

MINUTES  
OAK ISLAND TOWN COUNCIL  
PUBLIC HEARINGS & REGULAR MEETING  
MARCH 8, 2016 – 6 P.M.  
OAK ISLAND TOWN HALL

Present: Mayor Cin Brochure, Mayor Pro Tempore Jim Medlin, Councilors Sheila M. Bell, Charlie K. Blalock, Loman Scott and Jeff Winecoff, Town Manager Tim Holloman, Town Attorney Brian Edes and Town Clerk Lisa P. Stites, CMC.

Mayor Brochure called the meeting to order at 6:00 p.m. Councilor Blalock gave the invocation and led the Pledge of Allegiance to the flag.

PUBLIC HEARING I: Mayor Brochure explained that the purpose of the Public Hearing was to receive citizens' comments on a proposed amendment to Sec. 18-669. - Standards for limited residential development; and Sec. 18-663. - Applications for approval; to require a maximum allowable impervious surface area of 35% of total lot area; and 10% allowable impervious surface area for parking and driveways; and that the site-plan on a stormwater application must show the impervious surface areas and its percentage; and that any residential development that creates impervious surface must have a professional engineered stormwater design plan.

Dara Royal, 216 NE 47<sup>th</sup> Street: Ms. Royal said impervious surface regulations can be like fruit trees. In its native environment, it can grow and produce good fruit for many years. But if you try to transplant it to another region where the soil characteristics aren't compatible, then it won't take root or produce fruit. If you try to put a few shovelfuls of manure around it, all you'll end up with is a dead tree and a pile of manure. She said that what is proposed is not native to Oak Island. She encouraged Council to direct the Planning Board to work with Development Services staff, the Environmental Advisory Committee and local builders with long-term experience here to cultivate a set of impervious surface regulations that are native to Oak Island that will take root and produce good fruit for our residents for many years.

**Councilor Blalock made a motion to close the Public Hearing at 6:05 p.m. Councilor Scott seconded and the motion passed unanimously.**

PUBLIC HEARING ACTION I:

Mayor Pro Tempore Medlin said he really didn't understand why we're doing this and if this was some backdoor approach to take care of another issue. He said what is proposed is too restrictive. For cul-de-sac lots or some lots at the west end, these rules would make it difficult to even have a driveway. He said that if this passed and his house burned down, he probably wouldn't be able to rebuild it as it is. He thinks this needs further study. He said the standing water problems that we have had been problems for years. He said he thought this whole thing needed to be reworked. Councilor Blalock said he spent some time with Development Services Director Steve Edwards and visited some sites, and he agrees this needs further study. Councilor Bell said her biggest issues are the number of existing properties that would become non-conforming and the inability to put a driveway to a house on pilings with the 10-percent limit. Councilor Scott agreed it needed to go back to the Planning Board. Councilor Winecoff said that other issues also needed to be addressed, such as vegetation and clear-cutting lots. He suggested sending it back to the Planning Board so Council could then consider something that addresses all the problems. **Councilor Winecoff made a motion to send this back to the Planning Board and direct that Board to work with the Environmental Advisory Board and bring a plan together that will address clear cutting, vegetation and stormwater runoff. Councilor Bell seconded and the motion passed unanimously.**

**PUBLIC HEARING II:** Mayor Brochure noted that the purpose of the Public Hearing was to receive citizens' comments on proposed amendments to Secs. 18-255 Signs Requiring Permit, 259 Special Conditions for commercial signage and 264 – Table of permitted and prohibited signs. There were no speakers.

**Councilor Scott made a motion to close the Public Hearing at 6:12 p.m. Councilor Medlin seconded and the motion passed unanimously.**

**PUBLIC HEARING II ACTION:** Mayor Pro Tempore Medlin made a motion to recommend approval of the text amendment as presented in the packet. Councilor Bell seconded and the motion passed unanimously.

**PUBLIC HEARING III:** Mayor Brochure said the purpose of the Public Hearing was to receive citizens' comments on proposed Zoning Map Corrections. There were no speakers. **Mayor Pro Tempore Medlin made a motion to close the Public Hearing at 6:12 p.m. Councilor Bell seconded and the motion passed unanimously.**

**PUBLIC HEARING III ACTION:** Mayor Pro Tempore Medlin noted that this action was not to change the zoning anywhere but rather to fix map errors. **Mayor Pro Tempore Medlin made a motion to approve the zoning map corrections as presented and to direct staff to forward the changes to Brunswick County and to make the appropriate changes on the Town's website and to the official zoning map in Town Hall. Councilor Scott seconded and the motion passed unanimously.**

#### **COUNCIL REPORTS (MAYOR AND COUNCIL)**

Councilor Bell mentioned that Interim Police Chief Greg Jordan is working with the Brunswick County Sheriff's Office to hold an anti-drug informational meeting at Town Hall on March 14 at 7 p.m. in Council Chambers. Councilor Blalock said it was getting bad out there and that it is happening right here at home. He encouraged everyone to attend.

