



# TOWN OF SURF CITY

February 17, 2023  
WORK SESSION AGENDA

## *Agenda*

9:00 AM / Friday, February 17, 2023

Surf City Municipal Complex, 214 W. Florence Way

Watch Virtually: [www.youtube.com/townofsurfcity](http://www.youtube.com/townofsurfcity)

**Call to Order** – Mayor Batts

**Invocation** -Councilman Fowler

**Pledge**- Mayor Pro Tem Helms

**Introductions & Welcome** – Mayor Batts

*Mr. Fowler asked to add item, seconded by Mr. Shugarts, all in favor, motion carried to discuss updating the language of the charter, and add modular homes discussion.*

### **Town Council Work Plan Items:**

1. Annexation – Resolution to Direct Clerk to Investigate – Petition from Stephenson to annex PIN 4236-31-5339-0000, a 1.8-acre parcel on Highway 50  
*Motion made by Mr. Helms to approve, seconded by Mr. Koloski, all in favor, motion carried.*
2. Communications Position Reclassification- *presented by Mr. Breuer. The next 2 items are tied together. Currently set as a director position but should be changed to a specialist that works within the administrative department. This would also approve the pay grade classification. Consensus to send item to March consent agenda.*
3. Budget Ordinance Amendment – Communications – *As noted, this would be to transfer the funds from the communications line back into administration for \$42, 200.70*  
*Consensus to move to March consent agenda.*

4. Budget Ordinance Amendment – Retirement – *It was documented that there was an error occurring dating back to 2017. 2 officers had funds withdrawn from their paycheck that was not put into the state retirement system. They wish to fix the issue as it was brought to our attention. Asking for consensus.*

*Mr. Fowler asked if that had been consistent since 2017. Mr. Breuer said yes, it had been going into the general fund rather than the retirement system. It is clearly our fault.*

*Mr. Voorhees said the officer that brought it to his attention said he had zeros in his account. He directed everyone to check their retirement and a second one was found. Mr. Fowler said we needed to see how much they lost in interest since it was our fault. Mr. Helms suggested that there not be a vote until it was confirmed. Mr. Breuer said it shouldn't delay the item but if there were more, they would have the update ready for the March 7 meeting. It would be rectified.*

5. Budget Ordinance Amendment – Administrative – *Mr. Breuer said this is a follow up from the February 7 meeting to identify the funds that would cover the action that was taken regarding employee bonuses. Consensus to move the item forward to March agenda.*

6. Parking Season Pass – *Mr. Breuer is requesting that council consider based off recommendation to move forward with increasing the season pass rate from \$250 to \$300. As noted, the average length of text to park is approximately 3 ½ hours. 29 visits at a \$3 parking space throughout the season. He feels this would be in line and is asking for that adjustment. This would not affect the discounts currently provided to veterans, senior citizens and landowners in the ETJ.*

*Mr. Cannady asked for clarification on whom this would affect. It would be nonresidents. Anybody can obtain a season pass and is a popular option that we provide. Last year, we sold about 715 season passes and we will cap that at 750.*

Specific Action Requested: It is requested that the Town Council consider approval of the revised fee schedule as presented.

*Mr. Helms made a motion to approve the increase.*

*Mr. Shugarts asked for clarification on the discounts. Mr. Shugarts seconded the motion, all in favor, motion carried.*

7. *Mr. Fowler asked to speak on this item regarding charter language. As a council, we have been negligent. In 1991, (June 4) approval of the charter. Mr. Edes interrupted to clarify that there is no claim of legal negligence. Mr. Fowler confirmed he did not mean legally negligent. The language in 160 from legislature said that we could no longer be called commissioners once we changed to a council-manager form of government. They are supposed to be called councilmen. Some of our paperwork still on file lists them as commissioners. We've had our zoning ordinances updated and it's*

*time for council to update their own information on file. We need to update those files. The charter language that we have, we need to change from commissioners to councilman. They gave certain expectation that gave us the right to follow within those parameters.*

*He would like for them to give it thought and take it up at the March meeting. We should go back and read the original charter and see what needs to be changed. With that charter came certain authority from state legislature. He wants to update the charter language.*

*Mr. Edes said we do have statutory authority to reconcile amendments with language. To make it consistent with prior charter amendments could likely be done. Mr. Breuer explained that what we have through American Legal online seems to be inconsistent with actions taken by the board.*

*There was further clarification by Mr. Fowler and the town attorney, Mr. Edes that the council has not done anything illegal. They simply need to do some housekeeping to make sure our documents are consistent.*

8. *Mr. Fowler said we have manufactured homes, mobile homes, and modular homes. We don't have language in our ordinances to cover them. They have to get a permit from DOT to travel the streets.*

*Yesterday, one came in that blocked the street 2/3 of the day. The crane that was there to lift the house, lifted the house over another home in which there was a young man with mobility issues.*

*It's a safety issue that we need to look at within the planning department. We need to add modular homes to the zoning ordinance. Anytime they pull off a NC DOT roads, they are on a Surf City street. If they went through the permitting process, we would know. We don't have anything that covers that, and we need to get that on the books. We can contact some of the local dealers to let them know we have a process they have to follow. We get these calls when the roads are blocked. Had there been an emergency on that street, there would have been no way to get around it.*

*Mr. Koloski asked for clarification.*

*Anytime we have something like that going on in the town, he would expect the town to know about it, to include the planning department and police department.*

*Mr. Koloski said it seems to put us into a liability standpoint if something happens.*

*Mr. Cannady asked do you have to have a building permit for inspection process. He asked if we are talking about a different type of language of what you have to do.*

*Mr. Fowler said he's asking for a section to be added to the ordinance to cover this. There was consensus to direct staff to come back with that.*

*Mr. Breuer added departmental updates.*

*Mr. Helms made a motion to adjourn, seconded by Mr. Koloski, all in favor, motion carried.*