



**SURF CITY TOWN COUNCIL REGULAR  
MEETING MINUTES  
Tuesday, May 5, 2020 at 10:00 AM  
Surf City Town Hall – Hosted via Conference Call**

**Council Members Present:**

Douglas C. Medlin, Mayor  
William J. (Buddy) Fowler, Mayor Pro-Tem  
Donald R. Helms  
Teresa Batts  
Jeremy Shugarts  
Dwight Torres

**Staff Members Present:**

Kyle Breuer, Manager  
Ashley Loftis, Finance Director  
Stephanie Hobbs, Town Clerk  
Amy Kimes, Planner

I. CALL TO ORDER - Douglas C. Medlin, Mayor

II. INVOCATION - William J. (Buddy) Fowler, Mayor Pro-Tem

III. PLEDGE OF ALLEGIANCE - Donald R. Helms

IV. ADOPTION OF THE AGENDA -

Mr. Helms made a motion to add a closed session to the end of the agenda and approve as presented. Mrs. Batts seconded the motion and it was carried.

V. DISCUSSION ON CURRENT STATE OF EMERGENCY-

Kyle Breuer, Town Manager presented a presentation regarding the current standing of COVID-19 and the proposed phased opening.

There was discussion on face masks between the board.

Friday, May 8<sup>th</sup>, 2020 at 7:00 AM:

Open Public Parking, Tennis Courts, & Dog Park

Face Coverings required indoor public establishments where social distancing can not be achieved.

July 3<sup>rd</sup> Independence Day Celebration postponed until 2021.

VI. APPROVAL OF THE CONSENT AGENDA -

*\*Items under Consent are generally of a routine nature. The Board may take action to approve/disapprove all items in a single vote. Any item may be withheld from a general action, to be discussed and voted upon separately at the discretion of the Council.*

1. Approval of the Meeting Minutes: April 7th & April 16th, 2020

2. Budget Ordinance Amendment: Fire Dept.

Mr. Fowler made a motion to accept the consent agenda as presented. Mr. Helms seconded the motion and it was carried.

VII. PUBLIC HEARING -

3. Re-Zoning Request: Waterside Development by SFTEN LLC, Pin#4235-47-7683- 0000 & #4235-57-8528-0000 from Planned Unit Development to Multi-Family Cluster

Item removed at the request of the developer.

4. Zoning Ordinance Amendment: Section 6.19 On Premise Electronic Changeable Copy Signs

Mr. Helms made a motion to table the item until the June 19<sup>th</sup>, 2020 work session. Mr. Torres seconded the motion and it was carried.

VIII. PUBLIC COMMENT -

Susan Edwards 204 S. Shore Drive made remarks regarding the use of the beach and the need for rentals.

Jack Solak 2408 S. Shore Drive questioned the Army Corps federal nourishment project and short-term rentals.

David Byrd 19 Maritime Drive requested outdoor seating for restaurants and island visitors.

IX. MANAGER'S REPORT -

- It continues to be a pleasure to serve the Council and citizens of Surf City.
- **Budget** work is substantially completed. I will provide Council with a high-level overview of key areas, including the Capital Improvement Plan. Staff looks forward to scheduling a budget workshop to focus on this critical piece of the Town's operations and future.
- **Beach Nourishment** – Federal Project
  - We continue our weekly project meetings with project partners including North Topsail Beach and the US Army Corps of Engineers.
  - The latest, as of last week, is that the project is moving forward with hopeful contract let this Summer. This will be a phased project with the first phase to run from 1 December to 31 March (this Winter). The first phase will include placing 2 million cubic yards of sand on the beach, beginning at the Topsail Beach/Surf City town line. Subsequent phasing will continue next year. In total, the project will bring approximately 13 million cubic yards of sand between Surf City and North Topsail Beach.
  - Staff continues to work towards obtaining necessary parking and access requirements as well as securing easements.

- **FEMA Berm Project**

- The project is complete! I just wanted to thank TI Coastal and Chris Gibson for their efforts and communication as well as CM Mitchell and Matt Mitchell for their efforts and responsiveness.
- **DWR Coastal Storm Damage Mitigation Fund** – An application was submitted for supplemental funding to cover the differences in reimbursable expenses through FEMA and out of pocket costs by the Town. Due to not having a specific budget yet for the Federal Project, we were unable to apply on behalf of that project.

- **Coronavirus** – Provide Intermediate Report

- We continue to develop revenue loss information as well as tracking our expenditures related to the Virus.
- Have maintained contact with legislators in regard to local government relief for revenue losses. Finance staff has been tracking these and will be prepared should opportunity arise.