Mayor Brochure announced a new public engagement initiative to promote and encourage every citizen of Oak Island to make his or her surroundings a more beautiful and healthful place to live. The Town will work with the Oak Island Beautification Club, Oak Island Community Watch, code enforcement staff and citizens. Operation Curb Appeal is set to kick off March 21.

#### **PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS**

1. Proclamation – Arbor Day: **Councilor Blalock read the Proclamation.**

**ADJUSTMENT/APPROVAL OF THE AGENDA:** Councilor Bell removed Old Business 1 - Consideration of Policy for Use of Fire Stations, and added New Business 2 - Discussion of the Flood Map updates. **Councilor Scott made a motion to approve the agenda as amended. Councilor Medlin seconded and the motion passed unanimously.**

#### **PUBLIC COMMENTS - GENERAL TOPICS & AGENDA ITEMS**

Lynne Kracht, 161 NE 11<sup>th</sup> Street: Ms. Kracht expressed her concern with the beach nourishment plan being discussed. She said that she realized the beach was one of the Town's most important assets. Over the years various remedies had been tried to combat beach erosion, such as sandbags, jetties, groins, bulkheads, and sand replenishment with limited success. She said that spending millions of dollars on a solution that is not permanent would not be the wisest use of resources. One significant storm would see

our money literally washed out to see. She did not see that there was any good solution for beach erosion; it is a fact of nature and will only become more of an issue as sea level rises. There has not been a major storm here in years, and people forget what can happen. One only has to walk the beach after a storm and see the escarpments, low-area flooding, and undermining of decks to understand the power of the water. She said that some may have received from Ronald Grossman, in which he expressed concern that citizens would be caught off guard with the cost of beach nourishment. Ms. Kracht read from his email, “I suggest each property owner be contacted with the total cost of the project and each property owner’s share of the cost. This can easily be done by utilizing tax information already on hand, each one to return the card checking yes or no as to whether they approve the project and their personal cost to finance it.” Ms. Kracht also said that one of the easiest ways to protect the beach was to stop building on it.

Skip Cox, 112 SW 14 Street: Mr. Cox is Manager of the Oak Island Beach Ambassadors program. This will be the third season for the program. The training session for new and returning Ambassadors is April 6 from 10 a.m. to noon in Council Chambers. The first beach patrol will be April 23<sup>rd</sup>. The program allows Ambassadors to do two-hour walking patrols of a pre-assigned section, presenting the friendly face of Oak Island to our visitors and residents. Ambassadors are asked to commit to at least 20 hours during the season, which ends after Labor Day. Ambassadors monitor the compliance of targeted Town ordinances, including the dog leash rule, filling of holes, no glass containers, no playing on or placing items on the dunes, removing all beach equipment overnight, disposing of litter. Ambassadors are not enforcers of ordinances, but their goal is inform visitors and residents when they observe an infraction and explain the reason for the ordinance and the effects of non-compliance. Mr. Cox has applications for anyone who is interested in becoming an Ambassador.

Cindy Johnson, 160 NW 13<sup>th</sup> Street: Ms. Johnson is President of the Oak Island Beautification Club. This year is the 30<sup>th</sup> anniversary of the Club. To celebrate, members will continue to weed, rake, use shovels, loppers, clippers and dig in the dirt. There will be a cleanup at the Nature Center on April 8 (Friday) from 10 a.m. until 1 p.m. Lunch will be provided. Many volunteers have already signed up to help, including members of the Environmental Advisory Committee’s Tree City USA and Public Outreach Working Groups; they will be joined by Public Works and Recreation Center staff and volunteers from Duke Energy. They also plan to replant native plants at Dot Kelly Park that day. The Nature Center is a wonderful resource in town.

Billie LeTendre, 132 NE 11<sup>th</sup> Street: Ms. LeTendre said she is here to represent the Beach Preservation Society. She spoke about the upcoming Wine Tasting on April 16. She displayed some items that will be up for auction at the event. She encouraged all to attend.

Bill Wasik, 126 NW 3<sup>rd</sup> Street, president of the Oak Island Senior Center: Mr. Wasik said he didn’t think that the Council recognizes the Senior Center as one of the most precious resources in town. The Center has existed for 37 years, yet they do not see the Council or any of the Town members participating except in election years. There are more than 300 members and there are activities for everyone. There are members from Oak Island, Boiling Spring Lakes, Southport and St. James. There are all kinds of classes, programs and activities; the Center serves more than 200 people throughout the year. The organization is an independent one that was built from nothing. He encouraged all the elected officials to attend an event or dinner at the Center; the members like to stay informed.

Gregg Potter, 7709 E. beach Drive: Mr. Potter said that he has the misfortune of living next to a beach access. Mr. Potter said that when the new Public Works Director was hired, she put parking spaces down both sides of the access. He said she told him that she was instructed to add more spaces for visitors. A parking bumper makes renters in the house across the street have to fight with tourists for a space. On his side, a bumper was placed eight inches from his driveway; it got pushed into his driveway by a vehicle.

