

**Town of Sunset Beach
Monthly Council
Work Session & Regular Meeting
June 3, 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; Cindi Stephenson, Deputy Finance Director; Kevin Dempsey, Fire Chief; Lisa Massey, Police Chief; Dustin Graham, Public Works 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.

Agenda Amendments

The following items were added to the agenda:

- New Business h: Authorization to Advertise for the Town Administrator Position
- Old Business g: Approval of the Terminal Groin letter to Senator Rabon and Representative Iler
- Old Business h: Approval of the Resolution in Support of Senate Bill 268 concerning Dredging/Maintenance Fee
- Closed Session pursuant to NCGS 143-318.11 (a) (3) to consult with the Town Attorney.

Council Discussion

Mayor Cerrato asked if the Police Department plans to hand out the Fireworks Educational Flyers again this July 4th. Chief Massey replied yes. Councilman Sherrill asked if Council needed to take action concerning the traffic congestion, parking issues and trash problem experienced at the boat ramp during the Memorial Day holiday. Mr. Parker advised that these issues are expected for the first major holiday of the season but will settle down as the season progresses. The Beach Party was a huge success and those in attendance had a great time. The Council thanked the Committee and Staff. The Concert Series started May 29, 2013 with a large turnout showing for the first event.

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

John Corbett 421 Sailfish Street – Spoke in opposition of reducing the speed limit on the causeway.

Dan Stocks Golf Cart Alley Owner – Spoke in favor of reducing the speed limit on the causeway.

Ann Bokelman 404 3rd Street – Spoke in favor of reducing the speed limit on the causeway.

Bill Oakley 631 Mill Slough Lane – Spoke in favor of reducing the speed limit on the causeway.

Consent Agenda Approval

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

A. Minutes

- a) May 6, 2013 Regular Meeting Minutes
- b) November 5, 2012 Closed Session Minutes
- c) December 3, 2012 Closed Session Minutes
- d) December 11, 2012 Closed Session Minutes
- e) January 7, 2013 Closed Session Minutes
- f) January 9, 2013 Closed Session Minutes
- g) April 16, 2013 Closed Session Minutes
- h) May 6, 2013 Closed Session Minutes

B. Departmental Reports:

- a) Police

- b) Public Works
- c) Building Inspections
- d) Fire

C. 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

Consent Agenda Approval (Cont.)

- e. 50th Anniversary Committee appointed – 10/16/12; Committee met – 10/25/12, 11/05/12, 11/13/12/, 11/15/12, 11/26/12, Council approved budget 12/11/12; Committee met 01/14/13, 01/28/13, 02/07/13, 02/20/13, 02/28/13, 03/13/13, 05/06/13
- f. Asset Replacement Cost/Life Expectancy Schedule produced/updated & included in Capital Improvement Program –
- g. Inform Withers/Ravenel about Veteran’s Memorial proposal – 04/17/13; joint meeting setup -
- h. Contacted Representative Iler, Senator Rabon & K. Fussell, NC DOT to set up joint meeting with Council concerning Sunset Beach Bridge fence – 05/07/13; meeting set for 05/24/13
- i. Oath of Office administered and information provided and reviewed with new Planning Board Members – 05/10/13, 05/13/13 & 05/14/13
- j. Resolution Opposing Senate Bill 76 emailed to Representative Iler, Senator Rabon, Representative Hamilton – 05/14/13
- k. Domestic Violence Proclamation emailed to Denise Smith – 05/14/13
- l. Budget Work Session Notice sent to Beacon – 05/14/13
- m. Staff to notify Ronnie Holden (Twin Lakes Restaurant) concerning ROW work due to 2nd water line to the island – 05/07/13
- n. URS Corporation notified of Ordinance 94.02 (H) Waiver approved by Council – 05/07/13

C. Departmental Updates

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

Old Business

Consideration of Speed Limit Reduction on Causeway

COUNCILMAN WILLIAMS MADE A MOTION TO REQUEST NCDOT TO REDUCE THE SPEED LIMIT FROM THE BRIDGE TO THE ISLAND TO 35 MPH. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR DISCUSSION.

The Council discussed the positive and negative aspects of allowing low speed vehicles to travel to and from the island. Police Chief Massey advised the Council that if NC DOT agrees to reduce the speed limit to 35 mph and then deems the roadway unsafe for low speed vehicles to travel, they can prohibit their use on the roadway even with a 35 mph speed limit.

MAYOR CERRATO CALLED FOR A VOTE. COUNCILMAN WILLIAMS, COUNCILWOMAN JOSEPH AND COUNCILMAN SHERRILL VOTED YES. MAYOR PRO-TEM DEVITA AND COUNCILWOMAN SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

2012/2013 Annual Report Discussion

The Council briefly discussed the 2012/2013 Annual Report topics and reached a consensus to individually email a topics list to Lisa Anglin or Councilwoman Joseph within one (1) week.

