

**Town of Sunset Beach
Monthly Council
Work Session, Public Hearings and Regular Meeting
November 2, 2015**

MINUTES

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

Members absent: None

Attorney & Staff Present: Susan Parker, Town Administrator; Bonnie Schwerd, Finance Director; Dustin Graham, Public Works Director; Rawls Howard, Planning and Inspections Director; Kevin Dempsey, Fire Chief; Lisa Joyner, Police Chief; and Lisa Anglin, Town Clerk

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

Closed Session

COUNCILMAN JOHNSON MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (3) TO CONSULT WITH ATTORNEY RICHARDSON CONCERNING LITIGATION WITH JAGUAR'S LAIR AND WITHERS & RAVENEL. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council met in Closed Session for approximately 25 minutes and discussed the litigation with the Jaguar's Lair Bond Company and Withers & Ravenel.

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

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

No agenda amendments were made.

General Council Discussions

Sunset Beach Merchants Association – Councilman Sherrill stated that the Waterfront Market held in the Town Park on Thursdays for the past couple of months has been a successful event and the Paddle Fest held in the Town Park on October 31st was also a successful event. Both events were organized by the Sunset Beach Merchants Association. Councilman Johnson added that the Paddle Fest included 33 racers and 50 participants with the kayak and paddle board activities. Food vendors were on site including a beer garden. Other activities included a 50/50 raffle, a pie baking contest and a costume contest. 1500 – 1800 attended the festival which grossed \$11,200.

Veteran's Memorial Ceremony/dedication – Mayor Pro-Tem DeVita advised that the Ceremony and Dedication are planned for November 11th at 1:00 pm. The statues are being set in place, the granite engraving is being completed and a security camera is being installed. Mayor Pro-Tem DeVita advised that the operation and maintenance of the Memorial will be performed by the committee members and funded by the proceeds raised by the committee.

Brunswick County Vision Plan – Mayor Watts advised that Brunswick County leaders are in the process of formulating a new long-term strategic vision for our county's future. Community meetings are being held to receive citizen feedback and an online survey is being conducted.

Flu Shot Clinic – Mayor Watts advised that the Brunswick County Health Department will be hosting a Flu Shot Clinic at Town Hall on Wednesday, November 4th from 2 – 4 pm.

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

COUNCILMAN JOHNSON MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

MS Foundation

Mayor Watts advised that Alicia Hyatt was unable to attend due to inclement weather and called upon Roy Cundiff to give the report. Mr. Cundiff thanked to Council and the Town Staff for assisting with the recent Breakaway to the Beach event. Mr. Cundiff reported the event hosted 450 cyclists with 200 volunteers assisting and over \$375,000 raised for the MS Foundation.

Sunset at Sunset Report

Karen Joseph, Co-Chairwoman reported that the 9th Annual Sunset at Sunset was met with numerous challenges including stormy weather which caused a date change for the event. Eighty of the original 117 vendors were able to attend. Ms. Joseph thanked the many volunteers and Town staff that assisted with the event. Ms. Joseph advised that the 2016 event will be the 10th annual and the committee is underway planning the event.

Public Comments on Agenda Items Only

Charles Nern 647 Oyster Bay Dr. – Thanked Carol Santavicca, Karen Dombrowski and Ann Bokelman for their service to the Town. Encouraged the Council to proceed with the construction of the gazebo and restroom facilities in the park.

Public Comments on Agenda Items Only (Cont.)

Tom Vincenz 422 36th St. – Spoke in favor of the adoption of the Noise Ordinance and gave examples of violations; Commented that the proposed generators for the Sunset Beach West development need to be measured for the Noise Ordinance.

Katie Hovermale 1429 Bay St. – Spoke in opposition of the proposed construction of the gazebo and restroom facilities in the park stating the gazebo is too large and will damage the trees; encouraged Council to wait to see if the facilities are actually needed.

Minutes for Approval Consideration

COUNCILMAN JOHNSON MADE A MOTION TO APPROVE THE SEPTEMBER 8, 2015 REGULAR MEETING MINUTES, THE SEPTEMBER 22, 2015 WORK SESSION MINUTES, THE OCTOBER 8, 2015 SPECIAL MEETING MINUTES AND THE OCTOBER 20, 2015 WORK SESSION MINUTES AS PRESENTED. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town Administrator Report

Stormwater Management Plan RFQ – Susan Parker, Town Administrator, advised that the submittals for the Stormwater Management Plan RFQ are being reviewed.

