



# Town of Southern Shores

"A Town of Volunteers"

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Council Meeting

August 14, 2001

7:30 p.m.-Pitts Center

1. Mayor Sutherland called the meeting to order at 7:30 p.m.
2. Mayor Sutherland led the Pledge of Allegiance

Mayor Sutherland asked that a moment of silence be held for the families of Patrick Hay, Marion "Deke" Peebles and William (Bill) Farrell.

3. Consent Agenda

Councilman Smith made a motion to adopt the consent agenda as presented. Councilman Campbell seconded. Approved unanimously.

4. Planning Board Recap- July 16, 2001
  - a. Discussion of draft large home ordinance. Set public hearing date.
  - b. Discussion regarding a draft zoning ordinance amendment for multiple buildings to be allowed in commercial zone.
  - c. Recommended approval of an amended site plan for a deck at property located at 5415 N. Croatan Hwy. Columbia Propane.
  - d. Recommended approval of submitted site plan by the Town for the construction of a storage building to be located at 15 S. Dogwood Trail.

Dan Shields, Chairman, submitted the recap. He amended the Planning Board agenda items by asking to delete item (b) and to correct item (c) by deleting Martin's Point commercial zone and adding Southern Shores. Columbia Propane is requesting a deck to be added to the property.

Mayor Sutherland set the date for the public hearing for the proposed large home ordinance for September 4, 2001 at 9:00 a.m.

Planning Board Recap cont'd

Councilman Kennedy recommended a change in the wording of the draft ordinance in Part I. and Part III. to read 'and septic system capacity for no more than for fourteen (14) people. All of Council agreed.

Councilman Denny made a motion to approve amended site plan as recommended by Planning Board to allow a 12'x12' deck to be constructed on property located at 5415 N. Croatan Hwy, Columbia Propane. Mayor Sutherland seconded. Approved unanimously.

Mayor Sutherland made a motion to approve the presented site plan for a Town storage building to be located at 15 S. Dogwood Trail as recommended by the Planning Board. Councilman Kennedy seconded. Approved unanimously.

5. Old Business

- a. Authorize request for informal bids for Town Hall renovations.

Tom Gjestson, Town Manager, reported that the plans to remodel the Town Hall, including closing in the breezeway between the Administration and Building Inspections building, and asked that Council authorize him to go out for informal bids on the project. Council agreed.

Councilman Kennedy asked if upgrading the HV/AC had been discussed and included in the plan before the breezeway is enclosed? He commented that in the recent hot days the current A/C has not been able to cool Town Hall properly. T. Gjestson stated that he would take it under consideration.

- b. Employee Computer Purchase Plan.

T. Gjestson reported that the State has adopted a program whereas employees are able to purchase home computers through participating vendors with affordable payments. He requested that he study this program more regarding Town's involvement and he will bring to Council at a workshop before Council makes a decision. Meanwhile the state program can be distributed to employees. Council agreed.

- c. NCDOT traffic update.

Mayor Sutherland reported that NCDOT responded by a letter dated August 13, 2001 which he read the findings that stated after a spot speed study held on August 9, 2001 from 12 p.m. to 6 p.m. the study showed that 85% of drivers are comfortable traveling at 43 MPH. or slower.

Old Business cont'd

This indicates that the established speed limit may be appropriate, however, lowering of the speed limit to 40 mph may also be justified. Lowering the speed limit further may create enforcement problems. Mayor Sutherland stated that further discussion is needed on this and a public hearing would be held before anything is decided.

Councilman Campbell stated that NCDOT was to give an update that covers other issues and since the report is incomplete this item should be tabled. He stated that the other items were the proposed push-to-walk at Sea Oats Trail, installing a turn lane on NC 12 and the redesign of the intersection from 158 to NC12. He stated that DOT did say there are no funds for a turn lane throughout NC 12 in Southern Shores but that a possible turn lane from Southern Shores Realty to Ocean View Loop could be considered.

Council agreed to table this issue until further contact from NCDOT.

- d. Authorize request for informal bids for construction of Town storage building.

T. Gjestson reported that the committee, composing of Councilman Denny and Kennedy, Mike Hejduk, Bill Storey, Police Chief Brazell and himself, have been working with Bissell Engineering and now that the plans have been approved he would appreciate authorization to go out for informal bids. Council agreed.

6. New Business

- a. Recognition of Officer Matt Anderson and Mike Hejduk.

Mayor Sutherland announced that Officer Matt Anderson has been promoted to Corporal. Also that Mike Hejduk, Code Enforcement Administrator, has received his Level 3 State Certifications. Mayor Sutherland stated that Mike is one of 102 Building Inspectors in the State to achieve Level 3 in each of the five areas of inspection.

