

**Town of Sunset Beach
Council Meeting
October 18, 2016**

MINUTES

Members Present: Mayor Robert Forrester, Mayor Pro-Tem Carol Scott, Councilman Peter Larkin, Councilman Mark Benton and Councilman Rich Cerrato

Members absent: Council Member Vacancy

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

Mayor Forrester called the Meeting to order at 9:00 am and the Pledge of Allegiance was recited by those in attendance.

HB875

Mayor Pro-Tem Scott questioned when will the information be available that is needed in order to schedule the meeting with the Sunset Creek Commons developer concerning HB 875. Susan Parker, Town Administrator, advised that staff is working on the request.

Draft Agenda Review and Approval

The Council made the following amendment to the agenda:

- Added Old Business Item 5b - Dredging Questions
- Added New Business Item 6e - Discussion Concerning ERC Vacancy

Mayor Comments

Mayor Forrester thanked Susan Parker, Town Administrator for her leadership and dedication, and all of her Staff for their hard work and dedication to the Town in advance of, during and after Hurricane Matthew. Mayor Forrester stated that when the Administrator and Public Safety personnel make to the decisions to declare a State of Emergency, close roadways, enact curfews and other restrictions, it is for the safety of our citizens, visitors and Staff members and all are urged to adhere to the advice.

Susan Parker, Town Administrator, advised that currently all beach accesses are closed due to the walkways structural damage and the amount of sand washed out from under the walkways during Hurricane Matthew.

Public Comments on Agenda Items Only

Ann Bokelman 404 3rd Street – Thanked the Town Staff for their efforts during the storm, encourage the Council to support Sunset at Sunset; encourage the Council to continue to allow cabanas on the beach; urged the Council to hold another discussion concerning the cabanas during a future meeting.

Public Comments on Agenda Items Only (Cont.)

John Corbett 1313 Canal Drive – Advised the Council that he walked the strand most days over the past season and found no issues with the cabanas; advised that he supports the use of cabanas, the rules and regulations which governs them and encouraged the Council to continue to allow cabanas on the beach.

Summer Season Review Including Beach Patrol Operations, Cabanas, and Regulations

Fire Chief Dempsey and Assistant Fire Chief Childres informed the Council of the Beach Patrol operations during this 2nd season under their supervision structured as an educational and public safety based patrol. Childres advised that the call volume increased this year by approximately 25% with 26 major calls up from 16 major calls last year. Childres advised that the donation and use of two (2) jet skis this year made for quicker water rescues. Dempsey and Childres admitted that Beach Patrol staff spent a lot of time daily dealing with private cabana patrons explaining where they can be placed, how that must be secured and directing where to set up when their chosen spot was occupied. Dempsey suggested allowing another row of cabanas. Mayor Forester asked if the patrol staff were impeded from their safety duties due to dealing with the cabana patrons. Childres agreed that yes on some days the patrol staff were impeded from proactive safety patrols due to the time spent with cabana patrons. Childres advised that this mostly occurred on Sundays and Mondays when the new set of weekly renters arrive. Dempsey advised that the commercial cabana companies are working well together and obeying the rules, it's the private cabana patrons that present the most difficulty. Councilman Larkin, who volunteered for several patrol shifts, advised that Beach Patrol is a public relations job, believes that the beach rules and regulations need more clarification, that at times safety is compromised due to non-safety issues and that the Patrol staff need to be able to spend more time on safety measures. Councilman Larkin recommended placing a police officer on the beach to manage the cabanas, and provide public education and enforcement of the beach rules and regulations. Dempsey advised that yes, a police officer, especially on Sundays and Mondays, would be beneficial. The Council requested Staff to prepare a cost analysis of placing an officer on the strand and to add a cabana discussion to the November 15, 2016 agenda.

Old Business

Consideration of Rescheduling Community Meeting

Susan Parker, Town Administrator, requested the Council give Staff three (3) potential dates with regard to rescheduling the Community Meeting. After a brief discussion, the Council provided November 12th, 5th or 13th. Staff will contact Sea Trail to determine which date is available and will advise Council.

Dredging Questions

Councilman Cerrato questioned where the dredging project was going and encouraged the Council to prepare a survey to send to the affected property owners to determine if they are in favor of dredging or not. Mayor Forrester advised that the Community Meeting will address the dredging questions and that a survey discussion needs to be held afterwards. Councilman Larkin advised that once the Consultant completes the analysis, determines the feasibility of the proposed project area and obtains costs estimates the information can then be shared with the affected property owners for their input and feedback. Mayor Pro-Tem Scott advised that property values will be negatively impacted if the water community status is lost. Mayor Pro-Tem Scott voiced concerns that factual information is not being distributed. The Council reached a consensus to add a Dredging Survey Discussion to the Disposition of Directives as a future agenda item.

Old Business (Cont.)

Consideration of Scheduling Candidates Forum Date for Council Vacancy

Susan Parker, Town Administrator, requested the Council give Staff three (3) potential dates for the Candidates Forum. After a brief discussion, the Council provided November 1st, 2nd or 4th. The Council requested the Forum to be held in the Sea Trail's POA Building on Station Trail at 6:00 pm. The Council also requested that the Public Notice include a request for the public to submit written questions for the Candidates that the Council will consider asking during the Forum.

New Business

Consideration of RFP for Walkway Repairs

Susan Parker, Town Administrator, requested the Council to allow Staff to prepare a RFP for the 10th Street and 1700 Block Walkways replacement instead of the Public Works Department performing the work as including on the Capital Plan during the budget process. This will allow Staff time to make the repairs needed to the other walkways that were damaged during Hurricane Matthew. The Council agreed.