NCDOT Main Street Widening Project – Parker advised that NCDOT has scheduled the Main Street widening project for March 2016.

FEMA Reimbursement – Parker advised that Governor McCrory has submitted for FEMA reimbursement for the October storm.

Tubbs Inlet Dredging Project – Parker is initiating a discussion with Officials from Brunswick County and Ocean Isle Beach to discuss a collective Tubbs Inlet Dredging Project.

Pre-Dredging RFQ – Parker advised that the Town is requesting Pre-Dredging RFQ’s for the Finger canals, and Mary and Turtle creeks.

Recycling Program – Parker advised that 686 recycling applications have been received.

Departmental Reports

Police – Chief Joyner advised that interviews are being conduct to fill the 2 vacant police officer positions and the vacant detective position. Joyner advised that Community Service Workers are being utilized to pick-up trash at the gazebo and in the park. Joyner advised that she will be participating in the Veteran’s Memorial Day ceremony.

Public Works – Dustin Graham, Public Works Director, advised that the street resurfacing project has been completed and the Park bulkhead has been repaired. Sink holes on 29th and 32nd Streets are being repaired. Staff is continuing to spray for mosquitos.

Planning and Inspections – Rawls Howard, Planning and Inspections Department Director, reviewed the Building Inspections Report with the Council. Howard provided the Council with an update of ongoing commercial project: Daves, at the corner of Shoreline Drive West and Sunset Blvd. North, will house the kayak business (relocated from the opposite corner) and a fish & tackle store; a beach store is under

Departmental Reports (Cont.)

Planning and Inspections (Cont.) –construction near Food Lion and an ATMC Retail Store is planned for the adjacent property; and Phase 2 of the Coastal Outfitters tract is underway. Howard advised that a Cape Fear Council of Governments Representative will be attending the next Planning Board meeting to discuss the Land Use Plan Update and the survey which will be distributed in December.

Fire Department - Chief Dempsey advised that staff is performing routine training exercises now that the season has ended and are in the process of maintenance painting at both stations.

Finance Department – Bonnie Schwerd, Finance Director advised the Council that the 2014/2015 audit has been submitted to the Local Government Commission (LGC) as required and the Auditor will present the report at the December Council Meeting. Schwerd advised that the phone system has been installed and is functioning properly. Schwerd advised that the computer server will be installed soon. Schwerd briefly updated the Council of Legislative changes that will affect the Town including E-verify, funding restrictions for building inspection revenues, pre-audit certificates, petty cash use and Powell bill funds. Schwerd reviewed the September 30, 2015 Financial Snapshot with the Council and provided an analysis of the legal fee expenditures year to date by category.

Old Business

Consideration of Approval to Construct the Town Park Gazebo and Restroom Facilities

Bonnie Schwerd, Finance Director, reviewed the Town Park update with the Council. Schwerd advised that over \$10,000 has been donated through the Public Donations Program for four (4) benches and four (4) swings for the Park. Schwerd reviewed the estimated cost for the construction of the Park gazebo and restroom facility including the water/sewer hookups, totaling \$203,500 noting that a Capital Project Ordinance Amendment totaling \$17,146 is needed. Susan Parker, Town Administrator, advised that the project will follow the competitive bid process and Council will be requested to award the contract during the December meeting.

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE CAPITAL PROJECT ORDINANCE AMENDMENT TOTALING \$17,146 AND TO DELEGATE AUTHORITY TO THE TOWN ADMINISTRATOR TO MOVE FORWARD WITH CONTRACTING FOR THE CONSTRUCTION OF THE GAZEBO AND RESTROOM BUILDING, THE UTILITY HOOKUPS AND THE PAVER ENTRYWAYS INSTALLATION. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Awarding the Tourism Marketing Contract

Bonnie Schwerd, Finance Director, advised that the Marketing & Tourism RFP was published twice. Martin-McGill, Awesome Website Guys, LLC and Intercoastal New Designs submitted proposals for review.

