



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

**Tuesday, August 1, 2023, 4:30 PM**

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

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

### **Council Present:**

*Mayor Teresa Batts*

*Mayor ProTem Don Helms*

*Councilman Fowler*

*Councilman Shugarts*

*Councilman Koloski*

*Councilman Cannady*

### **Staff Present:**

*Kyle Breuer, Town Manager*

*Carla Citarelli, Town Clerk*

*Amy Kimes, Community Development Director*

*David Price, Public Utilities Director*

*Gabe Thumm, Intern*

*Chris Wright, IT Specialist*

*Chris Carter, Facilities & Grounds Director*

*Melissa Moore, Finance Director*

*James Horne, Emergency Management Director*

*Phil Voorhees, Police Chief*

*Jodi Shepard, Parks, Recreation & Tourism Director*

*Kenneth Morrison, Building Inspector*

*Jeff Johnson, Police Capt.*

*Scott Hitchings, Code Enforcement Officer*

*Michael Rocco, GIS Specialist*

*Jonathan Burton, Fire Marshall*

*Tim Hobbs, Assistant Fire Chief*

*Chris Houser, Police LT.*

- I CALL TO ORDER - *Teresa B. Batts, Mayor*
- II INVOCATION – *Philip Chryst, Faith Harbor UMC*
- III PLEDGE OF ALLEGIANCE – *Cameron Baker*
- IV SPECIAL RECOGNITION - *Community Development Department- Ms. Batts introduced Ms. Kimes, Director of Community Development. Ms. Kimes then introduced the team, including the new building inspector, Kenneth Morrison, GIS Technician Michael Rocco, and Code Enforcement Officer Scott*

*Hitchings. She also mentioned the Permit Technician, Shelia Tosto, who was not present. Lastly, she spoke of retiring building inspector Steve Padgett, who was not present.*

V BEAUTIFICATION & ENHANCEMENT COMMITTEE AWARDS -

Business of the Month: Mia's Marketplace – *Presented by Trudy Solomon of the Beautification & Enhancement Committee to the business owner.*

Home of the Month: 180 Atkinson Rd., Salasko Family- *Not present to accept*

*Mr. Helms made a motion to approve the agenda, seconded by Mr. Koloski, all in favor, agenda adopted.*

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

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- July 5, 2023 & July 21, 2023
2. Alcohol Ordinance Suspension – Ocean Fest October 13-15, 2023
3. NC Public Beach and Coastal Waterfront Access Program Grant Resolution
4. Resolution Surplus 305 N. New River Dr.
5. The Terraces Phase 6

*Mr. Helms made a motion to approve, seconded by Mr. Fowler, all in favor, consent agenda approved.*

IX 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.

*Heather Allen of 336 Edgewater Way – She came on behalf of middle school parents living in Saltwater Landing or Turtle Creek. They are asking if it is possible if there could be a bike path along Hwy. 210. The kids are around 13 years old riding their bikes on the street. If there was a path from the mainland to the beach, they would be grateful. No one wanted an actual bike lane. They also would*

like to have a golf cart path. If there was a path, they could take their golf cart to the beach, which may cut down on traffic. Second question was whether or not Surf City allows backfilling on marshland. The last question from she and her neighbor which she has brought up before is about getting parking passes for volunteers. She supports that from 6AM to noon on Sundays, people can park wherever they want around the churches and by the fire department. She would like a couple of hours for the Beach Cleanup.

Marty Martin of 1825 N. New River Dr. – He would like to have lifeguards rather than the ocean rescue program. We are getting too big and the people going up and down and the beach is better. He feels the money could be used for that than for hiring bands. Second, he believes we made a mistake in hiring the company we did for the paving project that paved on third St. Someone didn't do their research. Whoever signed off on it, do more research and get the right person to do the job. The canal streets are sawed to pieces. If you didn't do the research, you failed us.

Stanley Griffin of 301C Mandalay Ct. – We have a generous community. September 16 is the annual Paddle for Troops that will be held at Sears Landing. He would like to invite everyone to attend and support the organization. They want to continue to give back to the community.

X NEW BUSINESS – All three new business items presented by Ms. Kimes.

1. Bishop Creek- Phase 1 - is already under construction. The Bishop Creek Apartment project located in the northeast quadrant of the Charlie Medlin Drive/Caretta Drive intersection was originally approved in 2011. Due to the project stalling until 2020, staff provided an additional review to ensure the site plan met current standards before moving back through the Planning Board and Council for approval. Phase 1 of this project consists of 144 apartments with amenities and was approved by the Council in January 2021. The applicant is currently requesting approval for Phase 2 of the project. This portion of the project will consist of 2 additional apartment buildings, two garage buildings, and associated surface parking. The additional 54 units will utilize the existing amenities associated with Phase 1. The project will be placed on the sewer capacity wait list.