- b. Appointees to the NC State Firemen's Association Local Relief Fund.

Mayor Sutherland reported that two people need to be appointed by the Town to the Local Firemen's Relief Fund. He stated that Al Smith is already an appointee through December. Councilman Kennedy made a motion to appoint Al Smith for a one-year term and Andy Cagiano for a two-year term. Councilman Smith seconded. Approved unanimously.

New Business cont'd

c. Maritime Forest-clear cutting of trees-Petition

Mayor Sutherland made a motion that Council accepts the petition and that Council will deliberate up to September and set up a small study group to address this issue. Councilman Campbell seconded. Approved unanimously. Council will review this at the August workshop.

D. Shields stated that he has drafted some comments for the Planning Board to discuss at their next meeting August 20, 2001 regarding the clear cutting of trees. He stated that comments from that meeting would be given to Council at the August workshop.

Councilman Campbell suggested upon approval of an ordinance that it be given to builders and contractors.

Mayor Sutherland stated that possibly something could be placed in the next Town newsletter. He stated that the Town Manager needs all information for the newsletter by August 16.

d. Amendment to Municipal Records Retention & Disposition Schedule.

Carrie Gordin, Town Clerk, explained that the amendment was an administrative procedure as it is a request for approval to the schedule to amend Standard-3 Budget and Fiscal Records-Escheat and Unclaimed Property File and Standard-13 Police Department Records-Communications Records. Councilman Denny moved to approve the amendments as presented and authorizes the Town Manager and Town Clerk to execute the document. Councilman Kennedy seconded. Approved unanimously.

e. Authorization of New Phone System

T. Gjestson reported that the phone system in the Town Hall and Building Inspections are old and there have been problems. In talking with Sprint and receiving two informal bids for a phone system that would connect all the buildings it has been decided to go with the Norstar system. The Police Department already has the system. Councilman Campbell made a motion to authorize the Town Manager to expend up to \$12,000.00 to install the new phone system. Councilman Denny seconded. Approved unanimously.

Mayor Sutherland suggested that the Town donate the Police Department phone system (Norstar) to the Fire Department.

New Business cont'd

f. Powell Bill Update.

T. Gjestson reported that the completed report for the Powell Bill has been sent to Raleigh and funds should be received in October.

g. Town History Preservation.

Councilman Campbell stated that some discussion has been given to appointing a Town historian or committee. The Pitts Family set up an endowment fund to be used by Southern Shores.

Mayor Sutherland stated that he talked to Diane Pitts who is in favor of using the funds for glass cases to hold memorabilia in the Pitts Center.

Councilman Campbell stated that there are a few names to be discussed for the committee and he recommends at Council's workshop on August 28 this be discussed further and appointments made be done at the September Council meeting.

h. Green Space

Mayor Sutherland stated that discussion regarding 'green space' at the Outer Banks Visitors Bureau meeting inspired him to draft a letter to the Roanoke Island Commission requesting that the old DOT property, recently donated to the Roanoke Island Commission be bought from them for \$1 following which Council would declare it as 'green space' never to be developed. If they can't take money then the letter requests that they deem it 'green space' and never be developed. Council agrees to send the letter.

i. Authorization to apply for grant for multi-use path.

Councilman Denny stated that as part of the engineering work to do the street repair work on Juniper Trail, a multi-use path was included. A matching grant (50%) with the DC Tourist Bureau may be available. He is requested that Council to authorize the Town Manager to apply for the grant. Councilman Kennedy made a motion to authorize the Town Manager to apply for the grant for the installation of a multi-use path on Juniper Trail. Mayor Sutherland seconded. Approved unanimously.

7. Public Comment

Gary Minck, 80 Poteskeet Trail, addressed Council regarding the Maritime Forest-clear cutting petition submitted to Council. He stated that there are over 200 signatures on the petition.

Public Comment cont'd

G. Minck submitted for reference to the committee and others who might be interested excerpt materials from the National Biological Service, US. Dept. of Interior, Report 30-May 1995 entitled Ecology of Maritime Forests of the Southern Atlantic Coast: A Community Profile and NC Natural Heritage Program, Division of Parks and Recreation, NCDENHR 1990 entitled Classification of the Natural Communities of NC-3<sup>rd</sup> Approximation. He thanked Council for their aid in forming a study group.

Pete Macfarlane, 67 Trinitie Trail stated he supports the efforts of Gary and Susan Minck and the efforts to close a loophole in the Town's building code. He made further comments that are attached to the minutes.