Old Business

Consideration of Approval to Unseal Specific Closed Session Minutes

COUNCILWOMAN SCOTT MADE A MOTION TO UNSEAL THE COMPLETE MINUTES FOR THE FOLLOWING CLOSED SESSION MEETINGS:

- November 5, 2012
- December 3, 2012
- December 11, 2012 – Town Administrator Evaluation
- January 7, 2013
- January 9, 2013
- April 16, 2013
- May 6, 2013

AND FOR THE DECEMBER 11, 2012 CLOSED SESSION MEETING MINUTES PERTAINING TO PERSONNEL TO REMAIN SEALED AS PROTECTED BY FEDERAL, STATE AND LOCAL LAWS. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Acceptance of the Facilities Expansion Project Bid and Approval of Contract

COUNCILWOMAN JOSEPH MADE A MOTION TO ACCEPT THE FACILITIES EXPANSION PROJECT BID FROM ADW ARCHITECTS AND TO APPROVE THE CONTRACT. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR DISCUSSION.

Councilwoman Scott requested the Council to consider delaying the Facilities Expansion Project due to budget constraints. The majority of the Council agreed that Town Hall renovations are needed and the space study will determine if the existing structure can be remodeled to be more efficient.

MAYOR CERRATO CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILWOMAN JOSEPH, COUNCILMAN SHERRILL AND COUNCILMAN WILLIAMS VOTED YES. COUNCILWOMAN SCOTT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Consideration of Review/Approval of the Streetscape Hardscape and Landscape Request For Proposal

The Council reviewed the Streetscape Hardscape and Landscape RFP's and advised Staff of amendments to be made. Council will review the RFP's during the June 24, 2013 Meeting for approval consideration.

Jaguars Lair Update

Councilwoman Joseph advised that the Negotiating Team meeting was cancelled due to the death of a family member of a Team member. The meeting is being rescheduled.

Old Business (Cont.)

Terminal Groins Letters to Senator Rabon & Representative Iler

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE AS WRITTEN THE TERMINAL GROIN LETTERS TO SENATOR RABON AND REPRESENTATIVE ILER. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Resolution in Support of Senate Bill 268

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE RESOLUTION IN SUPPORT OF SENATE BILL 268 ENTITLED “AN ACT TO ALLOW THE TOWN OF SUNSET BEACH TO IMPOSE A CANAL MAINTENANCE AND DREDGING FEE”. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

New Business

Determine location for September 18, 2013 Community Meeting

Councilwoman Scott suggested that the meeting be moved back seven (7) weeks in order to avoid the appearance of a conflict of interest because of the upcoming municipal elections. The Council agreed that the community meetings are intended to hold a question and answer session with citizens who chose to attend. Individual Council members will not give speeches or make any remarks that would be construed as a conflict of interest with the upcoming election. Additional community meetings are planned for January 15, 2014 and May 14, 2014.

COUNCILWOMAN JOSEPH MADE A MOTION TO HOLD THE SEPTEMBER 18, 2013 COMMUNITY MEETING AT 7:00 PM AT THE SEA TRAIL JONES/BYRD CLUBHOUSE. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of the Auditor Contract for the 2012/2013 Audit

COUNCILMAN SHERRILL MADE A MOTION TO ACCEPT THE FINANCE DIRECTOR’S RECOMMENDATION AND APPROVE THE AUDITOR CONTRACT RECEIVED FROM W. GREENE & COMPANY, PLLC FOR THE 2012/2013 AUDIT. COUNCILWOMAN JOSEPH SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of the Resolution to Exempt Procurement of Professional Engineering Services for the Park Development

COUNCILWOMAN JOSEPH MADE A MOTION TO APPROVE THE RESOLUTION TO EXEMPT PROCUREMENT OF PROFESSIONAL ENGINEERING SERVICES FOR THE PARK DEVELOPMENT. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Acceptance of the Park Development Engineering Proposal

The Council briefly reviewed the engineering proposal received from Withers and Ravenel and reached a consensus to move this item to the June 18, 2013 Work Session agenda in order to meet with Withers and Ravenel Representatives for a question and answer session followed by Council consideration to accept the proposal.

New Business (Cont.)

Consideration to Cancel the June 18, 2013 Work Session

The Park Development Engineering Proposal was moved to the June 18, 2013 Work Session Agenda; therefore the Work Session was not cancelled.

Consideration to Re-Schedule the July Meeting for June 24, 2013 at 6:45 pm and Consideration to Schedule the 2013/2014 Proposed Budget Public Hearing for June 24, 2013 at 7:00 pm

COUNCILWOMAN SCOTT MADE A MOTION TO RESCHEDULE THE JULY COUNCIL MEETING FOR JUNE 24, 2013 AT 6:45 PM AND TO SCHEDULE THE 2013/2014 PROPOSED BUDGET PUBLIC HEARING FOR JUNE 24, 2013 AT 7:00 PM. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Authorization to Advertise Town Administrator Position

COUNCILWOMAN JOSEPH MADE A MOTION TO AUTHORIZE THE TOWN CLERK TO ADVERTISE THE TOWN ADMINISTRATOR POSITION IN THE NCLM LEAGUE LETTER, SOUTHERN CITIES, AND IN THE ICMA PUBLICATIONS. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Public Comments

None

Closed Session

COUNCILWOMAN SCOTT MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (3) TO CONSULT WITH THE TOWN ATTORNEY REGARDING A PERSONNEL MATTER. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council met in Closed Session for approximately 5 minutes with no action taken.

COUNCILWOMAN SCOTT MADE A MOTION TO RETURN TO THE REGULAR MEETING. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR CERRATO CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

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

Adjournment

MAYOR PRO-TEM DEVITA MADE A MOTION TO ADJOURN THE JUNE 3, 2013 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 June 3, 2013 Minutes were approved by the Council during the June 24, 2013 Meeting.