

June 19, 2020
Council Work Session Minutes

Council Members Present:

Douglas C. Medlin, Mayor
William J. (Buddy) Fowler, Mayor Pro-Tem
Donald Helms
Teresa Batts
Jeremy Shugarts
Dwight Torres

Staff Present:

Kyle Breuer, Manager
Ashley Loftis, Finance Director
Stephanie Hobbs, Town Clerk
Allen Wilson, Fire Chief
Ron Shanahan, Police Chief
Chad Merritt, Parks & Recreation Director
Amy Kimes, Planning Director
James Horne, EM Director

Mr. Helms made a motion to approve the agenda as presented. Mrs. Batts seconded the motion and it was carried.

Town Hall Update – Monteith Construction, Matt Britten

Mr. Breuer discussed Ordinance Section 12-11(b) for alcohol consumption on town streets, sidewalks and/or alley ways. Mr. Leutgens with Oceanfest has brought forth a request for an ordinance amendment to allow for alcohol on town streets with town approval for special events. He discussed putting certain standards on the amendment if it is the wish of council for an amendment.

Cody Leutgens with Oceanfest spoke on behalf of the event regarding the allowance of alcohol. He spoke on structing and regulations that could be put into place to allow for alcohol on town streets for special events. He discussed benefits for the amendment.

There was discussion amongst the council regarding consistency, safety and containment issues.

Mr. Leutgens spoke on the sale process of the alcohol at the event. He described the check point procedures and his staffing.

There was discussion on entrance and exit points at the event and the barriers. Council considered amending the site plan to limit vehicular access on N. Shore Drive in that area during the event.

Chief Shanahan discussed the challenges of perimeters, public safety and access to the south end of town. His professional opinion was to move the event to Soundside Park.

Chief Wilson stated the traffic circle limits the ingress to the south end. With the closing of North or S. Shore Drive it delays the response time of first responders.

Mr. Fowler made a motion to deny the ordinance amendment as requested. Mr. Helms seconded the motion.

There was discussion regarding alcohol consumption at the Welcome Center and Soundside Park.

Mrs. Batts requested clarification of section 12-11 to specifically allow alcohol in the park and at the Welcome Center, but not in the streets.

Mr. Breuer stated he does have permission to grant the allowance of alcohol. However, there is no guidance for the manager to do so. He suggested removing the word "streets" from section 12-11. He also asked that the fire and police chief put together rules and procedures so that applicants have a clear understanding of what is and is not allowed. He stated he would bring back an amendment at the next work session.

Mr. Fowler amended his motion to remove "including those temporarily closed to regular traffic for special events, and on any real estate owned, occupied or controlled by the town government, including but not limited to public parks, sound access, and municipal buildings and grounds." Mr. Helms seconded the motion.

The motions were withdrawn. The item was tabled.

Chief Wilson gave a presentation on Ocean Rescue in Surf City.

There was discussion on a beach condition flag program and rescue boards / floating devices.

Mr. Torres requested the council to consider lifeguards at the most vulnerable areas. The lifeguards would work as interns free of charge.

Mr. Breuer recommended Chief Wilson move forward with the flag program. Staff will work on flotation devices and next budget year we could look into lifeguards on the beach.

Mr. Merritt asked that council please keep in mind that one life guard certification cost about \$400 and takes three days. It is a tough position to fill because the certification is lengthy.

James Horne, EM Director gave an update on the new Key Card process. The website-based application is now available online. It is a simple form to request a replacement or new key card. This should streamline the process.

Mayor discussed transiting to window decals over the next twelve months.

Dwight requested an online app or pass, so that someone could download and keep on their phone.

Mr. Breuer spoke on the FY 20-21 budget adoption for the new budget to start on July 1, 2020. He asked for the Mayor to open a public hearing for budget adoption.

Mayor Opened Public Hearing 11:11am

No Public Comments were made

Mayor Closed Public Hearing 11:12 am

Mr. Fowler made a motion to adopt the FY20-21 budget as presented. Mr. Torres seconded the motion and it was carried.