Steve McCauley, 74 Spindrift Trail, addressed Council regarding the right-of-way of bikers using the bike path. He asked if they have to obey the traffic light? He related an incident in which he was involved. Also, he stated that the sign is confusing on the bike path that reads bikers right, walkers left.

Ursula Zdziarski, 267 N. Dogwood Trail, addressed Council by saying she supports the efforts of the Minck's and Council regarding the protection of the clear cutting of trees. She stated that the lot at 288 N. Dogwood Trail has removed several trees and is a cause for alarm and Council should look at it. She had further comments that are attached to the minutes.

Susan Minck, 80 Poteskeet Trail, stated that she wants to acknowledge all that came to the meeting tonight in support of the petition. She read paragraph two of the petition.

Jack Sheehan, 301 N. Dogwood Trail, stated that if there is a particular site that needs to be viewed it would be the one at 288 N. Dogwood Trail. He stated that he supports Ursula in her comments and the others in this issue.

Rob Milne, 155 Yaupon Trail, stated that the maritime forest isn't the only ecosystem that needs to be considered. Other areas that have live oak and bayberry are also important. He urged Council to go beyond the maritime forest preservation and look at available "green space" whether it is public or private. He stated that waterway management goes hand in hand with vegetation management.

Jenny Dunaye, 138 Poteskeet Trail, stated that she supports property owners being fined if they cut down all the trees on a lot. She recommends that Council confer with David Stick for ecological information involving the Town.

8. Council's Agenda

Councilman Denny-none

Councilman Kennedy-none

Councilman Campbell-none

Councilman Smith stated that he would have a report from the lifeguard service committee meeting next month.

9. Mayor's Agenda

Mayor Sutherland announced that the Chicahawk Property Owner's Association will meet on September 22, 2001 for their annual meeting and he will be giving a presentation.

Mayor Sutherland stated that a letter has been drafted regarding the Ginguite Woods Development and the state of progress it is in. The letter contains a list of conditions that the developer needs to meet by August 23, 2001 or the building permit will be rescinded.

Mayor Sutherland presented a resolution for Council's approval granting the Dominion Power easement on Sea Oats Trail. Councilman Denny made a motion to adopt the resolution as presented. Mayor Sutherland seconded. Approved unanimously

Councilman Denny suggested that an article could be placed in the Town's upcoming newsletter regarding the placement of these utility lines and he stated that a joint letter (Power Company/Town) would be sent to the affected property owners regarding the easement.

Mayor Sutherland presented and moved that a resolution advocating local government's role in the NC Coastal Management Land Use Planning process be adopted. Councilman Campbell seconded. Approved unanimously.

11. Town Manager's Agenda

T. Gjestson stated that Council adopted a salary COLA of 3.5 % for employees in their FY 91/92 budget and with Council approval, eligible employees will begin receiving it in their 1<sup>st</sup> September payroll.

Town Manager's Agenda cont'd

Councilman Campbell moved that Councilman Smith be excused removed from deliberation of the COLA issue due to a conflict of interest since his wife is a Town employee. Mayor Sutherland seconded. Approved 4 to 0.

Mayor Sutherland moved to grant the COLA as proposed. Councilman Kennedy seconded. Approved 4 to 0. Councilman Smith rejoined Council.

T. Gjestson reported that he received a letter from Professor Nick Jones of the John Hopkins University regarding the contract between them and the Town allowing the placement of instrumental components for collecting hurricane information. Professor Jones explained that the grant has expired and does not wish to pay to continue the use of the office space. Councilman Denny suggested this be discussed in further detail at the Council's next workshop.

Fire Chief Bakken gave the monthly fire report. He stated that the fire department has a state rating of 5, tying with two other municipalities. He stated that the Fire Department is working on a project with Dare County looping the water lines in the area of Chicahauk Trail and Scuppernong Lane. Councilman Denny asked if there are other areas where a loop is needed. Chief Bakken stated that this is the only area that doesn't meet state standards.

Police Chief Brazell gave the monthly police report.

10. Town Attorney's Agenda-none

T. Gjestson presented each Council Member with a new Town coffee mug in recognition of all that Council does as 'Volunteers'.

Councilman Campbell recognized Dick Woods, past-Mayor, as being in the audience.

Mayor Sutherland made a motion to adjourn the meeting at 8:50 p.m. Councilman Campbell seconded. Approved unanimously.

ATTEST:

  
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Mayor Sutherland

Respectfully submitted:

  
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Carrie Gordin