

**TOWN OF OCEAN ISLE BEACH
THREE WEST THIRD STREET
OCEAN ISLE BEACH, NC 28469**

**BOARD OF COMMISSIONERS MEETING
May 13, 2014
PUBLIC HEARING
MINUTES**

MEMBERS PRESENT:

Mayor Debbie Smith	Mayor Pro Tem Dean Walters
Commissioner D.B Grantham	Commissioner R. Wayne Rowell
Commissioner Bob Williams	Commissioner Betty Williamson
Daisy Ivey, Town Administrator	Larry Sellers, Assistant Town Administrator
Sue Stuhr, Town Clerk	Elva Jess, Town Attorney

OTHERS PRESENT:

8 Property Owners/Guests

CALLED TO ORDER:

Mayor Smith called the public hearing to order and stated the purpose of the hearing was to solicit public comment with regards to proposed modifications to the Town's Zoning Ordinance Section 66-133 Number of Parking Spaces Required as follows:

- 1) To modify the residential parking restrictions on the mainland to specify a minimum of 2 parking spaces per dwelling unit and 0.5 per bedroom over 4 bedrooms
- 2) To remove employee parking requirements for businesses

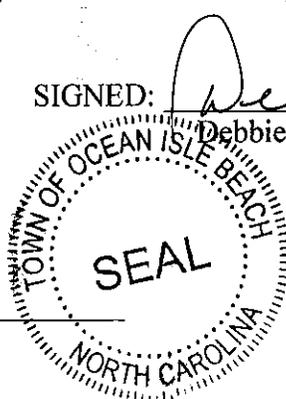
Mayor Smith stated any interested persons were invited to provide public comment. A copy of the draft resolution is hereby attached and incorporated by reference.

Being no comment was heard; Mayor Smith declared the public hearing closed.

DATED: May 13, 2014

SIGNED: Debbie Smith
Debbie Smith, Mayor

ATTEST: Sue J. Stuhr
Sue Stuhr, Town Clerk



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OTHERS PRESENT:

Approximately 14 Property Owners and Guest

MEETING CALLED TO ORDER

Mayor Smith called the regular meeting to order with everyone repeating the Lord's Prayer and pledging allegiance to the flag.

ADOPTION OF CONSENT AGENDA

Mayor Smith stated the consent agenda included approval of the minutes of the April 7, 2014 Open Forum and April 8, 2014 Board of Commissioners meeting. Upon a motion by Commissioner Rowell and second by Commissioner Williams, the Board voted unanimously to approve the consent agenda as presented.

ADOPTION OF AGENDA

Mayor Smith stated the next item of business was adoption of the meeting agenda. Commissioner Grantham made a motion to approve the meeting agenda as presented. Upon a second by Commissioner Rowell, the Board vote was unanimous in approval.

MAYORS REPORT

Mayor Smith was pleased to report on the recent completion of the Coastal Storm Reduction Project, which placed approximately 800,000 cubic yards of sand on the beach strand. Mayor Smith also provided an update on the progress of the Town's annual spring landscape plantings.

DEPARTMENTAL REPORTS

1. Administration – Mrs. Ivey provided a financial dashboard summary for April 2014, indicating an increase in Cash and Investments over the same month prior year. Mrs. Ivey reported on Accommodation taxes noting March VRBO's had shown a 49% increase over same month prior year statistics. Mrs. Ivey also reported on F/Y 2013 tax collection indicating \$1,219,245 in property taxes had been received as of April 2014, leaving a current outstanding balance of \$193,364 and a current collection rate of 93.92%. Mrs. Ivey stated the 2012 tax collection rate was 99.97%, with an outstanding balance of \$848.90. Mrs. Ivey provided an update on the 2014 Spring Realtors meeting held May 7 at Town Hall reporting the meeting was well attended and noting an additional meeting with local realtor is planned to be held in the Fall. Mrs. Ivey advised staff is making necessary

Board of Commissioners Meeting

Minutes

May 13, 2014

Page 2 of 6

preparations for the hurricane season which begins June 1, 2014. Mrs. Ivey also provided information received during a May 8 meeting with NCDOT regarding the Causeway sidewalk project. Mrs. Ivey stated NCDOT has indicated funding has been allocated for the sidewalk project, which has an estimated cost of \$120,000, and advised the Town match necessary for the proposed project would be \$20,000. Mrs. Ivey also reported she and Mayor Smith plan to attend the upcoming CRC meeting scheduled to be held at Atlantic Beach.

