

**Town of Sunset Beach  
Monthly Council  
Work Session & Regular Meeting  
September 10, 2012**

**MINUTES**

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

**Members absent:** Councilman Wilson Sherrill

**Attorney & Staff Present:** Gary Parker, Town Administrator; Mike Isenberg, Town Attorney; Richard Childres, Assistant Fire Chief; Lisa Massey, Police Chief; Joe Smith, Detective; Sandy Wood, Building Inspector; Dustin Graham, Public Works Director; Donna Rogers, Finance 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.

**Council Discussion**

**Park Survey**

Mayor Cerrato requested that the Council move the presentation of the Park Survey results from the September 18, 2012 Work Session Agenda to the October 1, 2012 Regular Council Meeting Agenda. Gary Parker explained that Withers & Ravenel representatives will present the same information at both meetings.

**Bike Trail/Pedestrian Walkway**

Mayor Cerrato requested that the Council notify the Shoreline Drive East and Park Ave. property owners, who will be affected by the Bike Trail/Pedestrian Walkway, of the project by mail. The Council discussed the current methods used to notify the property owners such as the website, media advertisements and the community points of contact.

COUNCILWOMAN SCOTT MADE A MOTION TO PROVIDE A NOTIFICATION FLYER TO ALL PROPERTY OWNERS THAT WILL BE DIRECTLY AFFECTED BY THE BIKE TRAIL/PEDESTRIAN WALKWAYS. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

## **Work Session (Cont.)**

### **Agenda Amendments**

The Council reviewed the draft agenda and made the following amendments:

- Delete Old Business Item 4h Parking on the Beach, and
- Postpone New Business Item 5f Council Chambers Renovations Discussion until October Meeting, and
- Add NCDOT Resolution concerning abandonment of Sunset Blvd. North from Shoreline West to Intracoastal Waterway, and
- Add Wounded Warrior Ride Discussion

COUNCILWOMAN JOSEPH MADE A MOTION TO AMEND THE DRAFT AGENDA AS STATED ABOVE AND TO APPROVE THE AMENDED AGENDA. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

### **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. A moment of silence was observed for 9/11. 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**

Cherri Cheek – Resort Brokerage and Consulting - Voiced opposition to the proposed moratorium and reminded the Council that any commercial development will bring job opportunities and tax revenues to the Town.

Cameron Moore – Business Alliance for a Sound Economy Organization Director - Voiced opposition to the proposed moratorium and encouraged the Council to add language to the UDO that will achieve the Council’s appearance goals without halting development.

Ron Watts 521 Shoreline Drive West – Voiced opposition to the proposed moratorium and suggested the Council review the Streetscape plan and incorporate that plan for the mainland.

George Jones 1780-6 Chandlers Lane – Voiced opposition to the proposed moratorium.

#### **Consent Agenda Approval**

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

1. Minutes
  - a) July 2, 2012 Regular Meeting Minutes
  - b) July 17, 2012 Work Session Minutes

## **Consent Agenda Approval (Cont.)**

- c) August 6, 2012 Regular Meeting Minutes
- d) August 21, 2012 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
  - e) Ordinance Amendments 50.03, 130.09, 130.12, 130.14, 130.15 and Chapter 91 sent to Municode -07/20/12
  - f) Request letter mailed to NC DOT concerning repaving of Main St. – 02/28/12; Received NC DOT acknowledgement letter – 03/05/12; 2<sup>nd</sup> request mailed – 08/02/12
  - g) Letter concerning Terminal Groins mailed – 07/03/12
  - h) Dirt Street Maintenance Cost vs. Paving Dirt Streets Analysis – Began 06/20/12
  - i) Community Meetings – In progress from July 19<sup>th</sup> – September 14<sup>th</sup>
  - j) Public Works Director and Chief Building Inspector take home vehicles deemed a taxable fringe benefit - 07/09/12
  - k) Nine (9) Ponds contract executed – 07/10/12
  - l) Council approves WBHS Internship Program for Public Works Department – 07/17/12 (Dustin Graham to coordinate with Hugh Hirth)
  - m) Council approves Community Meeting Minutes to be preserved in audio form only – 07/17/12
  - n) Council approve text amendment for Chapter 91 Civil Emergencies – 07/17/12
  - o) Council approves Business Reception to be held the week of November 12, 2012 – 07/17/12 (details to follow)
  - p) Council approves 50<sup>th</sup> Anniversary Celebration for March 26, 2013 - 07/17/12 (details to follow)
  - q) Park survey mailed – 07/17/12
  - r) Peer Group Salary Ranges being researched to determine if Town Salary Ranges will be Adjusted by budgeted COLA – 07/19/12
  - s) Proclamation mailed to David Kessler – Sunset Beach Orchid – 07/20/12
  - t) Planning Consultant Contract executed – 07/17/12
  - u) Park Charrette held at Town Hall - 08/02/12
  - v) Tim Cate contract executed – 08/08/12
  - w) Feed Canal/Pier Head Alignment forwarded to Planning Board for review – 08/08/12
  - x) Personnel Policy amendments made and distributed to Staff – 08/10/12
  - y) Final Annual Report sent to printer – 08/10/12; mailed 08/24/12
  - z) Brunswick County Agreement Concerning Sunset Ridge Community executed – 08/22/12
  - aa) BEMC notified of Town assuming Cape Side Community Lighting System – 08/23/12
  - bb) Town-Wide Recycling Program enrollment began – 08/22/12