## X. NEW BUSINESS -

### 5. Update on Budget Process and Capital Improvement Plan

Mr. Breuer gave a presentation on the FY 20-21 budget and request. The council came to a consensus to move forward with a special meeting for budget purposes.

## XI. COUNCIL FORUM -

Mrs. Batts thanked staff for their hard work. She stated she was proud of the Mayor, Council and staff for their efforts throughout this process. She thanked the residents for helping each other out, and to retailers that have provided services for the community. She spoke on behalf of the Palotti family in the loss of their mother Marge.

Mr. Torres thanked the Mayor for his leadership. He asked that everyone take precaution while re-opening. He stated he was in support of the re-opening phases. He thanked the Emergency Management Director and team, the manager, and all employees. A special thank you to the Police Department during these difficult times.

Mr. Shugarts commended the Mayor for being proactive. He discussed they are trying to create a safe environment while opening things back up. He asked that everyone spend their money local and help our small businesses.

Mr. Helms thanked all the citizens who watched the meeting today and for their patience. He discussed the wearing of mask. He thanked Kyle, James Horne and Jason Lingle for their dedication over the past few weeks.

Mr. Fowler thanked staff for their efforts. He stated he was very proud of our team, and the citizens of this community are part of that team. We have tried to look out for the health and safety of everyone. This has been a difficult time; we have lost people within our community. He thanked the Mayor for his leadership in Surf City. He reminded everyone of the National Day of Prayer at noon on this Thursday, May 7<sup>th</sup>. You can view it online at [www.youtube.com/townofsurfcity](http://www.youtube.com/townofsurfcity)

Mayor stated he agreed with everyone. He stated we all have our citizens in mind. We

understand that everyone is eager to get out and go enjoy the beach. We must work together to stay the loving community that we are. We have to stay diligent in safety as we open back up. We ask for patience with each other as well.

## XII. TOWN ATTORNEY REPORTS -

Mr. Edes state on April 29 there was a long conference call with the USACE, the town must acquire easements by early July 2020. The new 160D updates have been extended till August 2021. Yesterday, session law was passed that has a civil suit immunity in it. The UNC SOG that they are launching a four-part webcast for governmental staff. Staff has been in weekly conference calls with both Topsail and N. Topsail Beach in an effort to coordinate island wide uniform response. A violation of a state of emergency is a criminal offense and would be enforced by the police department. The Governor is giving an update at 5pm today as to what the next steps will look like.

## XIII. CLOSED SESSION

Mr. Torres made a motion to go into closed session NCGS Pursuant 143-318.11(a)(3) Attorney Client Privilege. Mr. Helms seconded the motion and it was carried.

Mr. Helms made a motion to go back into regular session. Mr. Torres seconded the motion and it was carried

## XIV. ADJOURNMENT -

Mr. Helms made a to recess the meeting until tomorrow morning, Wednesday, May 6<sup>th</sup> at 10:00am. Mrs. Batts seconded the motion and it was carried.

### **Reconvene May 6<sup>th</sup>, 2020 at 10:00 AM**

Mr. Breuer gave an update on the Governor's newest Executive Order effective Friday, May 8<sup>th</sup>.

Mayor stated he has been in discussion with the two neighboring towns. The governor is encouraging that if you have a short-term rental to stay in place there.

Mrs. Batts make a motion to go into closed session for NCGS Pursuant 143-318.11(a)(3) attorney client privilege regarding the current state of emergency. Mr. Torres seconded the motion and it was carried.

Mr. Helms made a motion to open short-term rentals on Friday, May 8<sup>th</sup>, 2020 at 5:01PM. Mr. Fowler seconded the motion and it was carried.

The council requested documentation be sent to the reality companies to notify them of the new date for rentals.

Mr. Fowler made a motion to recess till Friday, May 8<sup>th</sup>, 2020 at 10:00AM. Mr. Helms seconded the motion and it was carried.

**Reconvene May 8<sup>th</sup>, 2020 at 10:00 AM**

Mr. Edes gave an update regarding the newly revised fifth State of the Emergency. Two significant changes are in section III, lifting of short-term vacation rentals with current states who have current stay at home orders and place. There is a new section for face coverings while in public spaces where social distancing can not be achieved. There are exceptions to this section which are listed in the State of Emergency.

Mr. Breuer gave an overview of the new opening and restrictions.

The council consensus was to move forward with the updated State of Emergency.

Mr. Helms made a motion to adjourn the meeting. Mrs. Batts seconded the motion and it was carried.