



Town of Southern Shores

"A Town of Volunteers"

6 Skyline Road, Southern Shores, NC 27949
Telephone: (252) 261-2394 Fax: (252) 261-0452
Web Site: southernshores.org

Recessed Council Meeting
February 16, 2000
9:00 a.m.-Pitts Center

1. Mayor Sutherland called the meeting to order at 9:00 a.m.
2. Al Smith led the Pledge of Allegiance
3. Mayor Sutherland asked that a moment of silence be held for Howard Holland, long time resident.
4. Old Business
 - a. Council Retreat Items

Mayor Sutherland requested that Council change the agenda by moving the Council retreat items to last on old business. Approved unanimously.

- b. Zoning Ordinance-Kitty Hawk Hotel

Mayor Sutherland read the proposed ordinance (see attached)

Councilman Smith stated that his concerns remain the same from Council's first meeting. He restated increased traffic and there is no benefit to the Town to have a parking lot. He feels allowing this will open up a can of worms. It will impact the infrastructure and the environment. He is firmly against it.

Councilman Denny stated that he is concerned about the impact it will have on the citizens but he prefers the devil he knows and he likes the proposed use of the property. He stated he is okay with the access onto NC 12 if it is a right hand turn only.

Mayor Sutherland stated he has had no contact from citizens regarding the approving or disapproving of the proposal. He supports the proposal and he stated that Pelican's Watch Property Association expressed their approval. He stated traffic is always going to be a problem.

Old Business cont'd

Councilman Campbell stated he has the same concerns that Councilman Smith has. The Town will be responsible for policing the parking lot. It is a negative effect on the Town tax base and impacts the infrastructure. He is opposed to the proposed ordinance.

Mayor Sutherland made a motion to adopt the zoning ordinance as presented. The vote was 3 ayes and 2 noes. Approved. Councilman Smith and Councilman Campbell against.

Tom White, Town Attorney, explained to Council that they need to vote again at another public meeting because they did not meet the two-thirds majority rule. He explained on the next vote majority rules.

Councilman Kennedy announced that he would not be present at the March Council meeting, which would not give them enough votes to pass the ordinance at that time.

Mayor Sutherland made a motion to hold a special meeting before the workshop on Tuesday February 29 to consider the vote on the proposed ordinance. Approved unanimously.

Mayor Sutherland announced Council would be meeting tomorrow at 10:00 a.m. with NCDOT to review the plans for the construction of the multi-use path.

c. Traffic Pattern-Kitty Hawk Elementary School

Lt. Merriman commented the weather has been bad and probably has kept the school from completing the project. She will contact them on Friday to see what their plan is. The principal is sending letters to the parents notifying them of the changes to the parking patterns.

Councilman Campbell asked if tickets would be issued for violators? Lt. Merriman stated that issue hasn't been addressed yet but that an officer is there and he would write tickets if needed.

Councilman Campbell asked what is the lapse time between educating the people of the new rules before giving them tickets? Lt. Merriman replied, usually 30 days.

Councilman Kennedy commented that NCDOT is doing a traffic study on the left-hand turn signal light at Kitty Hawk School. They should have a report within 30-60 days.

Old Business cont'd

d. Release of weapon-Officer Hemilright

Tom Gjestson stated the state statute provides for Council to give the badge of a deceased officer to the family and can give the side arm also with or without cost. It was reported other towns have given the weapon to the family out of respect to the officer.

Chief Brazell stated that a background check would be needed before the weapon was released and a civilian magazine would need to replace the current one. He concurred with Tom Gjestson that it is customary to give the weapon to the family if requested at no cost.

Mayor Sutherland stated out of no disrespect to the officer or the family he feels the family should pay for the weapon. He stated the weapon was a new weapon at a cost of approximately \$500.00 and Officer Hemilright did not elect to buy his old weapon.

Councilman Smith stated that he is not in favor of turning the weapon over to the family. He stated it is property of the Town and the replacement cost could be as much as \$700. He feels it is a fiduciary responsibility of Council to not release this weapon. He also said this is in no way a reflection upon Officer Hemilright, he was an asset to the Town and a fine officer.

Councilman Campbell stated that he was very fond of Officer Hemilright and that he was an excellent officer. He stated he believes the weapon was not sentimental to Frankie and that he fears the use of the gun in the future. He further stated that money is not the issue in making his comments. He feels guns should be held by a trained person and he urged the Town to come up with another way to honor Frankie.

Councilman Kennedy stated he would be in favor of releasing the weapon if it was disabled. He stated the weapon was Frankie's sidearm at the time and as keepsakes the gun and the badge should be given to the family at no cost but the weapon should be disabled.

Councilman Denny concurred with Councilman Kennedy.

