



## **SURF CITY TOWN COUNCIL REGULAR MEETING AGENDA**

**Tuesday, February 7, 2023, 4:30 PM**

**Surf City Municipal Complex – 214 W. Florence Way**

**Stream Live: [www.youtube.com/townofsurfcity](http://www.youtube.com/townofsurfcity)**

- I CALL TO ORDER - *Teresa B. Batts, Mayor*
- II INVOCATION – *Buddy Fowler, Councilman*
- III PLEDGE OF ALLEGIANCE – *Donald R. Helms, Mayor Pro-Tem*
- IV SPECIAL RECOGNITION - *Swearing in of Councilman Hugh Cannady. Mr. Cannady was accompanied by his wife and son, sworn in by the Town Clerk, Ms. Citarelli*
- V BEAUTIFICATION & ENHANCEMENT COMMITTEE AWARDS -  
Business of the Month: *Surf City Barbeque*  
Home of the Month: *405 Adelaide Drive*  
*Both awards presented by the Beautification & Enhancement Committee chairperson, Sandi Monroe*
- VI MAYOR'S REMARKS -  
*We ask that all in attendance please set your cell phones to silent or vibrate mode. The Council offers the public an opportunity to speak during the meeting. Comments should be limited to three minutes each and must be directly issue oriented with agenda items for this meeting, or an issue upon which the Council has control.*  
*Citizen speakers will be acknowledged in the order in which they sign up to speak and will address all comments to the Board as a whole and not one individual Council member. Speakers will address the Council from the speaker's podium at the front of the room and will begin their remarks by stating their name and address. Discussions between Speakers and members of the audience will not be allowed. Groups of individuals seeking to speak on the same topic of concern will need to pick an individual speaker to represent the group as whole. Public comment is not intended to require the Council to answer any impromptu questions. Speakers are expected to be civil in their language and presentation. Any comments where the primary purpose is to promote business or candidacy shall not be allowed.*  
*In accordance with the Council's adopted Rules of Procedures, Council members shall reserve responses, if any, for the Council Forum on the agenda.*
- VII ADOPTION OF THE AGENDA *motion made by Mr. Helms, seconded by Mr. Koloski, all in favor, motion carried*

## VIII APPROVAL OF THE CONSENT AGENDA

*Items under Consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the Council.*

1. Approval of Minutes; January 10, 2023 & January 20, 2023
2. Resolution to Investigate – Annexation of 4235-15-4094-0000/Surf City Pet Hospital
3. “Surf City, Your Hometown Beach” Marketing Slogan
4. The Terraces Phase 4 Final Plat
5. Summer Camp Fee Increase
6. Budget Ordinance Amendment- Facilities & Grounds- Mowers
7. Budget Ordinance Amendment – Police Department Shop with a Cop Revenue
8. Budget Ordinance Amendment – Emergency Management Supply Line
9. Interlocal Agreement – Fire Services for Onslow County
10. Business Registration Ordinance – Failure to Pay Fee Decrease
11. Resolution for Delegation of Leasing Authority
12. Resolution - American Flood Coalition

Specific Action Requested: It is requested that the Town Council consider approval of the consent agenda as presented.

*Motion by Mr. Helms to approve the consent agenda, seconded by Mr. Koloski, all in favor, motion carried.*

## IX PUBLIC HEARING – *Per Ms. Kimes, Planning Director, and Wes McLeod with the Cape Fear Council of Governments presented a brief presentation, using slides to explain the plan. Slides Attached.*

### 1. Comprehensive Land Use Plan

A. Open Public Hearing- *motion to open the public hearing made by Mr. Fowler, seconded by Mr. Helms, all in favor, motion carried*

### B. Public Comments

*Matt Nichols, 3205 Randall Prkwy Suite 104 Wilmington – Attorney representing Evolve Companies, which recently had a zoning request denied. They plan to come back with a new request for their 27 acres on Hwy. 17 north of the 210 intersection. The proposed plan designates his client’s property be designated as mixed use, which allows for multi family development. Having gone through the plan, there’s one sentence wants to talk about that indicates as a guideline that residential uses should account for less than 50% of a development proposal and should compliment a more substantial mix of commercial and office uses. The Land Use plan is a guiding principle so they ask that you judge each request on the merits of the request. He claimed that it is difficult to meet that 50% requirement. He used the City of Wilmington as an example which put the commercial use at 20% that allows reduction to 10% if certain criteria, sometimes even 5%. In light of that, they ask that council consider that in the rezoning request that there may be ample commercial in the vicinity to make that work. Mr.*

