

Town of Surf City
Regular Council Meeting Minutes
August 7, 2012

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, Councilmen Fowler and Helms, Town Manager Michael Moore, Attorney Trey Carter, Finance Director Jane Kirk, and Town Clerk Patricia Arnold.

BEAUTIFICATION & APPEARANCE RECOGNITION

Mayor Guy presented the Proclamations for the Home of the Month for August to Margie Strifert for her property located at 948 Broadway St. and the Business of the Month for August to Island Crush located at 205A Roland Ave.

APPROVAL OF MINUTES

Minutes of the July 10, 2012 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

Mayor Guy recessed the regular council meeting at 7:01 P.M. to open the public hearing for comment on Text Amendment regarding Ice Cream Vendors. Two meetings ago a citizen asked Council to look at ordinance for mobile vendors.

Manager Moore stated that staff has checked other island communities and some have mobile ice cream vendors, some don't, some limit how many, and some don't.

Recommend business license be \$50.00 go to the Police Department to show proof of insurance and have vehicle inspected and receive a sticker for vehicle.

This does not allow vendors on beach or on side of road. The reason for street restrictions is that the roads are not wide enough and are afraid for kids to run out.

On North and South Shore Drive on weekends you can barely get around on a bicycle.

Tony Cecere, 1102 N. Shore Drive sent in an email against the ordinance change. Copy of email is attached to these minutes.

Councilman Fowler stated that he thought that this was a good starting point. When looking at safety and local businesses. Traffic is very heavy and hard to pay attention. He wanted best safety standards and fairness to businesses.

Anthony Caporino, 103 Phoebe Ct., Hampstead, stated that he works now in North Topsail Beach. He stays off the main road but he does not see a problem with the side streets. He works March until it is too cold.

Gary Sample, 351 Dogwood Lane, Hampstead, stated that he was the owner of Cone of Ice and that it works with the Turtle Hospital and the National night out in Jacksonville. When they do project they give back to the venue that they are working with and stated that he would like to have a license to be able to be a vendor.

Barbara Morrow, 1217 N. Topsail Drive, stated that she was opposed to the ordinance. In June she drove through North Topsail Beach and she said that it looked like a craft fair with all the canopies and vendors. After one ice cream truck comes in when do you stop, the food trucks and taco vans then crafts. Then we will have noise pollution. Yes the ice cream truck is pleasant memories but so are other things of yesterday years.

Turtle Creek HOA is one of the ones that came in to ask for the ordinance change and at the entrance of their subdivision it states no solicitors. She stated that she thought it was a bad idea.

Public Hearing was closed at 7:18 P.M.

Councilman Helms made the motion to approve the Text Amendment with a one year probationary period. Mayor Pro Tem Medlin seconded motion adding \$50.00 business license fee and must have proof of insurance and go through Police Department and cannot be set up stationary. Motion carried Yes – 4, No – 1 (Albury). Copy of the Text Amendment is attached to these minutes.

RESOLUTION ON DIRECTING THE CLERK TO INVESTIGATE A PETITION FOR CONTIGUOUS ANNEXATION AND SET A PUBLIC HEARING – .22.53 Acres off Mill Creek Rd. – Summer Ducks LLC

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

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 \$3,578,225.13. The balance owed on June 30 was \$95,370.09, which is a 97.34% collection rate. Copy of statement is attached to these minutes. Councilwoman Albury made a motion to accept the Tax Settlement Statement. Councilman Helms seconded motion. Motion unanimously carried.

CHARGE TO THE TOWN OF SURF CITY TAX COLLECTOR

Councilwoman Albury made the motion to approve the 2012 Charge to the Town of Surf City Tax Collector. Councilman Fowler seconded motion and motion was carried unanimously.

TAX RELEASES

Councilwoman Albury made a motion to approve the tax releases. Mayor Pro Tem Medlin seconded motion. Motion carried unanimously. Copy of tax releases are attached to these minutes.

ENGINEERS PROJECT UPDATES, Gus Simmons, Cavanaugh & Associates. Surf City Wastewater Treatment Facilities

Juniper Swamp Phase 1 Irrigation System:

During the month of July, the contractor focused efforts on the continued construction of the pump station construction of the outlet structure, and finish grading of the storage basin. The contractor also flushed debris from the irrigation lines and has begun the pipe pressure testing process.

All of the irrigation risers have been installed and all of the underground piping, save the connection of the irrigation distribution forcemain to the pump station. Cavanaugh completed walk-throughs of the remaining irrigation lanes with Town Staff and Contractor staff, which led to further clean-up, removal of roots and vegetative debris, and additional fine-grading to alleviate some drainage concerns and ponding.

All of the required submittals have been presented by the Contractor, and reviewed by the Engineer.

Key Project Metrics:

Notice to Proceed: October 11, 2011

Contracted Project Completion: 365 Days

Changes to Construction Schedule: 3 Days

Original Substantial Completion Date: October 16, 2012

Current Substantial Completion Date: October 19, 2012

Project is currently on schedule

Original Construction Contract Amount: \$4,617,817.00

Changes to Construction Cost: \$30,740.00

Current Construction Contract Amount: \$4,648,727.00

Payment requested to date: \$3,889,873.22 (84%)

Project is currently within budget¹

1 Loan included \$230,891.00 in contingency.

Change Order Summary: (No changes since previous report)

Change Order #1, for an increase in contract price of \$6,870.00, was an Owner request to add some culverts and minor earthworks across the major drainage ditch that was added to aid Town Staff in traveling from zone to zone by vehicle.

