

**Town of Surf City  
Regular Council Meeting Minutes  
September 3, 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 Charles Lanier, and Town Clerk Patricia Arnold.

**INTRODUCTION**

Mayor Guy introduced Troop 235 Boy Scout Zane Qasem who is working on his communications badge.

**BEAUTIFICATION & APPEARANCE RECOGNITION**

Mayor Guy presented the Proclamations for the Home of the Month for September to Timothy & Judy Schauer for their property located at 128 Roughleaf Trail and the Businesses of the Month for September to Surf City BBQ owned by Gerald Garner and Guy Royal and located at 204A N. New River Drive.

**APPROVAL OF MINUTES**

Minutes of the August 6, 2013 Regular Meeting were recommended for approval by Town Attorney Charles Lanier. Motion was made by Mayor Pro Tem Medlin and seconded by Councilman Helms to approve as presented and was carried unanimously.

**FIREMEN'S RELIEF FUND BOARD APPOINTMENT**

Councilman Helms made the motion to reappoint Bill Feige to the Firemen's Relief Fund Board. Mayor Pro Tem Medlin seconded motion and motion was carried unanimously.

**CAPE FEAR COMMUNITY COLLEGE SITE PLAN**

Town Planner Rademacher stated that the applicants are seeking approval of 11,950 square foot community college. The property is zoned OI or Office and Institutional and does allow for this type of use to be constructed. The property is adjacent to several single family homes, Colbert Lane and a used car lot. All of these adjacent uses are within the Pender County Zoning jurisdiction. The project area consists of 25.12 acres with a mix of uplands and wetland on the site. The parking requirements meet the requirements of the ordinance and landscaping has been designed to meet the codes. A lighting plan has been submitted and is also in compliance with the Town codes. Sidewalks will be constructed along all road frontages. A storm water plan has been submitted in accordance with local and state regulations and will need to be approved by the State prior to construction. Water and Sewer plans have been reviewed by the Town staff as well as by Cavanaugh and Associates acting on behalf of Surf City. A permit for these services is currently awaiting signature by staff and then can be submitted forward to the State for approval.

Access to the site will be permitted by NCDOT and will require a separate driveway. Access to Colbert Lane is not allowed as the college does not have deeded access to this private street.

The Plans have also been reviewed for compliance with our Architectural code. The designs submitted by the Architect LS3P are in compliance with the local architectural code.

The Planning Board unanimously recommends approval of the site plan.

Councilwoman Albury made the motion to approve the Cape Fear Community College site plan. Fund Board. Councilman Fowler seconded motion and motion was carried unanimously.

### **GOLF CARTS**

Councilman Helms made the motion to establish a Public Hearing on October 1, 2013. Mayor Pro Tem Medlin seconded motion and motion was carried unanimously.

### **TENTS ON BEACH**

Councilman Helms made the motion to establish a Public Hearing on October 1, 2013. Councilwoman Albury seconded motion and motion was carried unanimously.

### **PERSONNEL POLICY**

Co-Interim/Finance Director Kirk stated that they would like update some things in the Personnel Policy

- Would like to limit allowed leave without pay to 3 days a year.
- Sick leave accrued no more than 80 hours when coming from another entity.
- (F) Additional Certifications raise removed. F) Additional Certifications: Employees receiving certifications after becoming Town employees, which require classroom work and testing, will receive an increase in salary determined by the Town Manager.
- Definition of Light Duty. A form of less strenuous activity available to those employees whose limitations are not due to occupational injury or illness. Must be approved by Department Head and maximum of 2 weeks.

Councilman Helms stated that he disagreed with the 3 day annual days. He doesn't think it's right for some to abuse the system. Employees have sick, vacation, and personal leave. Stating that it is not right for the employer and those that have to cover for them when they are out.

Councilwoman Albury asked what happens if someone has been out sick and has no days left.

Co-Interim/Finance Director Kirk stated that then they would use vacation leave. Also someone can donate vacation leave to someone else for sick leave.

Co-Interim/Fire Chief Rivenbark stated that there needs to be some kind of limit.

Councilman Fowler stated that the State and major companies only allow 2 days.

Co-Interim/Fire Chief Rivenbark stated that some request are overwhelming. They were hired to work.

Mayor Pro Tem Medlin stated that if those 3 days get abused then come back to Council and tell us.

Councilman Helms stated that he feels like there should be no days.

Councilman Helms made the motion to only allow 2 annual leave without pay days. Councilman Fowler seconded motion and motion was carried with a 4 to 1 vote with Councilwoman Albury voting no.