2. Police Department – Chief Goodwin provided a report indicating an increase in activity for the month of April. Chief Goodwin summarized information relating to a recent larceny reporting the suspects were apprehended at the scene by Officers Chip McKeithan and Nathan Brown. Chief Goodwin advised his officers continue to regularly perform house security checks.
3. Water/Sewer/Street – Mr. Sellers reported during the month of April, the Water Department activities included installation of taps, reading of meters, replacement of meter equipment as needed and locates for cable and telephone. Mr. Sellers summarized work activity by the Street Department including cleaning and trimming around access areas, assistance with spring plantings, maintenance of equipment and mowing at the airport. The Sewer Department activities during the month included cleaning of floats and stations with Vac truck, locates for other utilities and also assistance with manhole rehab. Mr. Sellers provided an update on the status of the East End Water Tank project indicating the new water tank was scheduled to be placed in service in the early to mid June time frame.
4. Fire Department – Chief Yoho summarized an activity report for the month of April indicating the Department responded to a total of 73 calls, of which 40 were in the city. Chief Yoho advised five Fire Department personnel were certified in ARF training and also reported 26 fire inspections were performed during the month.
5. Planning/CAMA - Mr. Whiteside provided information on preparation for the upcoming season noting many ocean front property owners were utilizing sand fencing to help build dunes. Mr. Whiteside also advised portable restrooms would be placed in service on Shallotte Boulevard and Beaufort Street within the next week.
6. Building Inspections – Mr. Cook reported the Building & Inspections Department issued permits for 1 new single family (SF) residential home in the city and 1 new SF residential homes in the ETJ for a total of 208 permits issued during the month of April, with a total construction value of \$ 1,904,944.

COMMENTS

Mayor Smith stated that this time had been set aside to allow our citizens to speak in regard to issues relating to agenda items. Mayor Smith stated that due to time constraints, each speaker should limit their comments to three minutes.

Carolyn Blythe, 134 West First Street – Mrs. Blythe expressed appreciation on behalf of a number of property owners for the Town's efforts in the recently completed Coastal Storm Reduction Project noting their positive comments regarding the results on the East end of the Island.

OLD BUSINESS

1. Mayor Smith stated discussion regarding amendment to Town Ordinance Section 66-133 Number of Spaces was the first item of Old Business. Mayor Smith stated a public hearing

Board of Commissioners Meeting

Minutes

May 13, 2014

Page 3 of 6

was held prior to the meeting to allow comment regarding the proposed changes. Board members considered the proposed amendments to modify residential parking restrictions on the mainland to specify a minimum requirement of 2 parking spaces per dwelling unit and 0.5 per bedroom over four (4) bedrooms. Board members also considered an amendment to remove employee parking requirements for businesses. Mr. Whiteside discussed the fact the current regulation requiring 1 parking space for each 2 employees was complicated to enforce due to the fact it was difficult to verify the actual number of employees employed by the businesses. Following further discussion, the Board was of the consensus it should be the responsibility of each business to provide adequate parking for their employees as part of their business plan. Commissioner Grantham made a motion to adopt a resolution approving the amendments to Section 66-133 as presented. Upon a second to the motion by Commissioner Rowell, the Board voted unanimously to approve the proposed modifications to the Town's Zoning Ordinance Section 66-133 Number of Spaces Required as follows:

- 1) To modify the residential parking restrictions on the mainland to specify a minimum of 2 parking spaces per dwelling unit and 0.5 per bedroom over 4 bedrooms
- 2) To remove employee parking requirements for businesses

A copy of the resolution adopting these changes to the Town Ordinance is attached and included by reference.