*Nichols exceeded the time limit of 3 minutes and asked permission to continue. Mayor Batts granted the request.*

*Lower density doesn't always mean better development. The financing is different. There are programs for residential or commercial but not mixed. They are looking forward to bringing a new development proposal and he thanked council for listening.*

*Victoria Truitt, 1701 S. Shore Dr. – Signed up for the hearing but declined to comment.*

*Elizabeth Henry from Leyland Way. With the new plan, it stated a concern being utilities and wastewater. That is a concern of hers is having those things keep up with the growth. That is still one of her concerns is the school space and utilities.*

*Marty Martin of 1825 N. New River Dr. He congratulated the new mayor and councilman. He began to speak about other subjects. Mayor Batts interrupted him to let him know we were still speaking on the Comprehensive Land Use Plan.*

*Hunter Young who works for Evolve Companies came forward to speak. If a land use plan is too restrictive, it can lack flexibility, making it difficult for communities to adapt to changing needs and circumstances, limiting new development opportunities and discouraging new companies from setting up shop in the area. If plans are too strict, it can result in an inefficient use of land, leading to decreased property values. Strict ordinances can drive up the cost of new homes, making it difficult for low income families to afford housing. They often don't reflect the needs and desires of the community. These plans tend to have negative impacts on the communities.*

*C. Close Public Hearing- motion to close public hearing made by Mr. Fowler, seconded by Mr. Helms, all in favor, motion carried.*

**Specific Action Requested:** It is requested that the Town Council consider approval of the Comprehensive Land Use Plan as presented.

*Ms. Batts asked if council had any further questions or discussions. None were presented. She thanked Wes McLeod for all his hard work on this project.*

*Motion to approve the Comprehensive Land Use Plan made by Mr. Helms, seconded by Mr. Koloski, all in favor, motion carried.*

**X PUBLIC COMMENTS - Citizens have an opportunity to address the Council for no more than three minutes per speaker on topics which concern agenda items of this meeting.**

*Marty Martin of 1825 N. New River Dr. – He spoke highly of the police department on their work. He looked over the past 4 years and the drug problem has decreased, and traffic is better.*

*He said thank you to the streets crew for taking care of the sidewalk between 6<sup>th</sup> and 7<sup>th</sup> St.*

*He would like to request stop signs at the crosswalks. Summertime is coming and he'd like for council to look into it. He thanked Code Enforcement for cleaning up at the corner of 5<sup>th</sup> St. There is still some mess left by the builder. Please look at it again. Last, he doesn't hear well, so he asked that council gets closer to the microphone.*

*Lori Cairo of 105 Ravenswood Rd. in Hampstead – “Council, Madam mayor, thank you for letting me speak today. My name is Lori Cairo and I am a former Surf City employee. Surf City has been my hometown beach for the past 25 years. I was employed with Surf City for the past 11 months and worked at the welcome Event Center Court as a coordinator for the past 11 months and was unjust dismissed on January 13<sup>th</sup>.*

*I wrote you all an email weeks ago and I have yet to hear back so this is a formal request to hear from all of you please. After weeks of clarification, after weeks of seeking clarification on my dismissal it was told that I was not a right fit for Surf City. I was a right fit for my staff, my co-workers, my supervisor. I was a right fit for the tourists who walked into the Welcome Center, for our patrons who needed Beach Wheelchairs and for every single person that came in wanting a beach wedding. I was the right fit for every wedding, funeral, shower, graduation party, reunion, corporate meeting and rental that we booked. I was very fit to grow our social media and I was the right fit to work on our special event committee. I was also the right fit to oversee the staff in the facility, manage renovations and increase the revenue for our department. I have over 15 years of parks and rec experience. I was great at my job, so again I asked who wasn't I the right fit for because it wasn't Surf City. I have a list of over 20 town employees across all departments and the subcommittee that can speak to my character, my teamwork, my work ethic, my passion and my love for this town. From an employee's perspective I'd like to inform you that the Surf City Park Recreation and Tourism Department is broken. I urge you to fix it. The leadership is unethical and weak I urge you to fix it. HR should be the middle ground between employee and employer and that is not the case. I urge you to fix it. A town should not have handfuls of talented full-time employees leaving a department. If they do something is very wrong. Surf City is growing way too fast to have upper management not know how to manage and leaders that don't know how to lead. When new staff members are told just keep your head down it's an election year you should be ashamed of that. That is what the director is telling new employees. We have to do better than that. Your employees deserve better than that. The town deserves better than that. We work here because we love this town and we love giving back to our community. I absolutely love Surf City. This town as I said before has been my hometown beach for the past 25 years. This was nothing other than a personal vendetta and handled recklessly and carelessly. You all have the power to bring back integrity, honesty, and empathy back into this department. The question is do you have the courage to? Thank you."*