Mayor Sutherland asked Council what is there pleasure regarding this issue.

Councilman Campbell stated he would be willing to let the family have the weapon if it is disabled.

Old Business cont'd

Councilman Denny stated he is willing to let the weapon go at no cost if it is disabled. This is a long-standing tradition, which should continue to be honored.

Councilman Smith stated he does not support giving away \$700.00 of the tax payers money. He doesn't think tradition should be mixed with politics. It is sending a message that if someone is attached to his or her computer and they pass away, are we going to give the family the computer? He stated he is firmly against giving the gun away whether it is disabled or not.

Chief Brazell stated the family had expressed a desire to take the weapon even if it was disabled.

Councilman Denny commented that the intangible cost of turning our back on tradition could be far more than the cost of the gun.

Mayor Sutherland made a motion to disable the weapon and give it to the family at no cost. Councilman Campbell seconded. Approved 3 to 2. Mayor Sutherland and Councilman Smith voted no.

Councilman Campbell asked Chief Brazell to check with the family and let the Town Manager know when a presentation could be made.

Retreat Items

Tom Gjestson presented the retreat items for Council to review. Council will review the items still under consideration at each workshop meeting. A copy of the retreat items is attached. Items still in process are:

Items in progress: #
3,8,10,14,18,21,25,27,28,29,30,32,37,38,40,42,44,46,47,48,49,50,51,52,53,54,55,57.

Council discussed the possibility of changing the Town charter to allow a popular vote to elect the Mayor. (Item #3)

Mayor Sutherland previously presented a point paper to Council on the pros and cons of this issue. He stated that it needs to be decided if the Mayor should be elected for 2 or 4 years and Council needs to find out the mechanical steps needed.

Councilman Kennedy suggested that the point paper be incorporated into the next Town newsletter to educate the citizens and ask for their input.

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Retreat Items cont'd

Councilman Campbell asked if a referendum is needed?

Mayor Sutherland stated there are 3 ways to change the Town charter; by referendum, by petition from the citizens or Council can take action.

Councilman Denny stated he highly supports holding a referendum.

Councilman Campbell commented he supports a 4-year term for Mayor but that the membership of Council may need to be increased.

Mayor Sutherland stated there is a cost if not held during an election year.

Councilman Smith commented the presidential election would get the biggest turnout and he recommends Council having whatever is needed done for the November election.

Tom White read a portion of the state statute regarding referendums.

Mayor Sutherland suggested that Council review the point paper and table this until the March meeting. It is needed to find out the time frame that the Board of Elections needs to put the referendum on the ballot.

Councilman Denny feels there is no need to be in hurry. He stated he did not have any comments from citizens regarding this subject when he was campaigning for Council.

Tom White commented that Council could hold a special election but there would be extra expense incurred by not having it with a regular election.

Jim Morrison commented that the citizens should be educated on how this would effect the current form of government and what problem if any Council is trying to solve in making this change.

Mayor Sutherland stated there is no problem to let the form of government remain as is. Council supported this statement.

Councilman Smith commented that when he was soliciting votes people did talk to him on this issue. He feels the Mayor should be elected and thinks that Council should start on this immediately to make the November election deadline

Retreat Items cont'd

Councilman Kennedy is in favor of the citizens electing the Mayor and commented if Council waits until after the November election it will be almost 2 years before it can be put on the ballot again.

It was agreed by Council to delete the words *in rare cases* regarding donations given by the town. (Item #6). Tom White stated donations given for a public purpose is supported by state statute.

Tom White recommended that the Town's Zoning Ordinance be included in the Town Code and submit yearly updates to be codified. (Item #8)

Councilman Denny made a motion to include the Town's Zoning Ordinance into the Town Code when the next update of the Zoning Ordinance is adopted by having it codified and to have this done in a timely manner (within six months). Seconded by Councilman Campbell. Approved unanimously.

Mayor Sutherland stated that all meetings (including committees) would adhere to the open meeting law. (Item #11)

Mayor Sutherland commented he has contacted Charter Communications (cable) regarding them taping Council meetings at no expense to the Town. He is waiting for an answer and will report back to Council. (Item #14)

Tom White commented that the cable company has a joint agreement with all the towns and someone should check with Kill Devil Hills to see if cable is doing their meetings on a public service channel and at what cost.

Tom Gjestson reviewed the Town's financial outlook for the next year. (Item #18)

Councilman Smith commented that the audit report for FY98-99 shows 1.8 mil. in the undesignated fund. Councilman Smith stated it was the goal of Council to get the fund balance up to 10-12 months reserve, which it is and he recommends lowering the tax rate for FY99-00. He stated that taxes were raised to build the reserve fund up due to the losses the Town took due to Blue Sky. He further stated that he would not approve a budget unless there is a tax decrease. He recommended Council makes the commitment to the taxpayers and reduces taxes.

