

MINUTES
OAK ISLAND TOWN COUNCIL
REGULAR MEETING
February 13, 2018 – 6 P.M.
COUNCIL CHAMBERS - OAK ISLAND TOWN HALL

PRESENT: Mayor Cin Brochure, Mayor Pro Tempore Loman Scott, Council members John W. Bach, 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, CMC.

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

ADJUSTMENT/APPROVAL OF THE AGENDA: Councilor Bach removed Item 3, Approval of the Emergency Operations Plan (EOP)/Hurricane Preparedness, Evacuation and Recovery Plan and Adoption of a Resolution to Adopt and Implement the Town of Oak Island Emergency Operations Plan/Hurricane Preparedness, Evacuation and Recovery Plan, and Item 5, Approval of Right-of-Way Agreement with ATMC, from the Consent Agenda. Councilor Winecoff added a Budget Ordinance Amendment (to appropriate \$40,000 for installation of handicapped-accessible doors at Town Hall) to the Consent Agenda. **Councilor Blalock made a motion to approve the agenda as amended. Councilor Bach seconded and the motion passed unanimously.**

PUBLIC COMMENTS - GENERAL TOPICS & AGENDA ITEMS

Bill Easley, 3485 Airport Road, Oak Island property owner: Mr. Easley asked Council to consider rescinding the fire flow ordinance approved a few years ago. He said he thinks that was aimed at the mini-motels being built. There are now unintended consequences though, such as a house with 1,700 heated square feet requiring a sprinkler, which costs between \$8,000 and \$10,000 to install. He also said it would likely require additional staff to inspect all these sprinklers. He also mentioned the recent freezes, which could now cause additional damage to homes when sprinkler lines freeze. Mr. Easley said it was admirable to enact laws to try to save lives, but he didn't know how effective these regulations would be. Mayor Brochure noted that Mr. Easley's time was up. He added that he didn't know of any other town with regulations such as these.

Mayor Pro Tempore Scott asked staff to take a look at this and bring a report back to Council.

Catrina Purser, 5001 O'Quinn Boulevard, here for Beach preservation: Ms. Purser spoke about the upcoming wine tasting fundraiser. Tickets will be available for non-members in March. She also encouraged people to make donations for the silent auction and encouraged everyone to renew or become a member. The group will also participate in the Mardi Gras events, and will benefit from a local restaurant fundraiser night.

Lynn Gulledge, 126 SW 5th Street: Ms. Gulledge questioned the calling of a special meeting to discuss the tree and vegetation ordinances. She asked if there was something wrong with the work already done on this issue. She said that it is a contentious topic. She also said that building would continue and that builders were complying with the ordinances.

Councilor Winecoff said that people are still complaining about clearcutting. He also said that there has not been a meeting with Council and the contractors, etc. and if there is something we can do to protect trees, then we should do it. Councilor Bach said that he was the one who proposed the reconsideration. He said there is a massive public pushback about what is happening. He said he is hopeful that we will find a better ordinance.

COUNCIL MEMBER REPORTS (MAYOR AND COUNCIL):

Councilor Bach said he had two Points of Information. Councilor Bach asked Mr. Kelly about Powell Bill Funding. He asked when the money will be expended and when Council will see a plan. Mr. Kelly said that this is typically reviewed during the budget process; Council will discuss the funds available, a study for the roads that need the most work and make decisions about how to proceed. Councilor Bach asked if the theory was to accumulate funds over time to benefit from economy of scale for paving; Mr. Kelly said that was correct. Councilor Bach said as the Town Council reviews the Town's properties, he would like to consider what property may be suitable for paid parking. He also said that he has begun working on the Strategic Plan process; hopefully at the end of the process, we'll have a plan for the next 3-5 years.

Councilor Blalock said that he spoke with a citizen the other day who complimented the Police Department and said she was grateful with the help she received.

Councilor Winecoff spoke about the Citizens Academy introduction evening last week. The first Town Hall meeting for 2018 will be the March 13 meeting.