*Sandi Monroe of 316 N. Shore Dr. - Chairperson of the Beautification and Enhancement Committee gave an update for the committee. She thanked everyone who came out to the mural event. They had a great turnout, and it went well. Upcoming projects include a cigarette butt recycling project. The next meeting is Tuesday, 2/21 at 4:30PM in Council Chamber area. The public is invited. She asked is there a timeline to remove a fallen sign that is at the corner of Roland Ave. and Topsail Dr. It's on the ground in the way. Also, the owners of Surf City Barbeque came in, so Sandi took the opportunity with the mayor's approval to present their award.*

*Ms. Batts thanked Ms. Monroe and the committee for all their hard work.*

- **XI MANAGER'S REPORT** - Presented by Town Manager, Kyle Breuer. He acknowledged Mr. Martin's concerns and told him he'd look into them.
- **Federal Project Update:**
  - *We're tentatively scheduled to have the Corps up here in April so that they can give an update on progress of the General Revaluation Report. Colonel Burnham will most likely represent the District as Colonel Bennet has been called to duty in Puerto Rico.*

*Mr. Fowler asked how long the re-evaluation has been at the Army Corps of Engineers in Atlanta. July of 2021 was when N. Topsail Beach submitted their letter to withdraw from the project.*

*Ms. Batts spoke of the visit 2 weeks ago with the Army Corp of Engineers in which they rode the beach to see it firsthand.*

- **Beach Management Plan**

- *The Town received notice that the grant application to develop a Beach Management Plan was awarded in the amount of \$30,000. We will solicit qualifications from firms to assist in the process and the Shoreline and Resiliency Committee will serve as our steering committee.*
- **Beautification and Enhancement**
  - *The Mural Wall dedication was a successful event yesterday evening, we had a great turnout to celebrate Surf City's first public mural.*
- **Stormwater**
  - *CAMA Minor Permit notices were sent to adjacent property owners along S. Shore Drive regarding the infiltration projects funded through grant funds. WK Dickson continues to work towards 90% plans so the project can be sent to the bidding phase.*
- **Budget**
  - *We continue to work on the fiscal year 23/24 budget. Departmental line items for all departments are due by February 24<sup>th</sup>. Presentations will be given at your March 17<sup>th</sup> work session.*
  - *As a reminder, we will hold a council retreat on February 28<sup>th</sup>.*
  - *I've been able to hire a new finance director, Melissa Moore, who is currently serving as the finance officer for Jones County Schools. Ms. Moore has held previous positions as the finance officer for Jones County, internal auditor of Onslow County, and solid waste director for Onslow County. We look forward to having Ms. Moore join the team and take over these important responsibilities for the Town.*
- **East Coast Greenway Project**
  - *I received a draft report on the East Coast Greenway feasibility study. The study examines the preferred routes and connections from the north side of the Island, connecting to the mainland at the foot of the bridge, then traversing down NC210.*
  - *There will be a drop in public meeting in the Council Chambers on February 21<sup>st</sup> from 5:30 to 7:30 pm where residents can review the overall project, the community stakeholder input, resulting recommended routes, phasing and preliminary costs. I'll be working with both planning and parks on this project to identify next steps once final comments have been submitted.*
  - *They will hold their final steering committee meeting on Monday, February 27<sup>th</sup>.*
- **Rollback Program**
  - *Staff continues to make strides to be able to implement the trash rollback services. 2 out of 3 employees have been hired and are being onboarded now. We are working to implement the program the first Monday in March.*
- **Parking**
  - *Parking management will resume on March 1<sup>st</sup>, Pivot and the Town are working to make sure parking areas are taken care, appropriate signage is up, etc. We don't anticipate any major changes to the program this year. Pivot will be presenting a year in review at your retreat.*
- **Legislative Update**
  - *Last week, Mayor Batts and I met with our State Representatives along with delegates from TISPC to discuss TISPC priorities. Next week, a Surf City specific delegation will again travel back to Raleigh to discuss our legislative priorities, which include state match funding for beach nourishment, wastewater funding, parks funding, and other topics.*
- **PD Year in Review Focus on community policing**