Tom Gjestson stated that he would bring a budget to Council during the budget process in May and would make his recommendations at that time.

Retreat Items cont'd

Councilman Denny commented that if it were determined feasible then he would agree to reduce taxes.

Mayor Sutherland commented that Council would look into this when it is time to review the budget process.

Councilman Kennedy commented now is not the time to discuss this; the budget needs to be set first.

Council agrees that the garbage pickup schedule needs to be changed. (Item #23) Tom Gjestson and Councilman Kennedy will meet with Dare County Solid Waste to discuss changes in the pick-up schedule. Councilman Kennedy will be sending annual information regarding garbage and recycling to realtors in the near future.

Mayor Sutherland stated that he has talked to another municipality in support of a single integrated lifeguard service. (Item # 26) Further discussion will be held at a later time,

Councilman Campbell submitted a prior public works study (Sept. '89) to the Town Manger. Tom Gjestson will review and make recommendations or comments at a later date. (Item #28)

Councilman Smith commented that, at this time, Council does not know if a public works dept. or contracting for services is the better option. He would like to review the budget and do some comparisons.

Tom Gjestson stated the upkeep and maintenance of Town Hall property would be ongoing. (Item #29)

Tom Gjestson stated Council is reviewing options on the availability of added outdoor storage space to be used for the Town. (Item #30). This will be an on-going issue and estimates of steel buildings are being gathered for Council's consideration.

Mayor Sutherland reported SSCA has requested to acquire a spur on Hickory Trail for additional parking. (Item #37) He reported the Town Attorney has advised that the property can be released if it is used for a public purpose. Council will consider this at a later time.

Councilman Kennedy commented that Council should reply to the SSCA and ask them what their plans are or just keep the property and respond to their paving request.

Retreat Items cont'd

Mayor Sutherland announced that a beach cleanup would be held on Easter weekend. (Item #38) Chief Brazell stated he would see if inmates could be available for that time period.

Tom Gjestson commented that Town entrance signs will be looked into and that the PWC signs have been ordered. (Item #40)

Al Smith asked when NCDOT would be starting on the multi-use path? Mayor Sutherland stated he wasn't sure when the work would begin but that the pre bid is being held next week. This item should be done by the end of May. (Item #42)

Mayor Sutherland commented that there is a misunderstanding with the residents of Martin's Point. (Item #45) Mayor Sutherland stated that a letter was sent to the residents to clarify some of the problems. He further stated Council has no plans of giving up Martin's Point as our ETJ.

David Stormont invited Mayor Sutherland to the Martin's Point meeting.

Mayor Sutherland announced it is time to appoint a new Long Range Planning committee. (Item #47) Councilman Smith asked how many people are needed? Mayor Sutherland replied six. Councilman Kennedy suggested having some of the same people if possible. Council will put this on the workshop agenda.

Councilman Campbell asked to be excused from the meeting but he requested Item #57 be reviewed when he is present. Chief Brazell volunteered to look into this and report back.

Council agreed to excuse Councilman Campbell unanimously.

Mayor Sutherland reported that he has talked with the Mayors of the other towns regarding a privilege license (Item #50) and they said it is counter productive.

Jim Morrison suggested holding off on a license until the possibility of rental licenses is discussed.

Tom White commented Council could consider a privilege tax as a poll tax and that is authorized by the Machinery Act.

Councilman Denny commented it appears to him as "more government" and he is not sure that is what Council wants to do.

Retreat Items cont'd

Mayor Sutherland commented that it is everyone's part to report infractions of the Town Ordinance. (Item #54) He suggested training the employees to report infractions, be an ordinance policeman.

Councilman Kennedy commented that the employees and the police should become proactive and report to the Building Inspections Dept. any infractions that they see.

Al Smith asked when Council is going to change the ordinance regarding the length of time election signs can be posted in Town? Mayor Sutherland reported the ordinance reads signs can be placed up to 6 weeks before the election and they can not be put in the right-of-way.

Tom Gjestson reported that signs and 2 buoys have been purchased to be used for the PWC ordinance. (Item #55)

5. Public Comment

Jay Wolf asked if Council is aware that a resident is advertising their business on Ocean Blvd. There is a lot of activity and they have vehicles painted with graphic artwork.

Mayor Sutherland stated Council is aware of this and has had contact with the property owners. Mr. Wolf asked if they reside there? Mike Hejduk said yes they do and they have an open building permit for remodeling. He also stated there is nothing that can be done when they are parking in their driveways. Mayor Sutherland stated this is an open issue and will be watched. He further stated this should not be swept away because of other businesses in Town. It was suggested that Council might consider talking to the people. Tom White advised Council that they set the policy and the Town Manager administers the policy.