Consideration of Commitment to Sponsor 2017 Sunset at Sunset and Council Selection of October 7, 2017 as Event Date

Mary Hughes, Committee Member, advise that vendors are requesting to sign up for the 2017 Sunset at Sunset now, and the Committee needs a commitment from the Town to sponsor the event and to select October 7, 2017 as the event date.

COUNCILMAN CERRATO MADE A MOTION TO MAKE A COMMITMENT FROM THE TOWN TO SPONSOR THE EVENT AND TO SELECT OCTOBER 7, 2017 AT THE EVENT DATE. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

Authorization for Town Clerk to Advertise Fireman's Relief Fund Board Member Expiration Date January 2017

MAYOR PRO-TEM SCOTT MADE A MOTION TO AUTHORIZE THE TOWN CLERK TO ADVERTISE THE FIREMAN'S RELIEF FUND BOARD MEMBER POSITION WITH AN EXPIRATION DATE OF JANUARY 2017. COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

Discussion Concerning Environmental Resource Committee (ERC) Vacancy

Councilman Cerrato read the current qualification requirements to serve on Town Boards and Committees and questioned why the ERC qualification requirements were different. Mayor Forrester call upon Jan Harris for her thoughts as a current ERC Member. Ms. Harris advised that if the qualification requirements were removed or lowered, the members could gain knowledge and experience by attending the Coastal Resource Commission Meetings and the NC Coastal Federation Meetings. Both Organizations hold work sessions of environmental concerns and, rules and regulations governing environmentally sensitive area which would provide committee members with the knowledge needed. Ms. Harris suggested that attendance could be made a requirement of ERC members. Council advised that attendance requirement would require funding for travel and lodging that is not presently budgeted.

New Business (Cont.)

Discussion Concerning Environmental Resource Committee (ERC) Vacancy (Cont.)

COUNCILMAN CERRATO MADE A MOTION TO DELETE THE QUALIFICATION REQUIREMENT FOR MEMBERSHIP ON THE ERC AND TO ADD A TOWN RESIDENCY REQUIREMENT. MAYOR FORRESTER CALLED FOR A VOTE. COUNCILMAN CERRATO VOTED YES. COUNCILMAN LARKIN, COUNCILMAN BENTON AND MAYOR PRO-TEM SCOTT VOTED NO. THE MOTION FAILED.

COUNCILMAN BENTON MADE A MOTION TO AMEND THE QUALIFICATION REQUIREMENT FOR MEMBERSHIP ON THE ERC TO STATE THAT THE QUALIFICATION ARE PREFERRED BUT NOT REQUIRED AND TO ADD A TOWN RESIDENCY REQUIREMENT. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

Review upcoming Agenda Items and Identify New Agenda Items Council for November 7, 2016 Meeting

The Council reviewed the Disposition of Directives and made the following amendments:

- Added the Cabanas Discussion to the November 15, 2016 Agenda
- Moved the Planning Board recommendation concerning Privacy Fences for subdivision to a December agenda
- Moved the Marketing Discussion to a December agenda
- Moved the Street Light Acceptance Policy Discussion to the November 7, 2016 Agenda.
- Added a Discussion Concerning a Dredging Survey to the list but without an agenda date.

Public Comments

Jan Harris 206 North Shore Drive West – Spoke in opposition of continuing to allow cabanas on the strand; stated that 99% of beachgoers using the gazebo access are coming from areas outside of Town.

John Corbett 1313 Canal Drive – Spoke in favor of continuing to allow cabanas on the strand.

Ann Bokelman 404 3rd Street – Clarified that the Fire Chief and Assistant Chief said they had issues with disrespectful beachgoers not necessarily cabana patrons; questioned eliminating beachgoers – “do we want to do that?”

Jean Hutchinson 436 6th Street – Spoke in support of ERC member qualifications; stated Committee needs members that are qualified.

Charles Nern 647 Oyster Bay Drive – Thinks that most beachgoers are from Sunset Beach and the surrounding area; thanked Susan Parker and the Staff for their efforts and communications during Hurricane Matthew; Encouraged Council to remember Staffs dedication during budget time.

Karen Joseph 915 Sandpiper Bay Drive – Thanked Staff for their efforts and communications during Hurricane Matthew; encouraged the Council to wait for the consultant report and costs estimates before holding a dredging discussion; spoke in support of continuing to allow cabanas on the strand.

Closed Session

MAYOR PRO-TEM SCOTT MADE A MOTION TO GO INTO CLOSED SESSION TO RECEIVE AN UPDATE ON PENDING LITIGATIONS CONCERNING JAGUAR’S LAIR AND THE WEST END PROPERTY AND TO RECEIVE LEGAL ADVICE. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

MAYOR PRO-TEM SCOTT MADE A MOTION TO RETURN TO OPEN SESSION AND RECONVENE THE MEETING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY 4 – 0 VOTE.

Mayor Forrester advised that during Closed Session the Council received updates and advice from the Town Attorney concerning Jaguar’s Lair and the west end property.

Public Comments

None

Adjournment

COUNCILMAN CERRATO MADE A MOTION TO ADJOURN THE OCTOBER 18, 2016 COUNCIL MEETING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

Town of Sunset Beach

Robert Forrester, Mayor

Submitted by:

Lisa Anglin, Town Clerk

*The October 18, 2016 Minutes were approved by the Town Council during the December 5, 2016 Meeting.