

MINUTES
OAK ISLAND TOWN COUNCIL
REGULAR MEETING
SEPTEMBER 19, 2017 – 6 P.M.
COUNCIL CHAMBERS - OAK ISLAND TOWN HALL

Present: Mayor Cin Brochure, Mayor Pro Tempore Loman Scott, Council members Sheila M. Bell, Charlie K. Blalock and Jeff Winecoff, Town Manager David Kelly, Town Attorney Brian Edes and Assistant Manager/Town Clerk Lisa P. Stites.

Mayor Cin Brochure called the meeting to order at 6 p.m. Mayor Pro Tempore Scott gave the invocation and led the Pledge of Allegiance.

PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

1. Proclamation -- Constitution Week: Mayor Brochure read from the Proclamation.
2. Proclamation – Fire Prevention Week: Mayor Brochure read from the Proclamation.
3. Presentation – ATMC: Kris Ward with ATMC gave a presentation on the upcoming installation of fiber optic lines to the majority of the island. A copy of the presentation is attached and hereby made a part of these Minutes.

ADJUSTMENT/APPROVAL OF THE AGENDA: Councilor Blalock added discussion of Par 3 golf course as Old Business 1. **Councilor Bell made a motion to approve the agenda as amended. Councilor Blalock seconded and the motion passed 3-1, with Mayor Pro Tempore Scott and Councilors Bell and Blalock in favor and Councilor Winecoff opposed.**

PUBLIC COMMENTS - GENERAL TOPICS & AGENDA ITEMS

John Falk, 164 NW 2nd Street: Mr. Falk said he wondered why there are not performance bond being asked for with new contracts. He said that would protect the Town from any liability. With the size of the Pier project, that's a large amount of money.

Merja Hunt, 321 NE 62nd Street: Ms. Hunt asked Council to keep an open mind because the staff has recommended against what she is requesting. She said that she and her husband were charged interest for a bill they never received. She said it was a foreclosure. She said that there was a spot on the closing statement that was marked "pending" for the sewer assessment. She said that nothing was done wrong with the closing and that they received utility and tax bills and that they paid them. She said they received a stern letter in July of this year that they were delinquent for the sewer assessment. She said that researched and realized it was for the sewer assessment, and they paid the \$4,200. She said that they are not responsible for the interest because the bills were sent to the previous owner, the mortgage company in Texas.

Rosanne Fortner, 113 Paula Circle, here for the Beach Preservation Society: Ms. Fortner said that they are mourning the loss of member Jim Nelson; a recognition will be done at the October Council meeting. New Beach Lover signs are available for businesses. The beach cleanup was held earlier this month; there were fewer people available to help and no collection was allowed in the dunes due to their fragile condition. Ms. Fortner reviewed the items collected. The beach looks clean and inviting. She also noted that there is a vacancy on the Beach Preservation Trust Fund Advisory Board.

COUNCIL REPORTS (MAYOR AND COUNCIL)

Councilor Winecoff said that so far this year, he and the Mayor had made several trips to Raleigh to address Senators and Representatives. He said that sometimes you think your efforts are not ever going to pay off. A few weeks ago, we learned that the House and the Senate passed a bill establishing a Shoreline

Mitigation Fund, which will benefit beach communities. There is no money in the fund yet, but they did pass it. We have also learned that the Governor wants to veto the fund, but this fund is something that can help all of our beach communities. He encouraged everyone to contact the Governor and let him know that we want this fund. He thanked Town staff that help with this effort, as well as Sen. Bill Rabon and Rep. Frank Iler. He also thanked Mayor Brochure for all the work she has done in this area. It takes teamwork to get things done. Councilor Winecoff also said he wants to have a Town Hall Meeting, possibly October 3rd, to talk about the Pier, the beach and the sewer system. He invited everyone to attend to have a civil conversation.

Mayor Brochure said that when she became Mayor, they looked at the occupancy tax figures; we were way below Ocean Isle Beach and Holden Beach. She said that she and the tax collector have worked on those collections efforts and is pleased to say that for 2016/2017, the numbers have increased. She reviewed the last two years' and the year-to-date figures.