Dan Shields commented that there is another situation on Juniper Trail that may need to be addressed.

6. Mayor's Agenda

Mayor Sutherland reported he went to the Mayor's Breakfast and Sheriff Austin spoke on the safety of the citizens in lieu of the recent killings in Manteo. He also commented that the Town of Kill Devil Hills passed a resolution in favor of a school on the beach.

Mayor's Agenda cont'd

Mayor Sutherland read a resolution regarding the Council supporting a school on the beach. Councilman Smith made a motion to adopt the resolution as presented. Councilman Denny seconded. Approved unanimously.

7. Council Agenda

Councilman Campbell -none

Councilman Smith asked Tom White how the state statute addresses giving Frankie Hemilright's gun to the family. Tom White explained the state statutes do allow the gun to be given to the family for a price. He further stated property of the municipality couldn't be given away except by resolution and for a public purpose.

Councilman Denny had no comments.

Councilman Kennedy -none

8. Town Manager's Agenda

Tom Gjestson announced that Council would hold a special meeting tomorrow at 10:00 a.m. to meet with NCDOT to discuss the site plan for the extension.

Tom Gjestson reported the Town newsletter would go out next week.

Tom Gjestson reported the PWC buoys needed to mark the 400-yd. limit for jet skis will be about 300 yds. apart along much (but not all) of the 4 miles of water in Town. He is recommending 15 buoys and a cost of \$90.00 each plus shipping and ground tackle. He commented the Boat Club would help. Tom Gjestson stated a letter would be sent to the NC Wildlife Commission regarding the placement of the buoys. Mayor Sutherland stated that it would be advisable to use as few buoys as necessary. Tom Gjestson explained these would be approved information buoys having 400 yds. imprinted and also an orange square. Council supports the Town Manager continuing with this project.

9. Town Attorney's Agenda

Tom White commented he has talked to Quible, the Town's Engineering firm, regarding the Town's Official Zoning Map. He stated that Council would need to hold a public hearing to adopt the map.

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Town Attorney's Agenda cont'd

Mayor Sutherland stated that if Council agrees the public hearing date for the Town's Official zoning map would be set for the April 4th Council meeting. Approved unanimously.

Councilman Kennedy commented that the State property on Hwy. 158 before the Wright Memorial Bridge need to be addressed. It is an eyesore and that Council should find out what plans the State has for the property. Tom Gjestson commented that a letter has been sent to NCDOT regarding this.

10. Announcements-none

Mayor Sutherland adjourned the meeting at 11:14 a.m. Approved unanimously.

ATTEST:

Respectfully submitted:



Paul Sutherland, Mayor



Carrie Gordin, Town Clerk

DATE: 2/16/00

DRAFT #3

Done = Action taken (scrub item)

IP = In process (action required)

FROM: Tom Gjestson, Town Manager

TO: Southern Shores Town Council

DISCUSSIONS AT COUNCIL RETREAT JANUARY 10 & 11, 2000

- Done** 1. Council assignments will be as follows for 2000:
- Public Works, including roads, maintenance and waterways – Hal Denny
 - Public safety, including police and liaison to volunteer fire department – Joe Campbell
 - Solid Waste and chipping – Gene Kennedy
 - Public Relations – Don Smith
 - Liaison with other governments and Town spokesperson – Mayor Paul Sutherland
- Done** 2. Council members agreed to keep each other informed using appropriate media including e-mail.
- IP** 3. Council discussed the possibility of changing the Town charter to allow for popular vote to elect the mayor. The Town attorney's letter will provide details on the mechanics of such a change for further deliberation at the March 7th meeting. **(Mayor)**
- Done** 4. Council reviewed expectations for Council and Manager as outlined by the Institute of Government.
- Done** 5. Council will develop expectations for Town Attorney and review with him. **(Mayor)**
- Done** 6. Donations by the Town will be strictly limited to those few cases that directly benefit citizens (serving a public purpose) or recognition of a citizen who has contributed significant public service.
- IP** 7. Name tags will be prepared for Town Council to wear when participating in town business. Business cards will be limited to minimum quantities with cost effective prices. **(Merrie)**
- IP** 8. The Town Code and Zoning Ordinances books will be reviewed, merged and updated, with help of a Town volunteer. A codification and maintenance plan will be developed. **(MGR/Clerk)** Motion passed to complete within six months.
- Done** 9. Added meetings with Raleigh and local governmental officials were considered unnecessary.
- IP** 10. The Town should advertise for and actively recruit potential members for Town Boards. **(Council /MGR)**
- Done** 11. Council expressed their commitment to adhere to open meetings law.
- Done** 12. Councilmen are eligible for travel cost reimbursement at Federal (IRS) mileage rates and are eligible to have cellular phones available if needed. Mayor and Manager are encouraged to wear pagers.
- Done** 13. Press packages for the media are to be prepared and available in advance of meetings. **(MGR/Clerk)**

