minutes
2. Departmental Reports:
 - a) Police
 - b) Public Works
 - c) Building Inspections
 - d) Fire
3. Disposition of Directives
 - a) Preliminary Assessment Notice appeared in Brunswick Beacon – 11/16/11
 - b) Preliminary Assessment Notice and Resolution mailed to affected property owners – 11/16/11
 - c) Preliminary Assessment Resolution Public Hearing held – 12/05/11
 - d) BEMC informed to begin underground project – 12/9/11; Notified of completed 03/04/13
 - e) 50th Anniversary Committee appointed – Committee is working on Time Capsule information and will meet when necessary to plan the March 26, 2014 Capsule dedication/sealing ceremony
 - f) Asset Replacement Cost/Life Expectancy Schedule produced/updated & included in Capital Improvement Program – In process to be ready for Annual Retreat
 - g) 09/18/13 Community Meeting location (Sea Trail) reserved – 06/07/13; Notice emailed to Beacon for 09/05 & 09/12 editions – 08/29/13
 - h) Mobi-Mat ordered – 07/30/13; Delivered 08/08/13
 - i) Rip Current signs ordered – 08/08/13
 - j) Rip Current pamphlets & Holders ordered – 08/15/13
 - k) Signs evaluation completed – 08/13/13
 - l) Certificates of Appreciation mailed to Leon August & Bill McDonald – 08/13/13

Consent Agenda Approval (Cont.)

- m) ABC Board Member Ad emailed to Beacon – 08/09/13
 - n) Jinks Creek RFP Notice emailed to Beacon – 08/09/13
 - o) Preparation of a Resolution Requesting NC General Assembly to Consider Good Samaritan Legislation for Municipalities – In process
 - p) Special Meeting – 09/11 Notice emailed to Beacon – 08/29/13
 - q) Re-Scheduled Work Session 09/24 Notice emailed to Beacon – 08/29/13
 - r) Streetscape Hardscape & Landscape RFP Re-Advertised in the Star News – 09/03/13
 - s) MS Bike Event Banner Ordered – 09/04/13
 - t) Beach Topics List Distributed to Council – 09/06/13
4. Departmental Updates

COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Old Business

Consideration of Approval of Letter Authorizing Travel Policy Use by the ABC Board

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE LETTER AUTHORIZING THE TOWN'S TRAVEL POLICY USE BY THE ABC BOARD. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Jaguars Lair Update

Councilwoman Joseph distributed a proposed Subdivision Improvements Agreement for Jaguars Lair Sections 2A, 2B and 2C. Councilwoman Joseph requested Council to review the tentative agreement for discussion and possible action at the September 11, 2013 Special Meeting. The Council agreed. Councilwoman Joseph advised that in Section 1 the storm water system and water work installation is completed and the roadway will be paved with an asphalt coating by the December, 2013 deadline. Property owners in Section 1 can build a home and obtain a certificate of occupancy.

New Business

Consideration of Resolution Requesting an Amendment to the Biggert Waters Flood Insurance Reform Act

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE THE RESOLUTION REQUESTING AN AMENDMENT TO THE BIGGERT WATERS FLOOD INSURANCE REFORM ACT. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Acknowledgment of Receipt of the Planning Board Recommendations for UDO Amendments

The Council acknowledged receipt of the Planning Board UDO Amendment recommendations, agreed to submit questions and comments back to the Planning Board for additional review and to hold a joint work session with the Planning Board to further discuss the proposed amendments.

New Business (Cont.)

Consideration of Email received from the Regency at Sunset Beach Board of Directors and Instruction for Staff

Council agreed with the Regency at Sunset Beach Board of Directors safety concerns regarding the curve at Shoreline Drive West and Beach Drive.