Schwerd advised that it may be beneficial for the Town Council to engage in additional discussions to establish goals for the initiative prior to awarding a contract. Council agreed to discuss during the January Work Session.

Old Business (Cont.)

Consideration of Awarding Bid for Construction of the Multi-Modal Path (Outfitters)

Susan Parker, Town Administrator, advised that the Multi-Modal Path is a collective effort between the owners of Coastal Outfitters and the Town to construct a sidewalk from the roundabout to the entryway of Outfitters. Coastal Outfitters pledged \$10,000 towards the project.

COUNCILMAN SHERRILL MADE A MOTION TO AWARD THE BID FOR THE CONSTRUCTION OF THE MULTI-MODAL PATH PHASE 1 TO J. P. RUSS CONSTRUCTION TOTALING \$39,092. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Adoption of Ordinance 30.07 Sunset Beach Local ABC Board

Council reviewed the proposed Ordinance 30.07 titled Sunset Beach Local ABC Board establishing residency requirements and term limits. The Council amended the proposed ordinance by deleting the term limit requirement until a discussion could be held during the Annual Planning Session.

COUNCILWOMAN SCOTT MADE A MOTION TO ADOPT ORDINANCE 30.07 TITLED SUNSET BEACH LOCAL ABC BOARD AS AMENDED. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Adoption of Ordinance Amendment for Chapter 94 Noise Regulations

The Council reviewed the proposed Ordinance amendment for Chapter 94 Noise Regulations. Councilwoman Scott advised that the “Measurements in Multi-family Structures” subsection had been omitted from §94.03 and requested it to be included. Mayor Pro-Tem DeVita requested golf courses be included in §94.04 Exemptions. Councilman Sherrill requested the times established in §94.04 (A) 13 be changed to 7:30 am and 7:30 pm. Staff will make the changes and present to Council the final draft during the November 17th Work Session.

New Business

Consideration of Adoption of the 2016 Meeting Calendar for the Town Council, Planning Board, and Board of Adjustment

The Council reviewed the proposed 2016 Meeting Calendar and amended the Town Council March Work Session to March 22nd.

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE 2016 MEETING CALENDAR FOR THE TOWN COUNCIL, PLANNING BOARD AND BOARD OF ADJUSTMENT AS AMENDED. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Acceptance of the Resignation of Planning Board Chairwoman Carol Santavicca

Consideration of Appointment of Alternate Len Steiner to Fulfill the Vacancy with a Term Expiration of November 2017

The Council thanked Carol Santavicca for her years of service to the Town.

COUNCILWOMAN SCOTT MADE A MOTION TO ACCEPT THE RESIGNATION OF PLANNING BOARD CHAIRWOMAN CAROL SANTAVICCA. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

New Business (Cont.)

Consideration of Acceptance of the Resignation of Planning Board Chairwoman Carol Santavicca
Consideration of Appointment of Alternate Len Steiner to Fulfill the Vacancy with a Term Expiration of
November 2017

COUNCILMAN WILLIAMS MADE A MOTION TO APPOINT LEN STEINER TO FILL THE PLANNING BOARD VACANCY WITH A TERM EXPIRATION DATE OF NOVEMBER 2017. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Acceptance of the Resignations of Ann Bokelman and Karen Dombrowski from the
Sunset at Sunset Committee

The Council thanked Ann Bokelman and Karen Dombrowski for their years of service on the Sunset at Sunset Committee.

COUNCILMAN WILLIAMS MADE A MOTION TO ACCEPT THE RESIGNATIONS OF ANN BOKELMAN AND KAREN DOMBROWSKI FROM THE SUNSET AT SUNSET COMMITTEE. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of Resolution Concerning Issuance of Wind Energy Leases

COUNCILMAN JOHNSON MADE A MOTION TO APPROVE THE RESOLUTION CONCERNING ISSURANCE OF WIND ENERGY LEASES. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Public Comments

No comments heard.

Adjournment

COUNCILMAN JOHNSON MADE A MOTION TO ADJOURN THE NOVEMBER 2, 2015 COUNCIL MEETING. COUNCILMAN SHERRILL 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 November 2, 2015 minutes were approved by Council during the December 14, 2015 Council Meeting.