- IP** 14. Council will investigate the taping of council meetings at no cost with new cable company. **(Mayor)**
- Deleted** 15. Council will study the potential to selectively appoint advisory committees or conduct citizen surveys.
- Done** 16. Council declined to consider any kind of fixed expense account for councilmen.
- Done** 17. Council will continue its current monthly workshops at 9:00 AM on the last Tuesday of each month. Regular council meetings will be on the first Tuesday of each month at 7:30PM on odd numbered months and at 9:00 AM on even numbered months. Town Clerk to prepare a resolution accordingly. **(Clerk)**
- IP** 18. The Manager reviewed the Town's financial picture including revenues and fund balance. Council supports increasing the undesignated fund balance at close of fiscal year from the present 10 months operating expenses to 12 months while looking for a reduction in the tax rate if feasible. **(MGR)**
- Done** 19. It was agreed that requests of council members to spend money should state the impact to the budget line item involved.
- Done** 20. Council intends to pass a resolution authorizing the Town Manager (Finance Officer) to approve spending up to the annual approved budget within a department's line item budget. He may transfer amounts between line item expenditures within a department without limitation and will file a report of such transfers to Council. He may not transfer amounts between departments or exceed departmental budgets without approval by council of a budget amendment. **(MGR)**
- IP** 21. The council reviewed the planned approach to studying the large capacity home issue with members of the Planning Board and State Planners Tom Richter and Lee Padrick.
- Done** 22. Council considered the current recycling program to be effective and it should be continued. **(Kennedy)**
- IP** 23. Council encourages continued emphasis on improving Dare County garbage service timeliness and discussed the necessity of three garbage pickups (Duck Road and east) during the summer months. Dare County has been asked to switch to two pickups vs. three in the summer. **(Kennedy)**
- Done** 24. Council supports continuation of the present chipping program. No fees. Monitor brush not called in – write letters. Contract renewed. **(Kennedy)**
- IP** 25. Council supports implementation of the ITRE study recommendations. The items noted as having immediate maintenance needs should be taken care of ASAP up to \$65K. The survey should be redone every 3 years. Will go for bids soon. **(Denny)**
- Done** 26. Council supports continuation of the Ocean Rescue Service with Nags Head, minus the PWC patrol. Council would support a single integrated lifeguard service for all the Outer Banks. **(MGR)**
- IP** 27. Overgrown vegetation is a continuing problem. Council supports an on-going trimming and tree removal program in Town right of ways for safety purposes. **(Denny)**
- IP** 28. Council continues to believe establishment of a public works department would lead to costly programs and equipment we can do without. Town Manager to restudy and make recommendations.

- IP** 29. Council supports development of programs to improve and better maintain Town Hall (**MGR**) and the Pitts Center (**Denny**) and a study of space needs for Town hall. (**MGR**) All buildings should be washed and decks coated periodically (**MGR**). The present sprinklers should be replaced with a bubble system. (**MGR**) Town Hall roof should be replaced. Insurance proceeds received. (**MGR**)
- IP** 30. Council recognizes the severity of the shortage of storage space and supports a study of erecting a metal building on the Town's property behind the south fire station to store ATV's, PWC, signs and a solid waste container repair station and equipment. The police garage is over capacity. (**MGR**)
- Done** 31. Pitts Center usage policy is supported as written and displayed on our web site.
- IP** 32. A study of Town telephone systems should be undertaken. (**MGR**)
- Done** 33. A records retention program should be continued. (**Clerk**)
- Done** 34. Job protection and code of ethics policies should be continued. (**MGR**)
- Done** 35. Present Town staffing levels are inadequate to handle all administrative needs. Volunteer help will be solicited. Police levels are adequate if PWC and beach patrols are not extensive and one duty officer is acceptable. (**MGR**)
- Done** 36. The salary structure will be reviewed with an objective of insuring it is competitive and also eliminating the step system. (**MGR**)
- IP** 37. SSCA requests to acquire the Hickory Trail Spur and to pave certain parking areas are under study. Drainage issues. Town keep Land?(**Mayor/Denny**)
- IP** 38. An Easter weekend beach cleanup day will be pursued using inmates or volunteers. (**Police Chief**)
- Done** 39. The Council discourages flyovers at Route 12.
- IP** 40. Improved, decorative Town entrance signs will be investigated.
- Done** 41. The Town web site contains an events calendar and building permit information.
- IP** 42. The plans for the multi use path will be made available to the public when we receive them from DOT. (**Denny**)
- Done** 43. The Town's emergency management organization chart was reviewed and incident command assignments were revised to reflect new council assignments.
- IP** 44. The large capacity home issue is under study by the Planning Board with assistance from State planning experts. In the meanwhile, a moratorium for 8 months on building permits for large homes allows time for the planners to come up with their recommendations.
- Done** 45. Council believes ETJ over Martins Point should not be relinquished.
- IP** 46. Council will review its alternatives in the area of annexation. (**Council**)
- IP** 47. Council supports appointing a new Long Range Planning committee to develop a Long Range Plan update. Nominees are needed. (**MGR/Council**) Discuss at 2/29 workshop.