2. Mayor Smith stated the next item of Old Business was review and discussion regarding proposed amendments to Section 50-95 and 66-61 of the Subdivision ordinance regarding street lighting. Board members reviewed proposed amendments to the Town's ordinance regarding street light requirements in new subdivisions and PUD developments as was discussed at the April Board meeting. Proposed changes to design standards were considered along with BEMC rates and newer designs available. Mayor Pro Tem Wlaters expressed concerns regarding the Town's potential future long term obligation to the cost of assuming more costly street lighting fixtures as the streets of a development were dedicated to the Town. Following discussion of the various lighting options offered, it was the consensus of the Board to direct staff to arrange a meeting with representatives of Brunswick Electric Company to consider specific types of light recommended, determine the associated costs involved in the Town assuming responsibility for future maintenance of these fixtures and provide this information to the Board for review at a future Board meeting.
3. The next item of business was discussion regarding a request from Verizon Wireless for approval of Third Amendment to Water Tower Attachment Communications Site Agreement - East End Water Tank. Board members reviewed an updated proposed Third Amendment which offered an increase in monthly rent to \$3075 per month, 3% annual rate increases and the option to extend the agreement automatically for three additional 5 year terms. The Town Attorney Elva Jess noted municipal law limits the term of a lease to 10 years, advising the contract would need to be revised to reflect a total of 10 years. Upon a motion by Commissioner Grantham and second by Commissioner Williams, the Board voted unanimously to approve the agreement with the change to limit term to a total of 10 years as recommended by Town Attorney.

Board of Commissioners Meeting

Minutes

May 13, 2014

Page 4 of 6

NEW BUSINESS

1. Mayor Smith stated the first item of New Business was discussion regarding a request from Brunswick Christian Center to conduct the 'Run Ocean Isle Beach – Running for Recovery on September 13, 2014. David Hutnik presented the details of a proposed fundraiser which would include a mile, 5k and half marathon run on Ocean Isle Beach followed by a silent auction and gathering on the Town's property at 18 East Second Street. Mr. Hutnik advised the original date requested for the event has been revised to November 15 following his discussion with the Police Chief regarding the issue of tourist traffic during the months of September and October. Waiver of the group activity application fee due to the non-profit status of the sponsor organization was also requested. Board members reviewed details of the proposed event and were in agreement of the fact it would be better to schedule the event in November. Mayor Pro Tem Walters made a motion to approve the activity as requested on the alternate date of November 15, 2014, allow use of the Town's property contingent upon evidence of liability insurance and waive the group activity fee as requested. Upon a second by Commissioner Williams, the Board voted unanimously in approval.

2. The next item of New Business was discussion regarding an appointment to fill a vacancy on the Board of Adjustment for an unexpired term ending August 2014. Board members reviewed a letter from Mr. Bo Tate expressing his interest in serving on this Board. Commissioner Grantham made a motion to appoint Mr. Tate to fill the vacancy on the Board of Adjustment. Upon a second by Commissioner Rowell, the Board vote was unanimous in approval.

3. Discussion regarding contracts and project agreements as follows was the next item of New Business:
 - a. Shallotte Boulevard Sewer Modification Project – Change Order # 1 to Agreement with JP Russ & Son, Inc.
Board members reviewed information provided regarding a request for approval of Change Order #1 to add installation of filter cloth on sewer line to prevent ground from settling at an increased cost of \$1607.40 for this modification. Upon a motion by Mayor Pro Tem Walters and second by Commissioner Williamson the Board voted unanimously to approve the change order as presented.

 - b. Transfer of Meter Vault, Down Stream Force Main and County Park Force Main to Brunswick County
Board members considered a deed of dedication prepared to convey to Brunswick County the Town's sewer force main, meter bypass, downstream 14" main force main and 2 ½" sewer force main from Ocean Isle Beach Park. Upon a motion by Commissioner Grantham and second by Commissioner Rowell, the Board unanimously authorized the Mayor to execute the Deed of Dedication as presented.