Mayor Brochure complimented the Fire Department for the quick response to a medical emergency the other day.

REGULAR MEETING:

I. CONSENT AGENDA

1. Approval of Minutes
 - a. January 9, 2018 (Public Hearings & Regular Meeting)
 - b. January 17, 2018 (Council Retreat)
 - c. January 29, 2018 (Special Meeting)
2. Authorization to Advertise 2017 Delinquent Tax Liens
3. Authorization to submit a grant proposal for the Brunswick Electric Membership Corporation Community Grant Program
4. Approval of Amendment to Moffatt & Nichol Contract -- FEMA Emergency Dune Project
5. Budget Ordinance Amendment (to appropriate \$40,000 for installation of handicapped-accessible doors at Town Hall)

Councilor Bach made a motion to approve the Consent Agenda as Amended. Councilor Blalock seconded and the motion passed unanimously.

II. ITEMS REMOVED FROM CONSENT AGENDA, IF ANY

Approval of the Emergency Operations Plan (EOP)/Hurricane Preparedness, Evacuation and Recovery Plan and Adoption of a Resolution to Adopt and Implement the Town of Oak Island Emergency Operations Plan/Hurricane Preparedness, Evacuation and Recovery Plan: Councilor Bach said the plan seemed to be very detailed. He asked how often the ICS training was done. Mr. Kelly said that several departments do training, but that not all of the departments update that particular training annually. Councilor Bach said that relocating the EOC would be difficult and he hoped that was something that we would concentrate on. Councilor Bach asked if there had been additional information on evacuations from the State; Mr. Kelly said that the decision to evacuate was coordinated with Brunswick County. Council had further discussion regarding the Town's authority and the timing of calling evacuations. **Councilor Bell made a motion to adopt the Emergency Operations Plan (EOP)/Hurricane Preparedness, Evacuation and Recovery Plan and the associated Resolution as presented. Councilor Winecoff seconded the motion and it passed unanimously.**

Approval of Right-of-Way Agreement with ATMC: Councilor Bach asked what the Town would get in return for granting right-of-way access. Mr. Kelly said that the Town had already allowed ATMC to come into the Town to allow citizens to have choices when it came to internet, cable television, etc. Mr. Kelly said that wherever ATMC will need to install apparatus; it will be done at vacuum stations and the Town will likely receive free wifi at those locations. Councilor Bach asked Mr. Kelly if he was comfortable with the \$5,000 performance bond. Mr. Kelly said that he was and that there had already been a water main break. It was repaired immediately with no complications, and the insurance company had already sent the Town a \$16,000 check. **Mayor Pro Tempore Scott made a motion to approve the Right-of-Way Agreement as presented. Councilor Bach seconded and the motion passed unanimously.**

III. COMMITTEE APPOINTMENTS

1. Emergency Services Advisory Board (one unexpired term ending June 2019): **Council declined to make an appointment.** (There was one application from Peter Grendze).
2. Par 3 at South Harbour Committee (one unexpired term ending Jan. 2019): **Council unanimously appointed Ronald Kracht.**

IV. ADMINISTRATIVE REPORTS

1. Town Manager: Mr. Kelly spoke about the Citizens Academy. The Town continues to seek volunteers; so far only 6 have signed up to volunteer. Mr. Kelly also spoke about a recent meeting with NCDOT. We are again working to have Welcome signs installed at the Town entrances. NCDOT can also install wayfarer signs, such as for the Par 3 and the Pier. There will also be work done to move the crosswalk on E. Beach Drive by the cabanas. NCDOT would not favor a crosswalk across East Oak Island Drive to Town Hall. If a crosswalk is requested at Middleton/Beach Drive, NCDOT would want to make it a 3-way stop. The crane has been delivered to the Oak Island Pier and demolition will begin. Mr. Kelly also spoke about the Emergency Dune project. The height of the dune will be lowered so that we can continue the length to the end of the project. Our engineer with Moffatt & Nichol will be here for the March Town Hall meeting. The Corps of Engineers will send the Wilmington Harbor project out for bid again in March. If it goes through, then there will be work done during turtle season.
 - a. Department Reports: Department reports are attached and are hereby made a part of these Minutes.
2. Town Attorney: Mr. Edes said he would be speaking at the NC Beach, Inlet and Waterway Association meeting in April in Pine Knoll Shores.