Ms. Batts asked for clarification on certificate of occupancy. She anticipates having those by the end of the summer. There are a total of 344 units. Mr. Koloski asked about the sewer waitlist, understanding they do have water. Ms. Kimes said the 2 buildings that have not been built are on the waitlist. They already had sewer for those that were approved and are being built.

Mr. Helms made a motion to approve the plans. Mr. Koloski asked how long the waitlist is. Mr. Price said there are currently 5 projects on the list, possibly 2 more on the remaining agenda. Mr. Koloski seconded the plans, all in favor, plans approved.

2. Chug & Grub – Phillip Tripp, PE, is requesting site plan approval of the Chug and Grub site plan. This site plan consists of an 8,055-square-foot commercial building located on the east side of NC 50/210 and adjacent to the GoGas. The applicant intends to utilize approximately 4,055 square feet of space for a restaurant while the remaining 4,000 square feet will be used for retail. Zoning to the north, south, and west consists of C-3, while the area zoned to the east is Multi Family Cluster.

Mr. Fowler asked how many parking spaces are allowed for the project. The minimum required is 36 with the maximum being 60, which is what they are proposing. This property would be able to move forward with existing permits. Ms. Batts asked if they would be allowed to put another restaurant in there as they build. Ms. Kimes said they would have to come back for zoning and if the uses exceed the parking minimums, then they would not be allowed unless they provide additional parking. It's something that the planning department will have to monitor as the units are filled. Mr. Cannady asked for clarification of the location, entrance and the exit being at the light. Mr. Koloski asked if they were on a sewer waitlist. Ms. Kimes said no, they had already been approved.

*Mr. Helms made a motion to approve, seconded by Mr. Fowler, all in favor, plans approved.*

**3. Turco Property Phase 2-**

*On behalf of Mike Turco, Weston Lyall, PE, PL, PLLC, is requesting approval for Phase 2 of the JMT Enterprise project. Phase 1 of this project consists of approximately 8,125 square feet of retail space and was approved by Council in November 2021. This property is located in the southeast quadrant of the NC 210/H2O Place intersection. This property has approximately 740 linear feet of frontage on NC 210. Surrounding zoning includes G1 (Government) on the southern and western property lines and R-10 (Residential) on the eastern property line and across the street to the north. The applicant's proposed Phase 2 uses include a 4,000-square-foot office building and 31 Townhomes. The site has a multiuse path to connect to Magnolia Reserve. They will provide parking and landscaping that meets town ordinances. They have existing septic that is sufficient for all proposed buildings. However, they are on the sewer waitlist and when it becomes available, they will switch over.*

*Mr. Fowler is concerned about the increase in traffic. Ms. Kimes has spoken with the NCDOT and they are working to review and update the driveway permit, which will determine what additional needs are required. Ms. Kimes is asking for full site plan approval so they can get on the sewer waitlist. Anything required by NCDOT would also be necessary prior to completion.*

*Mr. Cannady asked for clarification about the existing septic system and if in our ordinance there is a requirement that they switch to our sewer system. The answer from Ms. Kimes was that in this particular case, they proposed townhomes in the area over the current system. Mr. Breuer clarified that we have no right to make them switch to our sewer once we have permitted them to build with a septic system. Mr. Breuer added that if we are allowing the septic, they have no obligation to switch to sewer later. However, the current proposed plan would be building over the existing system so they'd have no choice but to switch.*

*Mr. Fowler asked if we know how many suites are intended to be in there. He was also questioning the parking. Ms. Kimes said parking is determined by square footage, not number of units. The zoning covers the use being zoned, rather than number of units.*

*Mr. Helms made a motion to approve, seconded by Mr. Shugarts, all in favor, plan approved.*

**XI MANAGER'S REPORT –**

***Streets Project***

*Core testing was completed and reviewed by Staff. There are a couple of discrepancies between the bid specifications and what the results were. Staff is in communication with the contractor and has given them until Friday this week to provide a solution to bring the project up to standard. It is our hope that we seek this resolution, and the project can continue, if not, we will seek alternatives which may include termination and solicitation for a new contract to complete the project.*

*In response to Mr. Martin's concern, public bidding laws dictate that we evaluate proposals and choose the lowest, most responsible bidder. References were checked and came back positive. We are trying to work out some of these issues whether that be with the current contractor or a different one.*

*In a larger sense, we were able to meet with representatives from NCDOT's paving unit and will be partnering with them for future road resurfacing projects. Mr. Carter has submitted our next round of projects to them for analysis and inclusion in their next contract. It is intended that the Town will be able to piggyback on a much larger county-wide project for better pricing and oversight as we'll use NCDOT's inspectors for work being completed.*

***Sewer Projects***

*We are waiting for updates to come out of the State Budget as it is anticipated that language affecting effluent disposal may be contained within. We have also requested local appropriations to fund future projects to reduce the burden off the rate payer. As soon as the budget is released, we will investigate these*



areas of interest to Surf City. Other items include small project funding through Representative Smith's Office as well as the State's cost-share on the Federal Project.