4. Discussion regarding a proposed amendment to Section 66-61(j) Design Standards Requirement for Bicycle and Pedestrian Traffic was the next item of business. Board discussion followed regarding proposed modification to the Town's ordinance to state "provisions for bicycle and pedestrian traffic shall be made in accordance with the requirements of Section 50-95 of the Ocean Isle Beach Subdivision Ordinance". Following

Board of Commissioners Meeting

Minutes

May 13, 2014

Page 5 of 6

this discussion, it was the consensus to wait to address needed changes to the Town ordinance following the upcoming completion of the Bicycle and Pedestrian Plan.

5. Mayor Smith stated a request for Final Land Use Plan Approval for The Retreat at Ocean Isle Beach Phase 3A was the next item of New Business. Mr. Whiteside advised all necessary permits had been obtained for this planned unit development, the Town was in receipt of a check in the amount of \$32,995.63 to guarantee the installation of remaining improvements and all items for final master land use plan had been provided. Following Board members review of the subdivision plat map, a motion for approval of Final Land Use Plan for The Retreat at Ocean Isle Beach Phase 3A was made by Commissioner Grantham. Upon a second by Commissioner Williamson, the Board vote was unanimous in approval.
6. Discussion regarding professional services for the Ocean Isle Beach 30 Year Beach Management Plan was the final item of New Business. Board members reviewed a draft scope of service developed by Coastal Planning and Engineering (CPE) including cost estimates for the engineering services to be provided for the Beach Management Plan. Board members discussed the \$80,000 estimated cost for the proposed services indicating this was a higher cost than they anticipated paying for these engineering services. Board members were of the opinion some of the necessary information would have already been acquired in the process of their work on the EIS for the Terminal Groin project and indicated their expectation of a lower cost for the beach management plan. Following further discussion, Board members were in consensus to direct Mayor Smith to continue discussions with engineers at Coastal Planning & Engineering to negotiate a possible further reduction in cost for the beach management plan and the Board revisit this discussion at the upcoming Budget Workshop.

EXECUTIVE SESSION

The Board recessed to Executive Session upon a motion of Commissioner Williamson with a second by Commissioner Rowell. The vote was unanimous. Mayor Smith stated an Executive Session was necessary in order to approve the minutes of the April 8, 2014 executive session meeting as per G. S. 143-318.11 (1), consultation with Town Attorney regarding pending legal issues as per G.S. 143-318.11(3) and discussion to establish or instruct staff or agent concerning the negotiation of the price and terms of a contract for acquisition of real property described as Parcel Nos. 2430001801, 2430001802 and 2430001803 as per G.S. 143-318.11 (5).

The Board returned to regular session upon a motion of Commissioner Grantham with a second by Mayor Pro Tem Walters. Mayor Smith reported during executive session the Board approved the minutes of the April 8, 2014 meeting upon a motion of Mayor Pro Tem Walters and second by Commissioner Grantham. The vote was unanimous. Mayor Smith stated during executive session the Board also held discussion regarding the negotiation of the price and terms of a contract for acquisition of real property described as Runway Protection Zone, Parcel Nos. 2430001801, 2430001802 and 2430001803. Mayor Smith stated upon a motion by Commissioner Williamson and second by Commissioner Rowell, the Board directed the Mayor to proceed to make a formal written offer to the property owners for the purchase of these parcels.

**Board of Commissioners Meeting
Minutes
May 13, 2014
Page 6 of 6**

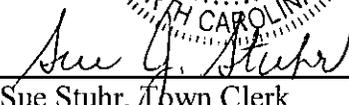
RECESS TO RECONVENE

Being no additional business was heard, Commissioner Williamson made a motion to recess to reconvene for a Budget Workshop on May 21, 2014 at 9:00 am at the Town Hall meeting room. Upon a second by Commissioner Rowell, the vote was unanimous.

DATED: May 13, 2014

SIGNED: 
Debbie S. Smith, Mayor



ATTEST: 
Sue Stuhr, Town Clerk