**Consent Agenda Approval (Cont.)**

COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

**Old Business**

Motion to Appoint ABC Board Member

COUNCILWOMAN SCOTT MADE A MOTION TO RE-APPOINT DON KOSER TO THE ABC BOARD. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

Jaguar’s Lair Update – Councilwoman Joseph

Councilwoman Joseph advised that a meeting was held on September 5<sup>th</sup> and that progress is being made. The curbing is in the 28 day curing period and afterwards work will resume with back filling, re-grading and adding stone. The developer then plans to move into the next section and repeat the process completed in the first section. The next meeting is scheduled for mid-October.

Sewer Report Update – Councilwoman Scott

Councilwoman Scott advised that a meeting was held on August 22<sup>nd</sup> with County Officials to address the Council’s concerns with the project of incomplete work and needed repairs. The meeting was attended by the full Council, and the Brunswick County Attorney, Brunswick County Manager Marty Lawing and Brunswick County Public Works Director Jerry Pierce. The Council has emailed the County a list of the incomplete work and needed repairs including a target date for completion of these issues. The Council will discuss the County response during the September 18, 2012 Work Session.

Open Meetings for Jaguar’s Lair

Mayor Cerrato requested the meetings being held by Councilwoman Joseph and Councilman Sherrill with the Coastal Communities Representatives be open to the media and the public. Mayor Cerrato asked Attorney Isenberg for a legal opinion. Attorney Isenberg stated that the Council named two (2) representatives of the Town to meet with the Coastal Communities representatives, but Council did not appoint a committee. In his opinion, the meetings are not required to be open to the public but the Council can choose for the meetings to be open to the public.

MAYOR PRO-TEM DEVITA MADE A MOTION FOR THE STRUCTURE OF THE JAGUAR’S LAIR MEETINGS TO REMAIN AS IS. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

Public Records Request

Mayor Cerrato reminded the Council that the records contained in Town Hall are the people’s records and they should be provided to the public upon request in a timely manner.

Budget Presentation

Mayor Cerrato requested Gary Parker to prepare a power point presentation of the 2012/2013 budget and to present it to the citizens. The Council explained that the proposed budget is presented by Gary Parker during the Regular Council Meeting in May of each year. The Budget presentation is then followed by multiple Budget Work Sessions in which the Council reviews each line item of the Budget. Once the Council is satisfied with the proposed Budget, it is presented to the public and a public hearing is held. Staff will meet with any citizen and answer any questions about the budget.

## **Old Business (Cont.)**

### **Beach Patrol Evaluation**

Mayor Cerrato requested Council evaluation of the Beach Patrol. The Council reached a consensus to meet with and evaluate the Beach Patrol during the November Work Session.

### **Streetscape Plan Timetable and Gazebo Landscaping**

Councilwoman Scott requested Council move forward with the Streetscape project since the sewer project on the island is finished. The Council discussed the landscaping in the gazebo area and adding a separate loading/unloading lane near the gazebo in order for the traffic flow to be continuous. The Council agreed that the current Streetscape plan is a concept plan and that an engineer is needed to produce a site plan. The Council reached a consensus for Councilwoman Scott, Mayor Pro-Tem DeVita and Staff to meet with Compass Pointe Engineer Michael Norton to discuss a Streetscape site plan. Councilwoman Joseph advised that the Solar Trash/Recycle compactors have been installed in the Gazebo area and thanked Mayor Pro-Tem DeVita for his involvement with this project.

