



SURF CITY TOWN COUNCIL REGULAR MEETING AGENDA

Tuesday, April 4, 2023, 4:30 PM

Surf City Municipal Complex – 214 W. Florence Way

Stream Live: www.youtube.com/townofsurfcity

- I CALL TO ORDER - *Teresa B. Batts, Mayor*
- II INVOCATION – *Philip Chryst, Faith Harbor UMC*
- III PLEDGE OF ALLEGIANCE – *Mayor Pro Tem Don Helms*
- IV SPECIAL RECOGNITION - *Emergency Management & IT Departments*
Mayor Batts recognized James Horne, the Director of the Emergency Management Department. She mentioned his many certifications and service on committees. Mr. Horne acknowledged the opportunities provided by the town.
Next was recognition of the IT Department. Chris Wright has been with us for 6 months now.
- V PROCLAMATION - *Arbor Day*
- VI BEAUTIFICATION & ENHANCEMENT COMMITTEE AWARDS -
Business of the Month: *Island Inn – accepted by the owners, Peterson*
Home of the Month: *101 Quarter Horse Dr. – Owners not present*
- VII 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.

VIII ADOPTION OF THE AGENDA – *Motion made by mayor Pro Tem to move item #11 up to #9, seconded by Mr. Shugarts, all in favor, agenda amended.*

Motion by Mr. Fowler to approve the agenda as amended, seconded by Mr. Koloski, all in favor, amended agenda approved.

Ms. Kimes presented Applewood Trace history. Mr. Edes, town attorney, confirmed there were significant changes submitted, including a revised site plan that reduces it to 399 units, no apartments, the onsite sewer plant. Mr. Edes said the site plan that the planning board was looking at prior is now mute. The substantially revised plan moves that the appeal is no longer relevant. It is suggested to remove the appeal.

Mr. Franck, attorney for the developer D. Logan, explained what has changed. They now understand that sewer is available to the site which means they no longer need the level of density that was proposed prior. They now have the freedom to adapt the site plan. They have heard comments from the planning board and the neighbors. Council will get the opportunity to review the revised site plan. They are at 399 single family homesites located adjacent to the Turtle Creek and Edgecomb neighborhoods. There are townhomes that have been moved to the center of the site. They have taken out the multifamily component altogether. Previously, they needed it to substantiate the wastewater treatment plan. The appropriate next step is to ask the planning board to consider the revised site plan as well as staff analyzation prior to bringing it back to council.

Mr. Edes questioned the site in reference to heavy traffic. Mr. Franck responded with the 2 concerns being heavy traffic on Loggerhead as well as damaging existing roads. They will first acknowledge that they will repair any construction damage that may be done to the existing roads. They will also direct construction traffic to use the alternate entrance.

Mr. Edes suggested it is premature to get into the plans prior to it being submitted to staff and going back to planning board.

Regarding tonight's appeal, it is a moot point. To summarize, there is no need for a public hearing on the old site plan.

There is general consensus to remove the public hearing for tonight.

IX PRESENTATION – *Project Update Surf City Coastal Storm Risk Management; LTC Burnham*

LTC Burnham, Deputy Commander of the Wilmington District of the Army Corps of Engineers.

Per LTC Burnham, we must deauthorize the piece of the project with N. Topsail Beach. We're working the deauthorization piece, the multi-discipline effort, and the technical effort to recertify cost to make sure that our cost benefit analysis is still correct. We're going through the adaptation plan so chopping off the four mile section of N. Topsail and adapting it down to the six-mile project of Surf City requires technical analysis. We are confident that we'll be submitting that to our higher headquarters this August. After we have agency technical reviews and so forth the bottom line is we have to get the engineering right before we can get the authorization that will require the chief's signature. That is our Chief of Engineers Lieutenant General Spellman. He will after we submit it after it's been reviewed and signed. We're hoping he'll be signing it and approving the authorization this year. Those are the two big pieces when we do federal Contracting engineering projects, the authorization and appropriation. We have the money but we've got to make sure that we get the authorization. Once we get that we'll of course sign the project partnership agreement with Surf City and move forward. A couple notes inside of that is the environmental analysis that that we're doing. That's always one of the first questions that we get asked as far as our EA. We are completing that. It will be for year-round initial construction for the project. We see no issues with our environmental analysis. I wanted to come here and reassure you all just how serious we take this project. For myself and my boss there's three or four things in the district that they're no fail and this is one of them. What we've done and what we have in place is the project governance to ensure this stays on track and moving forward. By project governance I'm talking about our full corporate board, our division Chiefs, teams who are responsible for the various functional areas of the district. Our

chief of engineering construction and planning, our chief of resource management, our office of council, and so forth. We want to make sure that we get it right and get this done for the people of Surf City.

Mayor Batts expressed her enthusiasm to know we are at the top of the list and still moving forward.

Mayor Pro Tem Helms exited at 4:52PM

Motion to excuse Mayor pro tem helms from the meeting was made by Mr. Cannady, seconded by Mr. Koloski, all in favor, motion carried.

X 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; February 28, 2023, March 7, 2023 & March 17, 2023
2. Annexation – Resolution to Set Public Hearing PIN 4235-4094-0000
3. Rules of Procedure Revision
4. Budget Ordinance Amendment- Police Department
5. Police Department Pay Grade Upgrade
6. Ordinance Revision – Ch. 16 Structure Moving
7. Parks, Recreation & Tourism – Interlocal Agreement w/ Holly Ridge
8. PARTF Grant Funding
9. The Terraces Phase 5 Final Plat Approval

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

Motion made by Mr. Koloski, seconded by Mr. Fowler, all in favor, consent agenda approved.