Mr. Breuer stated the Surf City Police Department property has been discussed as being put on the market for sale. An individual reached out to town staff and made an offer on lots 2 and 4 at the Police Department. The offer was \$40,000 in total. At this time staff recommends that council not entertain this offer. A professional website is being built currently to display the full property and its assets.

Mr. Fowler stated this property has not been declared surplus and that the board did not accept the resolution.

Mr. Fowler made a motion to reject the resolution and offer. Mr. Helms seconded the motion and it was carried.

Mr. Breuer discussed the sale of the police department. He stated he hired a professional vendor to take photos of the site and building. The chief is reviewing the photos to insure we didn't advertise anything confidential within the building. This vendor will offer a website, aerial photos and a 3D rendering of the site and building.

Chad Merritt Parks & Recreation Director gathered information and drafted a naming policy for town park facilities. The Parks & Recreation advisory committee has reviewed the policy and recommends it to council.

Mr. Helms made a motion to approve the naming policy as presented. Mr. Fowler seconded the motion and it was carried.

Amy Kimes, Planning Director discussed the proposed ordinance amendment to section 6.19 *Signs containing light emitting diodes (LEDs)*. She gave background information regarding planning board comments and concerns. Currently there are two applications in house for new LED signs in the C3 zoning district. Based on the current zoning map there are possibly 90-100 parcels that would be allowed to have LED signs.

There was discussion between council on the “feel” of Surf City, and the fit of LED signs within the Surf City environment. There was concern on the timing on the sign changing messages.

The council came to the consensus to move forward with removing LED signage from the ordinance except for zoning district G1-Governmental and to place the amendment on the July council meeting agenda.

Mrs. Loftis stated the fire department had an outstanding balance with Motorola from the previous fiscal budget. The fire chief had reached out on numerous occasions to insure there was no balance. The invoice came through in the recent weeks.

Chief Wilson stated once he spoke with Motorola they stated the invoices were sent to a previous employees email address, which is no longer working. They also stated they had a software issue on their side.

Mr. Shugarts asked about the educational course and cost.

Chief Wilson stated he participated in that course.

Mrs. Batts made a motion to approve the budget ordinance amendment. Mr. Torres seconded the motion and it was carried.

Mr. Breuer stated there has been concern that any new street that is constructed has to be dedicated to the town. The town ordinances give the option to the council to accept any street that is up to town standards. He provided the current ordinance with an added provision regarding construction standard and design.

Mr. Torres asked if they were not an HOA and the street was private, who would be responsible?

Mr. Breuer stated that is something we would have to look into in our own ordinance. In past experiences an HOA would have to be established. This would be enforced on new subdivisions.

The Mayor discussed a recent resolution in Atlantic Beach to allow establishments that sold beer and wine to sell those items outside. However, their executive order closed those kinds of

establishments. Our local state of emergency didn't close those kinds of establishments but the Governor's executive order did.

Mr. Breuer stated this would be a temporary exemption from town ordinances. Surf City does not have an ordinance that restricts these types of sales or consumptions. After speaking with Atlantic Beach, they are going against the executive order issued by the Governor.

Mr. Torres stated the Atlantic Beach Mayor and he stated that they spoke to the Governor's office and ALE. They are allowing for you to purchase from the bar and someone could take it to the parking lot or specific location and consume.

Mr. Fowler stated he too spoke with Atlantic Beach Mayor and manager and they did get push back from the Governor's office. They had four businesses that could have operated and only one choose too.

Mr. Breuer stated the town does not have an ordinance that restricts consumption on premise.

Chief Shanahan stated he would have to get guidance from the District Attorney's office.

Mr. Shugarts asked that the Mayor get in touch with the District Attorney's office and obtain their legal opinion before moving forward.

The council came to the consensus to get in touch with the District Attorney before moving forward.

Mr. Helms made a motion to adjourn. Mr. Shugarts seconded the motion and it was carried.