## **New Business**

### **Consideration of a Motion to Schedule a Public Hearing for the Draft UDO**

COUNCILWOMAN JOSEPH MADE A MOTION TO SCHEDULE A UDO PUBLIC HEARING FOR MONDAY, OCTOBER 1, 2012 AT 7:00 PM. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

### **Consideration of Acceptance of Planning Board Recommendation for Text Amendment to Ordinance 151.391 (D) (9) Mixed Use District Permitted Uses and to Schedule Public Hearing**

COUNCILWOMAN SCOTT MADE A MOTION TO ACCEPT THE PLANNING BOARD RECOMMENDATION FOR THE TEXT AMENDMENT TO ORDINANCE 151.391 (D) (9) MIXED USE DISTRICT PERMITTED USES AND TO SCHEDULE A PUBLIC HEARING FOR OCTOBER 1, 2012 AT 7:00 PM. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

### **Discussion Concerning Town-Wide Speed Limit Reduction**

Gary Parker advised that Staff has reviewed the speed limits for Shoreline Drive East and the Island side streets. Staff feels that the speed limits currently posted are appropriate for those streets. The Council directed Gary Parker to send a second letter to NC DOT requesting a traffic study be conducted on Main Street, during the summer months, as the Council is certain the results will justify lowering the Main Street speed limit to 25 mph.

### **Consideration for Calling for a Public Hearing on a Moratorium on Development Along Sunset Blvd. Corridor**

The Council expressed that the intent of the proposed moratorium was not to stop development. Rather, the Council's focus was on the desired landscaping appearance for the Sunset Blvd. corridor and a few structural elements needed to enhance the appearance. The Council reached a consensus that both the appearance and the structural elements need to be incorporated into the UDO to ensure that as development of the commercial areas progress the desired appearance will be achieved. Council chose not to call for a public hearing to consider a moratorium.

### **New Business (Cont.)**

#### Approval of the Annual Letter Authorizing ABC Board to Modify and Use Town Travel Policy

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE ANNUAL LETTER AUTHORIZING THE ABC BOARD TO MODIFY AND USE THE TOWN TRAVEL POLICY. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

#### Approval of NCDOT Resolution Concerning Abandonment of Sunset Blvd. North from Shoreline Drive West to Waterway

Gary Parker advised that NC DOT has agreed to relinquish to the Town the right-of-way of Sunset Blvd. North from Shoreline Drive West to the Intracoastal Waterway and that the Town would then be responsible for this portion of the right-of-way.

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE RESOLUTION PROVIDING FOR NCDOT TO RELINQUISH THE OWNERSHIP OF THE SUNSET BLVD. NORTH RIGHT-OF-WAY FROM SHORELINE DRIVE WEST TO THE INTRACOASTAL WATERWAY TO THE TOWN. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

#### Wounded Warrior Ride

The Council discussed the Warrior Ride, a group of veterans who will be cycling through Sunset Beach on September 28<sup>th</sup> at approximately 2:00 pm. The group will stop at the Gazebo for lunch before continuing along Shoreline Drive West towards Calabash. Citizens are encouraged to stand along Sunset Blvd. and applaud as the cyclists pass to show support for the veterans.

### **Public Comments**

Allard Branham 514 Medcalf Drive – Voiced opposition to the Town Ordinances that state private roads must meet Town standards before the Council will consider accepting a deed of dedication.

Dewayne Lewis 522 Medcalf Drive – Stated that the Council has the power to repeal the Town Ordinances that require private roads be brought up to standards outlined in the ordinances before the Town will accept the roads.

Marci Berry 7428 Preswick Court – Invited everyone to attend the Sunset at Sunset Celebration on October 6 from 10:00 am – 5:00 pm, advised that billboard space had been donated for advertising and that a radio advertisement will air on WGNI who will be broadcasting from the celebration.

Ann Bokelman 404 3<sup>rd</sup> Street – Played the radio advertisement that will be aired on WGNI.

James Thompson 611 Live Oak Drive – Questioned why the park property had been roped off; informed the Council that vehicles backing out of the parking spaces near the boat ramp are hindering vehicles removing boats by way of the ramp launch area and suggested changing those spaces to diagonal.

Charles Nern 647 Oyster Bay Drive – Recommended the Council consider purchasing tasers for the Police force.

**Public Comments (Cont.)**

William Ehling 610 Triangle Court – Advised the Council that the paving contractor hired by the Town for the repaving project has done an excellent job.

Netta Stolfi 808 North Shore Drive – Suggested the Council select lighting for the island that will have the least effect on the area and requested that the Council select plantings that are native to this area.

**Adjournment**

COUNCILWOMAN JOSEPH MADE A MOTION TO ADJOURN THE SEPTEMBER 10, 2012 COUNCIL MEETING. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Town of Sunset Beach**

*Richard Cerrato, Mayor*

Submitted by:

*Lisa Anglin, Town Clerk*

\*The September 10, 2012 minutes were approved October 1, 2012.