COUNCILWOMAN JOSEPH MADE A MOTION INSTRUCTING STAFF TO SEND A LETTER TO NCDOT REQUESTING A REVIEW OF THE CURVE AT SHORELINE DRIVE WEST AND BEACH DRIVE FOR ADDITIONAL SIGNAGE OR SAFETY MEASURES. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Granting Permission to Hoover Studios to Film a Scene from its Upcoming Movie “The Odyssey of Destiny” in the Town Hall Council Chambers in mid-September

Gary Parker advised that the Town has been contacted by Hoover Studios requesting permission to use the Council Chambers to film a courtroom scene and to contract with the Sunset Beach Police Department for an officer to accompany the crew while in town for crowd control, etc.

COUNCILWOMAN JOSEPH MADE A MOTION TO PERMIT HOOVER STUDIOS TO USE THE COUNCIL CHAMBERS TO FILM A COURTROOM SCENE AND TO AUTHORIZE THE TOWN ADMINISTRATOR AND THE POLICE CHIEF TO EXECUTE AGREEMENTS, INCLUDING THE NECESSARY LIABILITY CLAUSES, FOR THE USE OF THE FACILITIES AND A POLICE OFFICER. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Authorization for Town Administrator to Sign the NCDOT Encroachment Agreement Concerning Bridge Fencing and Allocation of funds to replace the chain link fencing with Nautical Rope Fencing

The Council briefly discussed the removal of the chain link fence and whether the Town was installing the nautical rope fence in the same location as the chain link fence. The Council also discussed the rain lilies and if they could be relocated.

COUNCILWOMAN SCOTT MADE A MOTION TO AUTHORIZE THE TOWN ADMINISTRATOR TO HAVE A DISCUSSION WITH NCDOT CONCERNING THE PLACEMENT OF THE NAUTICAL ROPE FENCE AND THE RELOCATION OF THE RAIN LILIES, AND TO AUTHORIZE THE TOWN ADMINISTRATOR TO EXECUTE THE NCDOT ENCROACHMENT AGREEMENT AND TO ALLOCATE UP TO \$8,000 FOR THE PURCHASE AND INSTALLATION OF THE NAUTICAL ROPE FENCE. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Discussion of Amendment for Ordinance 93.02 Lots to be Kept Free of Fire Hazards

The Council discussed amending Ordinance 93.02 to authorize the Public Works Department to remove debris, fire hazards, etc. from a lot and to charge the property owner. Staff will prepare the amendment for Council to review and approve.

Public Comments

Monty Simpson 490 Dunieth Street Calabash – Encouraged the Council to allow the public and the property owners to have input in the negotiating process with Coastal Communities concerning Jaguars Lair.

Betty Oakes 412 Cobia Street – Advised that the NC Association of ABC Boards used the Sunset Beach ABC Store as an example of a model ABC store for the cleanest, best shelves displayed store in the district.

Karol Asbjornson 407 37th Street – Suggested the Council review the meeting minutes of the bridge fencing issue for clarification

Lois McClellan 901 Wyndfall Drive – Reminded those in attendance of the Sunset at Sunset Celebration scheduled for Saturday, October 5, 2013 at 10:00 am and advised that 26 area businesses are sponsoring this year's event and over 100 vendors are participating.

Karen Dombrowski 719 Fairway Drive East – Suggested the Town request NCDOT to reduce the speed limit on Shoreline Drive West and Beach Drive to improve the safety of the curve; advised that she is a property owner in Jaguars Lair, stated that any progress is good progress and thanked the Council for its efforts.

Mayor Cerrato incorporated email complaints concerning Jaguars Lair from Paul Howes dated September 9, 2013 and Norm and Pam Fitzgerald dated September 7, 2013 by reference into the September 9, 2013 minutes.

Adjournment

COUNCILWOMAN JOSEPH MADE A MOTION TO ADJOURN THE SEPTEMBER 9, 2013 COUNCIL MEETING. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town of Sunset Beach

Submitted by:

Richard Cerrato, Mayor

Lisa Anglin, Town Clerk