XI PUBLIC HEARING

- ~~1. Applewood Trace Amendment to PUD Appeal~~
 - ~~A. Open Public Hearing~~
 - ~~B. Public Comments~~
 - ~~C. Close Public Hearing~~

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

XII 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.

Michael Hill with the Beautification & Enhancement Committee spoke on the Spring Street Sweep scheduled for April 22, beginning at Soundside park at 9AM. There is a link to sign up. He thanked Georgia Bush with the NC Coastal Federation that presented at a public event recently. They appreciate everyone that showed up for that.

Katherine Salzar spoke of rezoning. She would like for us to take more care of the land and take into account the infrastructure. We need to be more careful. One idea is to not let developers change plans once houses start to sell in a development. Homeowners should be aware of any change of plans. There should be a town announcement. Rezoning is not always about more houses but also about setback changes.

Trash pullback should be a great thing and especially at no charge, but she knows that nothing is free. There cannot be a Surf City employee that had nothing to do that is now pulling these carts back. Years ago, we added a Friday pickup in season. She suspects that in the near future, there will be an increase on the trash bill. She recommends that it be optional because many full time residents don't need it.

Lastly, she doesn't think the town should do closed sessions unless it is an HR issue. Every other issue should be discussed in front of the town.

XIII MANAGER'S REPORT -

The Finance Director and I have been meeting regularly to refine the fiscal year 23-24 budget. We are on schedule and I look forward to presenting to you the Manager's recommended budget at your next work session. It is our goal to bring you a balanced budget while meeting the service needs of our residents and visitors through departmental execution. The budget will remain fiscally responsible and hopefully cover the policy needs of Council

I had the pleasure to travel to Washington DC with a small delegation of the TISPC. We were able to meet with our federal legislatures along with their staff to discuss federal priorities. Of note was a meeting with the Corps to stress the urgency of the federal project. I'm thankful for Lt. Col Burnham for being here today along with District staff, as well as Col Bennett's overall leadership. We look forward to continuing to work on this project until completion.

Resilient Coastal Communities Program- We have closed out Phase III of the Resilient Coastal Communities Program, we were awarded \$135,000 to look at some of our flooding hotspots and come up with permit ready designs for implementation. Along those lines, the Phase 4 application became available last week in which I was able to submit an application on behalf of the Town in the amount of \$180,000. The site selected as top priority is along Mecklenburg Ave., within Del Mar Beach area. This was selected due to overall cost and grant funding availability. It is our understanding that the State has proposed to include another \$10 million for the RCCP in the upcoming budget for future implementation.

Website Update -Our communications specialist has been working hard to get our website updated. It is anticipated that the new layout will roll out next week, on April 13th.

Streets -Our Facilities and Grounds director is actively seeking bids for our roadwork project. Bids are due April 14th, and we hope to have a draft contract for the Council's review at your work session on the 21st.

Utilities-We have finally received our permit for the brine discharge project. This is to take the brine from the water treatment process and discharge it into the Intracoastal Waterway, which will divert that from the wastewater treatment plant. The overall intention of this project is to try and keep as much salt water out of the wastewater treatment process as possible. This will also free up a minor amount of capacity. Contractors are expected to begin the process of tank rehabilitation following the structural work that has

already been completed. They will hang the “components” for the skirt so that it can move forward and we can complete the rehabilitation work.

Street Sweep-Our Beautification and Enhancement Committee will be holding a Street Sweep on April 22nd, which is Earth Day. There is a link online that people can use to sign up so we know how many folks will be participating.

XIV OLD BUSINESS

XV NEW BUSINESS

1. DMT LLC Site Plan – *Presented by Director of Community Development, Ms. Amy Kimes. This is a request for the site plan approval for this project.*

Motion to approve made by Mr. Fowler to approve the site plan as presented by the planning department, seconded by Mr. Cannady, all in favor, motion carried.

2. Approval of Design Build Method Criteria for the Surf City Skate Park Project – *Presented by Ms. Jodi Shepard, Director of Parks, Recreation and Tourism Department. She is requesting to move forward with the design build that has been presented. Mr. Fowler interjected that this follows proper grant procedure, and he recommends approving it. Mr. Fowler made a motion to approve, seconded by Mr. Koloski, all in favor, motion carried.*

3. Audit Contract- *Presented by Ms. Moore, Finance Director. The fee is \$27,000 after LCG approval. Mr. Fowler made a motion to approve this based on consent of legal counsel, seconded by Mr. Koloski, all in favor, motion approved.*

XVI COUNCIL FORUM –

Mr. Koloski said he’s glad to see the skate park is moving in the right direction

Mr. Fowler thanked the mayor and everyone who attended. He also thanked Mr. Hill for all the committee does for the town. He expressed that sometimes an opinion of what they would like to do and what is legal to do are not the same.

Mr. Shugarts said that council hears what everyone is saying. He acknowledged Alexyss Yopp being promoted to Communications Coordinator and she does a great job.

He added that people need to get involved to make a difference. If there’s a place that you can serve, do so and be involved.

Mr. Cannady thanked LTC Burnham for coming to speak. He thanked Mr. Hill and Ms. Salzar for coming up to speak and he wanted to make sure everyone knows it doesn’t go unnoticed.

Mayor Batts said that for 23 years, Surf City has been committed to the Beach Nourishment Project.

We’ve stated many times that it is going to happen this time but it really is going to happen this time. Regarding the Applewood Trace developers, the community, staff and town council voiced their concerns. They acknowledged that it was too much for the amount of land that they want to build on. She encourages folks to speak to Pender County regarding the schools.

XVII TOWN ATTORNEY REPORT – *No report*

XVIII ADJOURNMENT -*Motion to adjourn made by Mr. Cannady, seconded by Mr. Fowler, all in favor, meeting adjourned. Adjourned 5:28PM*