The bumper was moved a foot away from his driveway but he has to drive over the bumper to avoid hitting anything. He now has permission to widen his driveway to eliminate that problem. He said that staff pulled up his shrubs that had been there for 10 years. He said that took them and didn't even leave them in his yard where he could replant them. He asked who he could give a bill to for losing those shrubs and when the Town would pull up all the shrubs in the rights-of-way. Mr. Potter said he also owned a lot on Dolphin at 11<sup>th</sup> Street. He said he had been told years ago that he could not subdivide a lot but that recently it has been subdivided into two lots. He said that he had been "hoodooed" out of \$117,000 because of an "incompetent" employee. Mr. Potter's time ran out, but he asked if someone would look into the parking issue. Mr. Holloman said that staff would look into it.

#### REGULAR MEETING:

##### I. CONSENT AGENDA

1. Approval of Minutes
    - a. February 15, 2016 (Public Hearings & Regular Meeting)
  2. Approval of Budget Ordinance Amendments
    - a. Appropriate prior year Federal and State drug seizure funds
    - b. Appropriate proceeds from the sale of a fire truck and to appropriate fund balance to pay off the LGFCU loan
  3. Reaffirmation of the Parks and Recreation Master Plan
  4. Approval of Resolution for the Oak Island Police Department to Enter into Mutual Aid Agreements
  5. Approval of a Resolution of Appreciation – Woodmen Life High Point Chapter Donation
- Mayor Brochure noted that a revised Master Plan for Middleton Park had been presented and would be included under Consent Agenda 3. **Mayor Pro Tempore Medlin made a motion to approve the Consent Agenda. Councilor Winecoff seconded and the motion passed unanimously.**

II. COMMITTEE APPOINTMENTS (It was noted that Committee appointments would be on the April agenda as the compressed schedule between meetings was not conducive to advertising for the open positions).

##### III. ADMINISTRATIVE REPORTS

1. Town Manager: Mr. Holloman noted that the first beach nourishment information meetings would be March 17 (6-8 p.m.) and 19 (1-3 p.m.). May 3 will tentatively be the second informational meeting on the utilities transfer.
  - a. Department reports: Reports are included and are hereby made a part of these Minutes.
2. Town Attorney: no report.

##### IV. NEW BUSINESS

1. Consideration of a Resolution Requesting Local Legislation to Facilitate Acquisition by the County of Brunswick, North Carolina of the Water and Wastewater Enterprise System of the Town Of Oak Island: **Councilor Winecoff made a motion to adopt the Resolution of the Town Council of the Town of Oak Island, North Carolina, Requesting Local Legislation to Facilitate Acquisition by the County of Brunswick, North Carolina, of the Water and Wastewater Enterprise System of the Town of Oak Island. Councilor Scott seconded and the motion passed 4-1 with Mayor Pro Tempore Medlin and Councilors Blalock, Scott and Winecoff in favor and Councilor Bell opposed.**
2. Discussion of the new Flood Maps: Councilor Bell asked if the Town needed to take any action to maintain the height restrictions considering the new flood maps. She said she wanted to make sure that the Town maintains the current height restrictions and that she is concerned that the new maps would make a number of houses on the first, second and third rows nonconforming. Councilor Winecoff said

in the VE zones, we need to make sure that homes could be rebuilt to the existing height limits. Mr. Edwards said there is an ordinance that addresses nonconforming structures; a certain percentage of development necessary to restore a home would trigger the structure being required to meet current development codes. Ms. Bell asked if the Town would need to amend the local legislation regarding height limits. She said what would happen is that there would be houses in the AE zone that would be 41 feet high. To clarify, Mr. Edes said what Ms. Bell was asking was if the Town needed local legislation to allow homes built to 41 feet currently be allowed to rebuild at 41 feet if the flood zone changes with the new maps. Mr. Edes and Mr. Holloman said they could look into that. The goal is to make it allowable to rebuild what is already there.

Councilor Scott read the Resolution of Appreciation for Woodmen Life Chapter 1282 – High Point.

**Councilor Winecoff made a motion to adjourn at 6:49 p.m. Mayor Pro Tempore Medlin seconded and the motion passed unanimously.**

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Cin Brochure, Mayor

ATTESTED: \_\_\_\_\_  
Lisa P. Stites, CMC  
Town Clerk

*Clerk's Statement: Minutes are in compliance with the open meetings laws. The purpose of minutes per the open meetings laws is to provide a record of the actions taken by a Council or a Board and evidence that the actions were taken according to proper procedures. All actions of the Council are recorded in the official minutes. Not all portions of Town of Oak Island meetings are recorded verbatim in the official minutes, with general discussion items, reports, presentations, and public comments being paraphrased or summarized in many instances. Public comments in writing should be submitted to the clerk via hard copy, electronic mail, or other means so as to ensure an exact verbatim account. The Town of Oak Island provides full coverage of meetings on Government Channel 8 so that the Citizens and the Public may view and listen to the meetings in their entirety.*