- IP** 48. Council objects to any expenditure to widen Hwy 12 and favors a northern bridge. Council to consider a resolution accordingly. Council has invited DOT to review their TIP with us. We need a plan to effectively promote our interests in this matter. **(Council)**
- IP** 49. SOB ordinance will be voted on at March 7th meeting..
- IP** 50. Council debated licensing rental property (nominal fees) in some form. Could interface with the large capacity home issue. Questions include how to enforce. Could assist in insuring rules are posted. Council will review further and have Town Attorney review. **(Mayor/Kennedy)** Also discussed was an analysis of the desirability of a privilege tax. It appears to be more work than its worth. **(Mayor)**
- IP** 51. Council reviewed having a letter sent to owners when building permits are issued on septic sizing, storm water drainage and exterior lighting. Kennedy and Hejduk will draft. **(Kennedy)**
- IP** 52. 4" X 4" post fencing at the roadside in Town right of way is not acceptable. Council will review to determine appropriate response. Article in newsletter. **(Council)**
- IP** 53. Our sign ordinance for political signs should be compared to state law in terms of how many weeks in advance of an election they can be posted. **Hejduk)**
- IP** 54. Council encourages further training of employees on ordinance enforcement and reporting infractions. **(Hejduk)**
55. Council heard a report on police planning for PWC ordinance enforcement this summer. A PWC has been purchased **(MGR/Police Chief)**
- Done** 56. RT.12 speed limit drew differing views. Council may decide to set a public hearing.
- IP** 57. Council asks for legal input on the possibility of issuing 3 year Town auto licenses. **(Campbell)**

NOTE: Name in parentheses denotes accountability to move issue forward.



Town of Southern Shores

"A Town of Volunteers"

6 Skyline Road, Southern Shores, NC 27949

Telephone: (252) 261-2394 Fax: (252) 261-0452

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E-mail: toss@beachlink.com

RESOLUTION OF THE TOWN COUNCIL OF SOUTHERN SHORES
IN SUPPORT OF MUNICIPALITIES APPOINTING THEIR OWN
DARE COUNTY TOURISM BOARD MEMBERS

WHEREAS, the Dare County Board of Commissioners currently requests from each municipality two (2) nominees to serve on the Dare County Tourism Board; AND

WHEREAS, the Dare County Board of Commissioners then appoints one (1) nominee from each municipality; AND

WHEREAS, the Town of Southern Shores Town Council is requesting that individual municipalities be allowed to identify its own representation; AND

WHEREAS, the Town of Nags Head has forwarded a letter to Representative William Culpepper's office requesting that a legislative bill be drafted to allow individual municipalities to appoint their own members to serve on the Dare County Tourism Board.

NOW, THEREFORE, BE IT RESOLVED that the Town of Southern Shores Town Council hereby endorses the proposed legislation and encourages its passing in order to allow individual municipalities to appoint their own members to serve on the Dare County Tourism Board.

Adopted this 16th day of February 2000.


Paul Sutherland, Mayor

ATTEST:


Carrie Gordin, Town Clerk

DRAFT

AN ORDINANCE AMENDMENT OF THE ZONING ORDINANCE OF THE
TOWN OF SOUTHERN SHORES

BE IT ORDAINED by the Town Council of the Town of Southern Shores of North Carolina that the Zoning Ordinance of the Town of Southern Shores be amended as follows:

PART I. Article VII, Section 7.10, C- **General Commercial District, B, Permitted Uses**, is hereby amended to add item 7 as follows:

7. Parking lots and sewage treatment drain fields when located on a lot which is adjacent to and adjoins real property in an adjacent municipality upon which a principal building or use has been approved by the municipality and to which the parking lot and sewage treatment drain fields are necessary or incidental.