V. OLD BUSINESS

1. Consideration of Proposed Amendments to Town Charter: **Councilor Bell made a motion to adopt the proposed Charter amendments as presented. Councilor Winecoff seconded the motion and it passed unanimously.**

VI. NEW BUSINESS

1. Consideration of Appointing Citizens to Serve on Only One Committee at a Time: Councilor Winecoff said to him, it needs to be set up so that there was no conflict of interest in serving on boards. He said that a citizen should not serve on any two of the “main” boards, the Board of Adjustment, Parks and Recreation Advisory Board, Planning Board and the ABC Board. Councilor Bach said that he thought they ought to consider implementing term limits as well; that would be an added measure of integrity. Councilor Bell said if you were going to do it for four boards, you might as well do it for all of them. Councilor Bell said Council could handle that through individual appointments, and she didn’t see the issue. Mr. Edes said that this Council or any Council he had served had never knowingly appointed someone with a conflict of interest, and that there was a difference between the appearance

of a conflict of interest and a legal conflict of interest. Mayor Pro Tempore Scott asked if this would be retroactive; Mr. Edes said that it would be for future appointments and would not remove anyone already serving. Regarding term limits, Mayor Pro Tempore Scott said he could see both sides of that discussion; there are people who do good work on committees, but he could see potential issues with lengthy terms. **Councilor Winecoff made a motion to allow someone to sit on one committee at a time. Mayor Pro Tempore Scott seconded the motion.** Councilor Bach asked to amend the motion to include term limits for two consecutive term limits for a total of six years. Ms. Stites restated the motion and the motion to amend and clarified that this would apply to the four boards specifically mentioned. She also noted that the Planning Board already had a term limit of two consecutive terms plus a partial term. Councilor Bach said he would prefer a 6-year limit. Councilor Bell said she would be in favor of term limits but not limiting service to one board. **Councilor Winecoff amended the motion to set term limits to two consecutive terms for the 4 major boards mentioned.** Ms. Stites was directed to bring back a proposal in March, and that committee appointments will be held in abeyance until a decision on the policy is made. **The motion was withdrawn.**

2. Consideration of Calling a Special Meeting to Hold a Workshop on the Tree and Vegetation Ordinances: **Councilor Winecoff made a motion to schedule a Special Meeting on Thursday, March 15 at 6 p.m. to discuss the tree and vegetation ordinances. Councilor Bach seconded and the motion passed unanimously.**

VII. CLOSED SESSION: **Councilor Bell made a motion to go into Closed Session at 6:54 p.m. to Consult with the Town Attorney on Pending Litigation, to discuss Land Acquisition and to Discuss the Terms of a Contract for Employment (real estate services) pursuant to N.C.G.S. 143-318.11(a)(3) and (5). Councilor Bach seconded and the motion passed unanimously.**

Mayor Brochure called the meeting back to order at 8 p.m. and said that no action had been taken in Closed Session. Mr. Kelly said that staff had divided the Town into 6 zones, and he asked the elected officials if they would each take a zone to review for code enforcement issues. The Police Department will also be reviewing these zones on a daily basis in an effort to increase community policing. Officers will be patrolling every street in their zones. Mayor Brochure took zone 6, Mayor Pro Tempore Scott took zone 1, Councilor Bach took 4, Councilor Bell took zone 3, Councilor Blalock took 5 and Councilor Winecoff took 2.

Councilor Blalock made a motion to adjourn the meeting at 8:04 p.m. Councilor Bach 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.