### XIII NEW BUSINESS

1. EZ Mini Storage Expansion – *Presented by Ms. Kimes, Planning Director. This is for a request for approval of the site plan review. In 2004, there was a site plan with a hardware store with 2 storage units. Originally, there was a request for a restaurant, bait and tackle store and 9 self-storage buildings, an on-site office, shop and open-air storage area.*

*The site has been modified. A building was built which is occupied by the furniture store. 5 of the 9 self-storage buildings, the office and shop were built. Those were smaller than originally proposed.*

*The current project would like to move forward with just the back 3.18 acres parcel. It would leave the existing 7 self-storage buildings and the office but will remove the existing shop. They would like to place 3 additional climate-controlled storage buildings. It would bring it to 10 self-storage buildings with office building. There is no anticipated change in the vehicular impact. No road frontage. They will continue to utilize Surf City Sewer and water. They will be upgrading the waterline to a 6” and add a fire hydrant.*

*The Stormwater is through the NC Dept. of Environmental Quality and have everything updated. No expansion of the existing parking. A 5 ft. vegetative buffer will be provided. The proposed buildings are the completion of the existing site plan.*

*Mr. Edes asked if the larger water main and other conditions were contained in the site plan. Ms. Kimes answered yes. An approval of the site plan would be required by the approved plan.*

*Ms. Batts asked if there was a timeline for them to complete the request. Ms. Kimes said they are ready and if it isn't complete in 9 months, they'd have to come back to council. Ms. Batts asked if they had to put the water line in prior to building. Ms. Kimes they will have to have it before they can get the CO (certificate of occupancy).*

**Specific Action Requested:** It is requested that the Town Council consider approval of the plan as presented.

*Motion to accept the plan made by Mr. Fowler, seconded by Mr. Helms, all in favor, plan approved.*

2. Seacoast Realty Expansion – *Presented by Ms. Kimes. Site plan approval for the project located at 326 & 328 N. New River Dr. which is in the C1 zoning. The current site has a 2-story office building and a single-story garage. The lot will be combined to allow the building to cross the current property line. The existing office building and garage will be combined into a single office building adding additional meeting and conference space to the building. There is no planned increase in employees at this location. Driveway layout would remain the same with a minor change. They will require a sidewalk to be placed as part of the DOT right of way. Existing landscape will be used with some added but all removed from right of ways.*

**Specific Action Requested:** It is requested that the Town Council consider approval of the plan as presented.

*Mr. Helms made a motion to approve per the planning board's recommendation, seconded by Mr. Fowler, all in favor, plan approved.*

3. Closed Session pursuant to NC GS 143-318.11 (a)(6) Personnel

*Motion made to go into closed session made by Mr. Helms, seconded by Mr. Fowler, all in favor, motion carried.*

*Motion made to come out of closed session made by Mr. Helms, seconded by Mr. Fowler, all in favor, motion carried.*

*Motion made by Mr. Helms to give the town manager a one time \$7,500 net bonus. Second by Mr. Koloski, all in favor. Motion carried.*

*Motion made by Mr. Helms to award the town clerk a one time net bonus of \$1,000, seconded by Mr. Fowler, all in favor, motion carried.*

XIV COUNCIL FORUM- *Mr. Cannady thanked those that stayed and supported him.*

*Mr. Fowler said he was glad to have Mr. Cannady on board and added that Valentine's Day is coming. Same comment from Mr. Koloski, welcoming Mr. Cannady.*

XV TOWN ATTORNEY REPORT – *No report but he welcomed Mr. Cannady and he congratulated the manager and clerk on their well-deserved bonuses.*

XVI ADJOURNMENT- *Motion to adjourn made by Mr. Helms, seconded by Mr. Fowler, all in favor, meeting adjourned.*