

**Town of Surf City
Regular Council Meeting Minutes
August 6, 2013**

Mayor Guy called the regular monthly meeting of the Surf City Town Council to order at 7:00 p.m. Mayor Pro Tem Medlin gave the invocation, and Councilman Curley led the Pledge of Allegiance. Also present for the meeting were Councilwoman Albury, and Councilmen Fowler and Helms, Co-Interim Manager/Finance Director Jane Kirk, Co-Interim Manager/Fire Chief Joseph Rivenbark, Attorney Trey Carter, and Town Clerk Patricia Arnold.

PRESENTATION

- Water Rescue Engine Lieutenant Jon Burton, Firefighter Mark Weber, Firefighter Tim Hobbs, & Firefighter Noah Hoffer
- Retired Town Manager J. Michael Moore
- Ocean Hero Jean Beasley

BEAUTIFICATION & APPEARANCE RECOGNITION

Mayor Guy presented the Proclamations for the Home of the Month for August to James & Mary Turner for their property located at 107 Bland Drive and the Businesses of the Month for August to Re/Max located at 114 N. Topsail Drive.

APPROVAL OF MINUTES

Minutes of the July 2, 2013 Regular Meeting were recommended for approval by Town Attorney Trey Carter. Motion was made by Councilwoman Albury and seconded by Councilman Helms to approve as presented and was carried unanimously.

PUBLIC HEARING

FINANCE RESOLUTION FOR REFINANCE OF TWO LOANS WITH BB&T

Mayor Guy recessed the regular council meeting at 7:32 P.M. to open the public hearing for comment on Finance Resolution for refinancing two loans with BB&T.

Public Hearing was closed at 7:33 P.M.

Councilman Fowler made a motion approve the Finance Resolution for refinancing the two loans with BB&T. Councilwoman Albury seconded motion. Motion unanimously carried. Copy of Resolutions are attached to these minutes

PUBLIC HEARING

CONDITIONAL USE PERMIT – TOPSAIL BOAT RENTAL LLC AT 205C ROLAND AVE

Mayor Guy recessed the regular council meeting at 7:34 P.M. to open the public hearing for comment on Conditional Use Permit requested by Topsail Boat Rental LLC.

Town Planner Rademacher stated that the applicant, Topsail Boat Rental, LLC is requesting approval of a CUP to rent motorized boats. The business will be conducted out of the Surf and Sound shop located at 205 C Roland Avenue. The

boats will be stored at the Beach House Yacht Club. The Yacht club is for boat storage only, per an agreement with the BHYC, and will not be used for any commercial activity with the customers.

There are a total of 8 boats to be used for the operation of this business. Coast Guard inspections are not required. No additional buildings or changes to existing buildings are required for this use.

The Planning Board recommends that the following conditions be placed on the use if approved:

- USCG inspection every year with the results of the inspection to be submitted to the Town.
- No rentals after dark.
- No Surf City Park may be used for business purposes in regard to this commercial endeavor.
- Signage may only be placed at 205 C and must meet all zoning requirements.

Four Factors that must be present to issue a CUP

1. That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by the issuance of the conditional use permit
2. That the use meets all required conditions and specifications
3. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity
4. That the location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the land use plan and its policies for growth and development as applicable in the Town of Surf City.

Public Hearing was closed at 7:37 P.M.

Mayor Pro Tem Medlin made a motion to approve the Conditional Use Permit with the recommended conditions made by the Planning Board, Councilwoman Albury seconded motion. Motion unanimously carried.

TAX SETTLEMENT STATEMENT

Finance Director Jane Kirk stated that every year the Town must do a tax settlement statement saying how much tax the Town billed for, how much was collected, and the balance that was owed. The Total base amount billed was \$3,970,918.92. The balance

owed on June 30 was \$110,188.95, which is a 97.22% collection rate. Copy of statement is attached to these minutes. Councilman Helms made a motion to accept the Tax Settlement Statement. Councilman Fowler seconded motion. Motion unanimously carried.

CHARGE TO THE TOWN OF SURF CITY TAX COLLECTOR

Councilwoman Albury made the motion to approve the 2013 Charge to the Town of Surf City Tax Collector. Mayor Pro Tem Medlin seconded motion and motion was carried unanimously.

AWARD CONTRACT – WATER & SEWER LINE TO MILL CREEK RD., Gus Simmons, Cavanaugh & Associates.

Councilman Helms made a motion to direct the Clerk to investigate a Petition for satellite annexation, to set a Public Hearing date for September 4, 2012 and send the request. Councilman Fowler seconded motion. Motion unanimously carried. Copy of Resolutions is attached to these minutes

PUBLIC FORUM

Clark Harvey, 106 Abigail Ct., expressed his concerns regarding trash, tents, and other things being left on beach.

COUNCIL FORUM

Councilman Curley thanked everyone for coming.

Mayor Pro Tem Medlin thanked everyone for coming and for keeping Council informed. He stated he attended the first Turtle release in Surf City.

Councilwoman Albury stated that she was glad to see all the turtle volunteers and encouraged everyone to attend meetings and address their concerns to the Council.

Councilman Fowler stated that we had great citizens in our town. He stated that there were a lot of things going on at the Community Center.

Councilman Helms stated that for firemen this is a small part of what they do – dedication – training. They are concerned that no one gets hurt. He stated that Police and regular employees do a great job also.

Mayor Guy

- Instructed Interim Managers Rivenbark & Kirk to get up with Town Attorney regarding tents on the beach. We have removed tents before and received letters from lawyers.
- Spoke to Asst. Chief Shanahan regard the hold ordinance and the purpose behind purchasing 4 wheel drive vehicle was to aid them in enforcing beach ordinances.
- Thanked everyone for bring present.

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MANAGER REPORT

No report at this time.

TOWN ATTORNEY REPORT

No report at this time.

ADJOURNMENT

There being no further business Mayor Guy adjourned the meeting at 7:51 p.m. upon the motion by Councilman Fowler and seconded by Councilman Helms. The Council unanimously approved motion.

Patricia E. Arnold, Town Clerk

A. D. (Zander) Guy, Jr., Mayor