PART II. Article VII, Section 7.10, C – **General Commercial District, D, Dimensional Requirements (1) and (8)** is hereby amended to read:

- (1) Minimum lot size: Commercial lots shall be of sufficient size to meet requirements of the Dare County Health Department, to provide adequate siting for structures, and to provide parking, loading and maneuvering space for vehicles as required by Section 6.01 of this Ordinance. In addition, a visual buffer strip is required where a commercial use or zone abuts a residential zone.
- (8) Where a commercial use or zone abuts a residential zone, a buffer of dense vegetative planting or natural vegetation is required. The buffer area shall have a minimum width of 20 feet with 2 rows of planting material placed 10 feet on center that are a minimum of 5 feet in height when installed that expect to achieve a height of 8 feet within three years. Suitable plant types shall be those recommended for the coastal area by the U.S. Department of Agriculture which can be expected to reach mature growth of 8 to 10 feet. Vegetation plan to be approved by the Town Council.

PART III. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART IV. If this ordinance or the application of this ordinance to any person or circumstances is held invalid such invalidity shall not affect other provisions or application of the ordinance which can be given separate affect and to that end the provisions of this ordinance are declared to be severable.

PART V. This ordinance shall be in full force and affect from and after the ____ day of _____, _____.

Paul Sutherland, Mayor

ATTEST:

Carrie Gordin, Town Clerk

Approved as to form:

Thomas L. White, Jr., Town Attorney

DATE: 2/16/00

DRAFT #3

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TO: Southern Shores Town Council

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Public Relations – Don Smith

Liaison with other governments and Town spokesperson – Mayor Paul Sutherland

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Done 5. Council will develop expectations for Town Attorney and review with him. (**Mayor**)

Done 6. Donations by the Town will be strictly limited to those few cases that directly benefit citizens (serving a public purpose) or recognition of a citizen who has contributed significant public service.

IP 7. Name tags will be prepared for Town Council to wear when participating in town business. Business cards will be limited to minimum quantities with cost effective prices. (**Merrie**)

IP 8. The Town Code and Zoning Ordinances books will be reviewed, merged and updated, with help of a Town volunteer. A codification and maintenance plan will be developed. (**MGR/Clerk**) Motion passed to complete within six months.

Done 9. Added meetings with Raleigh and local governmental officials were considered unnecessary.

IP 10. The Town should advertise for and actively recruit potential members for Town Boards. (**Council /MGR**)

Done 11. Council expressed their commitment to adhere to open meetings law.

Done 12. Councilmen are eligible for travel cost reimbursement at Federal (IRS) mileage rates and are eligible to have cellular phones available if needed. Mayor and Manager are encouraged to wear pagers.

Done 13. Press packages for the media are to be prepared and available in advance of meetings. (**MGR/Clerk**)

- IP** 14. Council will investigate the taping of council meetings at no cost with new cable company. **(Mayor)**
- Deleted** 15. Council will study the potential to selectively appoint advisory committees or conduct citizen surveys.
- Done** 16. Council declined to consider any kind of fixed expense account for councilmen.
- Done** 17. Council will continue its current monthly workshops at 9:00 AM on the last Tuesday of each month. Regular council meetings will be on the first Tuesday of each month at 7:30PM on odd numbered months and at 9:00 AM on even numbered months. Town Clerk to prepare a resolution accordingly. **(Clerk)**
- IP** 18. The Manager reviewed the Town's financial picture including revenues and fund balance. Council supports increasing the undesignated fund balance at close of fiscal year from the present 10 months operating expenses to 12 months while looking for a reduction in the tax rate if feasible. **(MGR)**
- Done** 19. It was agreed that requests of council members to spend money should state the impact to the budget line item involved.
- Done** 20. Council intends to pass a resolution authorizing the Town Manager (Finance Officer) to approve spending up to the annual approved budget within a department's line item budget. He may transfer amounts between line item expenditures within a department without limitation and will file a report of such transfers to Council. He may not transfer amounts between departments or exceed departmental budgets without approval by council of a budget amendment. **(MGR)**
- IP** 21. The council reviewed the planned approach to studying the large capacity home issue with members of the Planning Board and State Planners Tom Richter and Lee Padrick.
- Done** 22. Council considered the current recycling program to be effective and it should be continued. **(Kennedy)**
- IP** 23. Council encourages continued emphasis on improving Dare County garbage service timeliness and discussed the necessity of three garbage pickups (Duck Road and east) during the summer months. Dare County has been asked to switch to two pickups vs. three in the summer. **(Kennedy)**
- Done** 24. Council supports continuation of the present chipping program. No fees. Monitor brush not called in – write letters. Contract renewed. **(Kennedy)**
- IP** 25. Council supports implementation of the ITRE study recommendations. The items noted as having immediate maintenance needs should be taken care of ASAP up to \$65K. The survey should be redone every 3 years. Will go for bids soon. **(Denny)**
- Done** 26. Council supports continuation of the Ocean Rescue Service with Nags Head, minus the PWC patrol. Council would support a single integrated lifeguard service for all the Outer Banks. **(MGR)**
- IP** 27. Overgrown vegetation is a continuing problem. Council supports an on-going trimming and tree removal program in Town right of ways for safety purposes. **(Denny)**
- IP** 28. Council continues to believe establishment of a public works department would lead to costly programs and equipment we can do without. Town Manager to restudy and make recommendations.