#### **FLOOD INSURANCE RESOLUTION** Cameron Moore, BASE

Councilman Helms made the motion to approve the Resolution urging Congress to amend the Biggert-Waters Flood Insurance Reform Act of 2012. Mayor Pro Tem Medlin seconded motion and motion was carried unanimously. Copy of this Resolution is attached to these minutes.

#### **PUBLIC FORUM**

No comments.

#### **COUNCIL FORUM**

**Councilman Curley** thanked everyone for coming.

**Councilwoman Albury** thanked everyone for coming and hopes the hurricanes will stay away.

**Councilman Fowler** stated that soccer starts Saturday, that there will not be a concert this weekend, and stated that there was a large crowd this past weekend.

**Councilman Helms** thanked everyone for coming and hoped everyone had a great Labor Day.

**Mayor Pro Tem Medlin** stated that he was excited and looking forward to the college coming. It is a big compliment for them to be in our town.

#### **Mayor Guy**

- Thanked Councilman Helms for his hard work and for mentoring some employees.
- Read thank you note from Councilwoman Albury for the flowers Council sent to her while she was in hospital.

- FOCUS is the regional planning initiative for the three-county area in and around Wilmington, which is funded by a multi-year HUD grant to encourage regional planning, growth and development. The initiative challenges us to set collectively our FOCUS on the future.

Mayor Pro Tem Medlin made the motion to approve joining FOCUS and having the Town Planner Rademacher as the point of contact. Councilman Fowler seconded motion and motion was carried unanimously.

**ENGINEERS PROJECT UPDATES, Gus Simmons, Cavanaugh & Associates.**

Juniper Swamp Phase Irrigation System: Based on continued improvements to the minor grading required of L.M. McClamb in accordance with the punch-list, we were able to certify Zone E last week and place this portion of the sprayfield into use. At this time, Zones A-E are in use, and Zones F, G, and H are undergoing minor grading improvements by the Contractor. The Contractor is mobilized to the site, and with good weather, can be finished within a matter of days. It should be noted that the Contractor has been attempting to make these repairs all summer, but the constant rainfall has prevented the work from progressing swiftly.

Although there are 3 Zones that still require repair, the State (through the Division of Water Resources) approved the capacity increase for the entire system last May; which provides the Town with 1.1 Million Gallons of Sewer Capacity.

Mill Creek Water & Sewer Extensions: A Pre-Construction meeting was held on August 20, 2013 in the Town of Surf City Town Hall. Representatives of the Town Administration and Public Works Staff were present, along with the Contractor. The work will be self-performed by the Contractor, without subcontractors. At the meeting, the requirements of the Contract Documents were reviewed, and the Owner and Contractor discussed expectations of each other. At the meeting, Cavanaugh received the first group of submittals from the Contractor. Cavanaugh has reviewed the submittals provided by the Contractor, and most were returned without exception; a few require resubmittal by the Contractor, which we are yet to receive.

**Key Project Metrics:**

Notice to Proceed: September 20, 2013

Contracted Project Completion: 60 Days

Changes to Construction Schedule: Q Days

Original Substantial Completion Date: November 19, 2013

Current Substantial Completion Date: November 19, 2013

**Project is currently on schedule**

Original Construction Contract Amount: \$215,056.59

Changes to Construction Cost: \$0.00

Current Construction Contract Amount: \$215,056.59

Payment requested to date: \$0.00

**Project is currently within budget**

**Hwy 50/210 Infill Sidewalk:**

Cavanaugh has begun the development of the required documents, plans, and specifications required for the permitting and construction of the 'infill' sidewalk areas along Hwy 50/210 from Gateway Plaza to just beyond Little Kinston Road. We have been working with NCDOT regarding their requirements, and anticipate submittal to NCDOT for approval by September 30, 2013

**Miscellaneous:**

- Cavanaugh is assisting the Town with the Change of Ownership of a couple of pump stations and sewer systems serving residential developments within the Town. The change of ownership to the Town will provide the Town with the ability to fully manage the system, including the allocations of sewer capacity to those served within each permit.
- Cavanaugh is working with the Town and the Division of Water Resources to correct and update information in the State's database regarding the Little Kinston Pump Station, which will accurately reflect some remaining capacity to be allocated within the Little Kinston sewershed.

**MANAGER REPORT**

Co-Interim/Fire Chief Rivenbark stated that September 1<sup>st</sup> starts in insurance rating from 6 to 5 on commercial buildings

**TOWN ATTORNEY REPORT**

No report at this time.

**ADJOURNMENT**

There being no further business Mayor Guy and Boy Scout Zane Qasem adjourned the meeting at 7:47 p.m. upon the motion by Mayor Pro Tem Medlin and seconded by Councilman Fowler. The Council unanimously approved motion.

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Patricia E. Arnold, Town Clerk

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