REGULAR MEETING:

I. CONSENT AGENDA

1. Approval of Minutes
 - a. August 15, 2017 (Regular Meeting)
2. Approval of Closed Session Minutes (sealed Minutes not included in packet but will be made available to the public after Council approval) (1/30/2015; 2/17/2015 and reconvened meetings; 3/10/2015; 3/27/2015; 6/9/2015; 11/10/2015; 1/12/2016; 3/16/2016; 3/23/2016; 3/30/2016; 9/20/2016; 10/17/2016; 11/8/2016; 11/22/2016; and 12/3/2016)
3. Approval of Budget Ordinance Amendments
 - a. Appropriating funds in the amount of \$36,063 from the Capital Reserve Fund to pay for the cost of the upgrade to the Council Chambers Broadcast System
 - b. Appropriating funds to be received for the Septic Tank Retrofit Project
4. Approval of Contract with McAdams Environmental Construction (odor control)
5. Approval of Contract for Installation of Water Meters and Associated Advanced Metering Infrastructure Agreement
6. ~~Resolution to seek grant funding though the Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G)~~
7. Approval of Amendment to Sec 28.9 (e) Parking on or obstructing sidewalks and public right of way, Right-of-way limitation

Councilor Winecoff made a motion to remove Item 6, Resolution to Seek Grant Funding though the Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) from the Agenda. Councilor Bell seconded and the motion passed unanimously. Councilor Blalock made a motion to approve the Consent Agenda as amended. Mayor Pro Tempore Scott seconded and the motion passed unanimously.

II. ADMINISTRATIVE REPORTS

1. Town Manager: no report
 - a. Department Reports: Department reports are included as an attachment and are hereby made a part of these Minutes.
2. Town Attorney: no report

III. OLD BUSINESS

1. Discussion of the Par 3 golf course: Mr. Kelly said that they had met with the POA Board last week. One suggestion discussed was to allow staff and the POA Board to continue to work on ways to

make it a better partnership. Mr. Edes said there had been no action on Councilor Bell's motion regarding the golf course. That motion was deferred for 120 days, which is actually just a couple days after the regular October meeting. Mr. Edes said that at the meeting last Friday, cost-saving measures were discussed, ways to increase membership, etc. He said staff is recommending taking a look at this again in January. **Councilor Bell made a motion to defer action on the original motion to the Council retreat in January.** Councilor Blalock asked if Council could get regular reports in that time period. Councilor Bell said that her understanding is that it was steadily improving in terms of play and membership. She also said that as it was already budgeted for this year and it would make sense to discuss it at a budget workshop in January. Mayor Brochure said that it didn't need to be rushed if numbers were still being reviewed. Mr. Edes said that another meeting with the POA Board could be scheduled in 45-60 days. **Mayor Pro Tempore Scott seconded the motion and it passed unanimously.**

IV. NEW BUSINESS

1. Consideration of a Request from a Citizen to Waive Interest for a Sewer Assessment: Councilor Bell said that the tax certification from the Town did include a note that the assessment was pending. Councilor Blalock asked if the real estate company that handled the closing were responsible; Mayor Brochure noted that the assessment did not exist yet when the property was sold. Mr. Edes asked to table this until after Closed Session. **Mayor Pro Tempore Scott made a motion to defer this until after Closed Session. Councilor Bell seconded and the motion passed unanimously.**

2. Consideration of Request for Qualified Contractors (RFQ) Document – Oak Island Pier Project: EB Pannkuk said that hoped to get a contractor who is qualified to build a Pier of this size. **Councilor Winecoff made a motion to approve the RFQ and to direct that it be advertised and published appropriately. Councilor Blalock second all in favor.**

3. Consideration of Requesting Revaluation for Oceanfront Lots (Pursuant to Approval of the Development Line): **Councilor Bell made a motion to direct Town staff to proceed with requesting the County Tax Assessor to revalue oceanfront properties due to the implementation of the Development Line. Councilor Winecoff seconded and it passed unanimously.**

4. Consideration of Appointment for Vacant Town Council Seat: **Mayor Pro Tempore Scott made a motion to fill the seat, Councilor Blalock seconded and the motion passed unanimously.** Councilor Winecoff said that with what is coming down the line in the next couple months, it would be crucial to have someone with a little experience. Councilor Winecoff made a motion to appoint Dara Royal. **Councilor Blalock seconded and the motion passed unanimously.**

V. Closed Session: **Councilor Blalock made a motion to go into Closed Session to Consult with the Town Attorney on Pending and Potential Litigation pursuant to N.C.G.S. 143-318.11(a)(3). Councilor Bell seconded and the motion passed unanimously.**

Council returned to open session at 7:09 p.m. Mayor Brochure noted that no action had been taken in Closed Session.

Mayor Pro Tempore Scott made a motion to release Mr. and Mrs. Hunt of \$1,501.50 in interest on their sewer assessment bill. Councilor Winecoff seconded and the motion passed 3-1 with Mayor Pro Tempore Scott and Councilors Blalock and Winecoff in favor and Councilor Bell opposed. Mr. Edes said that it was his understanding that the property owner did receive bills to their correct address and that they paid those bills in a timely manner. He just wanted this information entered into the record.

Councilor Bell made a motion to adjourn at 7:10 p.m. Councilor Blalock seconded and the motion passed unanimously.

Cin Brochure, Mayor

ATTESTED: _____
Lisa P. Stites, CMC
Assistant Manager/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.