- IP** 29. Council supports development of programs to improve and better maintain Town Hall (**MGR**) and the Pitts Center (**Denny**) and a study of space needs for Town hall. (**MGR**) All buildings should be washed and decks coated periodically (**MGR**). The present sprinklers should be replaced with a bubble system. (**MGR**) Town Hall roof should be replaced. Insurance proceeds received. (**MGR**)
- IP** 30. Council recognizes the severity of the shortage of storage space and supports a study of erecting a metal building on the Town's property behind the south fire station to store ATV's, PWC, signs and a solid waste container repair station and equipment. The police garage is over capacity. (**MGR**)
- Done** 31. Pitts Center usage policy is supported as written and displayed on our web site.
- IP** 32. A study of Town telephone systems should be undertaken. (**MGR**)
- Done** 33. A records retention program should be continued. (**Clerk**)
- Done** 34. Job protection and code of ethics policies should be continued. (**MGR**)
- Done** 35. Present Town staffing levels are inadequate to handle all administrative needs. Volunteer help will be solicited. Police levels are adequate if PWC and beach patrols are not extensive and one duty officer is acceptable. (**MGR**)
- Done** 36. The salary structure will be reviewed with an objective of insuring it is competitive and also eliminating the step system. (**MGR**)
- IP** 37. SSCA requests to acquire the Hickory Trail Spur and to pave certain parking areas are under study. Drainage issues. Town keep Land?(**Mayor/Denny**)
- IP** 38. An Easter weekend beach cleanup day will be pursued using inmates or volunteers. (**Police Chief**)
- Done** 39. The Council discourages flyovers at Route 12.
- IP** 40. Improved, decorative Town entrance signs will be investigated.
- Done** 41. The Town web site contains an events calendar and building permit information.
- IP** 42. The plans for the multi use path will be made available to the public when we receive them from DOT. (**Denny**)
- Done** 43. The Town's emergency management organization chart was reviewed and incident command assignments were revised to reflect new council assignments.
- IP** 44. The large capacity home issue is under study by the Planning Board with assistance from State planning experts. In the meanwhile, a moratorium for 8 months on building permits for large homes allows time for the planners to come up with their recommendations.
- Done** 45. Council believes ETJ over Martins Point should not be relinquished.
- IP** 46. Council will review its alternatives in the area of annexation. (**Council**)
- IP** 47. Council supports appointing a new Long Range Planning committee to develop a Long Range Plan update. Nominees are needed. (**MGR/Council**) Discuss at 2/29 workshop.

- IP** 48. Council objects to any expenditure to widen Hwy 12 and favors a northern bridge. Council to consider a resolution accordingly. Council has invited DOT to review their TIP with us. We need a plan to effectively promote our interests in this matter. **(Council)**
- IP** 49. SOB ordinance will be voted on at March 7th meeting..
- IP** 50. Council debated licensing rental property (nominal fees) in some form. Could interface with the large capacity home issue. Questions include how to enforce. Could assist in insuring rules are posted. Council will review further and have Town Attorney review. **(Mayor/Kennedy)** Also discussed was an analysis of the desirability of a privilege tax. It appears to be more work than its worth. **(Mayor)**
- IP** 51. Council reviewed having a letter sent to owners when building permits are issued on septic sizing, storm water drainage and exterior lighting. Kennedy and Hejduk will draft. **(Kennedy)**
- IP** 52. 4" X 4" post fencing at the roadside in Town right of way is not acceptable. Council will review to determine appropriate response. Article in newsletter. **(Council)**
- IP** 53. Our sign ordinance for political signs should be compared to state law in terms of how many weeks in advance of an election they can be posted. **Hejduk)**
- IP** 54. Council encourages further training of employees on ordinance enforcement and reporting infractions. **(Hejduk)**
55. Council heard a report on police planning for PWC ordinance enforcement this summer. A PWC has been purchased **(MGR/Police Chief)**
- Done** 56. RT.12 speed limit drew differing views. Council may decide to set a public hearing.
- IP** 57. Council asks for legal input on the possibility of issuing 3 year Town auto licenses. **(Campbell)**

NOTE: Name in parentheses denotes accountability to move issue forward.