### **S. Shore Stormwater Project**

The project pre-bid meeting was held on Thursday, July 20<sup>th</sup> and the bid opening date will be held Wednesday, August 9<sup>th</sup> at 1pm here at Town Hall. A contract will be brought to the Council for review and award following these dates.

### **USACE Project**

The Corps has informed me that they have a meeting scheduled tomorrow on officially moving the project to DRA 19 Investigations to get to the General Revaluation Report, which is what is needed to get the new Chief's Report and subsequently the official designation of a Surf City project. I am anticipating a follow-up from the Corps after that to see how things went.

North Topsail Beach has sent a letter to the Corps reaffirming their decommitment of the project and acknowledging the need to taper the project within their town limits of approximately 1,000 ft. I will work with their manager to send some preliminary communications to those property owners giving them a project update as well as letting them know they will need to sign project easements.

### **Recruitment and Retention Committee**

The first Recruitment and Retention Committee meeting took place on July 21<sup>st</sup>. Discussed were the goals of the committee, ground rules for how meetings will operate and how many total meetings are to be expected, demographic data of the current Surf City workforce, and the current hiring process.

There should be three to five total meetings, with the first couple focusing on recruitment practices and ideas while the final ones pertaining to how to retain current employees.

### **Welcome to Surf City Sign**

A request for bids was sent out to seek proposals to construct the Welcome to Surf City sign to be located at the foot of the Bridge on the mainland. I'll be accepting these over the next couple of weeks to get this project underway, funds were budgeted in this fiscal year.

### **Ordinance Update**

A draft schedule of the project was sent July 14<sup>th</sup> by the project manager of WithersRavenel, laying out plans for completion and how it should be tracked, ending before June of 2024. It distinguishes between the work of the company, the town of Surf City, and joint efforts combining the two parties.

A meeting discussing the major details and to review the schedule in depth will be completed August 2<sup>nd</sup>, 2023.

### **Finance Reporting**

All monthly Purchase Order reports (expenditures \$500 and greater) as well as the debt schedule have been uploaded in your Council Folder.

### **Staff Recognition**

Mr. Matt Abruzzo began as the Town's Communication Specialist yesterday. Matt is a graduate of Wheaton College and held the former position of Director of Communications for a Congressional Campaign as well as a Social Media Manager. He will be working with Alexyss this week on the transition and has hit the ground running.

With that, Alexyss Yopp's last day with the Town will be this Friday. Alexyss has been a tremendous asset from her role as Administrative Assistant and then to Communications Specialist. She will be leaving the Town to attend UNC-Pembroke to pursue a degree in the medical field.

Today was also Steve Padgett's last day. Steve has served an integral role with the Town as our Building Inspector and Floodplain Administrator. Steve's knowledge of the Town, relationships with our building community, and overall assistance to the residents of Surf City will be missed sorely.

In his place, Kenneth Morrison has assumed his role. Kenneth is a resident of Surf City and holds his level III certificates in the building and trade sectors. Kenneth has also hit the ground running. We welcome Kenneth to the team!

Gabe Thumm has been interning with the Town over the last couple of weeks, he will be leaving to pursue his higher education at UNC-Chapel Hill in the Fall. It's been a pleasure to have Gabe working with the

*Town, his passion and intuitiveness will certainly carry him far in his education and career, whatever that may be.*

**XII TOWN ATTORNEY REPORT –** *Mr. Ede, echoing what Mr. Breuer said as a public entity, we are required to follow NC bidding laws. The paving issues at 3<sup>rd</sup> st. are being reviewed and will be addressed.*

**XIII COUNCIL FORUM –**

*Mr. Cannady asked about Ms. Allen's earlier question regarding the bike lane. Mr. Breuer said we have recently completed the feasibility study and we will submit segments of the East Coast Greenway to our RPO which will facilitate the prioritization of each project. Ms. Batts added that we are working on it, but it will take some time.*

*Mr. Helms asked the police chief how many people were in Surf City during the month of July. He said 407,000 vehicles went through the intersection headed west in the month of July.*

*Mr. Fowler said we should look at another traffic study. He said we want to have people come to support the businesses, but they have trouble getting to the businesses because of the traffic. He added that we have had more people than he's ever seen here this year. In the future, we have things coming up that will cause problems with our residents. We need to look at some ordinances to put something in place to give existing homes a buffer against future homes being built. He's thankful for the questions and concerns as he's always tried to be people's voice on the council.*

*Mr. Koloski recognized the Community Development Department, as well as all of the Town's employees. He added that the Parks & Recreation Advisory Committee is short one member and he'd like to appoint Tracey Williams.*

*Mr. Helms made a motion to add the item to the agenda, seconded by Mr. Fowler. All in favor, agenda amended.*

*Mr. Koloski made a motion to appoint Ms. Tracey Williams to the Parks and Recreation Advisory Committee, seconded by Mr. Helms, all in favor, motion carried.*

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