Total change in contract value subsequent to Change Order #1 = \$6,870.00

Change Order #2, for an increase in contract price of \$18,300.00 and increase in contract time of 3 days, was an Owner request to replace a buried, rigid pipe connection between the Juniper Swamp storage basin supply pipe and the irrigation distribution piping. The design and permit drawings contained a rigid pipe connection to allow effluent to be pumped to and from the existing storage basins at Sarge Martin and the new Juniper Swamp storage basin. Replacement of this rigid pipe with hydrants and valves will allow the Town to utilize a diesel pump to transfer the effluent in the case of extended power failure. This configuration will also accommodate the use of diesel pumps in the event of catastrophic pump or electrical system failure at Juniper Swamp.

Total change in contract value subsequent to Change Order #2 = \$25,170.00

Change Order #3, for a decrease in contract price of \$25,000, is derived from the Engineer's resolution to the clay liner concerns that have previously been reported to the Town. During the course of construction of the Juniper Swamp Storage Basin, the Contractor expressed concern, and it was ultimately determined, that the clay material excavated was insufficient quality to construct a clay liner in accordance with the permit requirements. Cavanaugh has worked with the Division of Water Quality to develop an alternate solution that allows for the use of the material, as excavated. An associated permit modification is in progress. The \$25,000 savings was created as a result of reduced construction time and effort on the part of the grading subcontractor.

Total change in contract value subsequent to Change Order #3 = \$170.00

Change Order #4, for an increase in contract price of \$30,740.00, resulted from several suggestions for overall SCADA system improvements for the Town's water and wastewater systems. These improvements include a major software upgrade for the entire system (water and sewer); installation of a redundant SCADA terminal (computer) at the wastewater plant (there is only a terminal at the water plant at present); addition of the ability to remotely control the effluent transfer pumps at the wastewater plant, which will allow Town Staff to transfer effluent to Juniper Swamp without physically being at the WWTP; and the addition of some additional solar arrays and batteries at the Juniper Swamp site to improve system functionality and flexibility. These suggested improvements were reviewed by Town Staff and determined to be appropriate to add to the current Juniper Swamp Irrigation System contract.

Total change in contract value subsequent to Change Order #4 = \$30,910.00

There have been a few, additional, minor items that have been presented, in addition to those described above, as possible change orders by the Contractor, that have been resolved without change in price or time to Owner.

Juniper Swamp Infiltration Basin: No change since previous report.

Tortuga Lane Street & Utilities Design No change since previous report.

Little Kinston Forcemain Re-route- The project has been designed and the final permits have been issued. This project is ready to proceed to construction at the Town's chosen schedule.

Hwy 50 Sidewalk Improvements- The Pre-Construction Meeting for this project was held on July 25, 2012 at Town Hall. Representatives from JYMCO (the Contractor), the Town, NCDOT, and Cavanaugh were in attendance. JYMCO is in the process of mobilizing all equipment and materials required for the completion of the project to the project area. Construction activities will begin for this project in the month of August.

Key Project Metrics:

Notice to Proceed: July 25, 2012

Contracted Project Completion: 120 Days

Changes to Construction Schedule: 0 Days

Original Substantial Completion Date: October 23, 2012

Current Substantial Completion Date: November 22, 2012

Project is currently on schedule

Original Construction Contract Amount: \$85,002.50

Changes to Construction Cost: \$0

Current Construction Contract Amount: \$85,002.50

Payment requested to date: \$0 (0%)

Project is currently within budget

2013 Powell Bill Map Update- Cavanaugh assisted the Town with the required updates and annual submission for the State Street-Aid Program (Powell Bill) during the month of July.

PUBLIC FORUM

No public comment.

COUNCIL FORUM

Councilman Curley Beach Nourishment – meeting held early July with Pam Caston, project manager, NTB, Manager Steve Foster and SC, Manager Michael Moore, Councilman Curley, David Ward.

First we had feasibility study and now a preliminary design on amount of sand. According to calculation has to be 50 years worth of sand and may not have enough sand to renourish every 6 years. Maybe 1st year to 20 years.

We should cover ourselves for 50 years. We do not want to be like Carolina Beach and Wrightsville Beach. They are having problems finding other 50 year sand and funding now.

Army Corp of Engineers needs \$423,000 to go out and analyze other 6 borrow areas to find more sand.

Federal pays 75% we pay 25% between NTB/SC. NTB has 4 miles 40% = \$40,000, SC has 6 miles 60% = \$60,000. Anything we have spent has been matched 50/50 by state. Our cost would be \$30,000.

Consensus of Council was to pay \$30,000.

Mayor Pro Tem Medlin stated that he appreciated the work that Councilman Curley has done with Beach Nourishment, and appreciated everyone for coming.

Councilwoman Albury thanked everyone for coming.

Councilman Fowler invited everyone to come out to the community center for kickball, basketball, soccer, movies, concerts, and hopes to start softball league soon.

Councilman Helms appreciated everyone coming out and invited everyone to come back.

Mayor Guy

- NCDOT bridge maintenance tomorrow 1am-6am.
- Read thank you letter for Pete Gideon's flowers for funeral.

MANAGER REPORT

No report at this time.

TOWN ATTORNEY REPORT

No report at this time.

ADJOURNMENT

There being no further business the meeting was adjourned at 7:53 p.m. upon the motion by Mayor Pro Tem Medlin and seconded by Councilwoman Albury. The Council unanimously approved motion.