



Town of Southern Shores

6 Skyline Road
Southern Shores, NC 27949-3600
252-261-2394
252-261-0778
Fax 252-261-0452

Council Meeting
May 4, 1999
9:00 a.m.-Pitts Center

1. Mayor Wood called the meeting to order at 9:00 a.m.
2. Elsa Edwards led the Pledge of Allegiance.
3. Introduction of New Police Officer

Police Chief Brazell introduced Jason Holland as our newly employed police officer. He thanked Council for the opportunity to work in Southern Shores.

4. Moment of Silence

Mayor Wood asked that a moment of silence be held for the families of Mary Alexander and John Whitlock. Mrs. Alexander was a long time resident of the Town and Mr. Whitlock was the architect who designed the Town Hall in 1985.

5. Special Dedication

Councilman Pitts presented a "Flowers for the Living" to honor Bob Trost, long time resident and Planning Board member. Bob and his wife, Betsy, are leaving the area.

Councilman Pitts stated that Bob has served notably from the incorporation of the Town in 1979 until now on the Planning Board. He is one of the original "pot hole" gang. He also has served on the Citizens Advisory Committee of the N.C. Coastal Resources Commission.

Councilman Pitts presented Bob with a certificate of appreciation, a framed copy of the Town Seal and a Town seal tie pin. Councilman Pitts also read a letter from the Director, of the Coastal Resources Commission, who thanked Bob for his service on the committee.

Bob was genuinely surprised and thanked everyone. He remarked that being a volunteer in Southern Shores is a satisfying job and he highly recommends others to be on the Planning Board. He reminisced about the first Planning Board meeting. Councilman Pitts also gave Bob a Southern Shores "volunteer" cap.

Councilman Pitts called for a short recess at 9:10a.m. for refreshments.



Mayor Wood called the meeting back to order at 9:25 a.m.

Andy Cagiano remarked that Bob Trost was the Chairman of the Firemen's Relief Fund for many years and did a wonderful job.

Councilman Kennedy made a recommendation to present the Planning Board and the Board of Adjustment members with "volunteer" caps at the next Council meeting.

6. Consent Agenda

Mayor Wood read the monthly Building Inspections report from the consent agenda. Councilman Kennedy made a motion to approve the consent agenda as presented. Councilman Campbell seconded. Approved unanimously.

7. Public Hearings

- a. Mayor Wood called a public hearing to order for the Telecommunications Towers Moratorium. Robin Morgan, Planning Board Chairperson, reported the County is still drafting this particular ordinance and she will have more information at a later date. Mayor Wood asked if there were any public comment; hearing none, the public hearing was closed. Tom White stated when the ordinance is adopted the moratorium should be repealed. Councilman Pitts made a motion to approve the Telecommunications Towers moratorium as presented. Councilman Campbell seconded. Approved unanimously.
- b. Mayor Wood called a second public hearing to order to amend the Town Zoning Ordinance. Mayor Wood read the proposed ordinance Article VI, Section 6.01, Off-street parking requirements C2, minimum parking requirements, public and semi-public uses to allow Clinics (Medical and Dental) five parking spaces for each doctor assigned plus one parking space for each employee, but not less than 10 spaces total.

Mayor Wood asked for any public comment; hearing none, the public hearing was closed. Councilman Sutherland made a motion to approve the zoning ordinance as presented. Councilman Pitts seconded. Approved unanimously.

8. Planning Board Report

Robin Morgan stated a public hearing needs to be held to extend the Adult Establishment Moratorium until the Sexually Oriented Business ordinance is finalized. Councilman Campbell made a motion to set the date for the public hearing for June 1, 1999 at 7:30 p.m., the regular monthly Council meeting. Councilman Pitts seconded. Approved unanimously.

Planning Board Report cont'd

Ms. Morgan reported a committee is working on drafting a specific definition for conditional uses in the commercial zone. A draft ordinance will be submitted to Council soon.

Also Ms. Morgan announced the Planning Board would hold a special meeting on May 12, 1999 at 7:00 p.m. in the Pitts Center to discuss the topic of the large houses that are being built in the Town and the effects they are having.

9. Old Business-none

10. New Business

a. Public Hearing for extending Adult Establishment Moratorium will be held June 1, 1999 at 7:30 p.m. (Discussion was held under the Planning Board Report.)

b. Mayor Wood presented a Safe Boating Proclamation to urge boaters to wear their life jackets. Councilman Sutherland made a motion to ratify the proclamation as presented. Councilman Pitts seconded. Approved unanimously. It was suggested that a copy be posted at the North Marina and that duty officer at the marina remind everyone to wear their life jackets.

c. Introduction of new Police Officer Jason Holland was done at beginning of meeting.

d. Councilman Campbell reported the Town complex parking lot needs to be sealed and re-stripped. He made a motion to approve \$2,250.00 for the project. Councilman Pitts seconded. Councilman Sutherland made a motion to amend the amount to \$2,500.00 for the repair and re-stripping of the Town parking lot. Councilman Kennedy seconded. Approved unanimously.

e. Tom Gjestson, Town Manager, gave a report regarding the recent merit pay. He stated that employee evaluations were to be done and merit pay would be awarded in this year's budget. Mr. Gjestson explained in light of the unfortunate circumstances of losing several of the Town's police officers and the building inspector and the hiring of new employees the performance valuations were not done.

With that in mind, Mr. Gjestson recommends that Council approve a 1.75% merit raise for applicable employees to be effective beginning May 21, 1999 pay week. The employees to be excluded from this merit raise would be himself and new employees: Police Chief Brazell, Code Enforcement Administrator Mike Hejduk and Police Officer Jason Holland.

New Business cont'd

Linda Dough would get a lump sum since she is at the top of her pay scale. The total merit amount would be about \$5,000.00 in annual cost. Councilman Pitts moved to adopt the merit pay plan as presented. Councilman Campbell seconded. Approved unanimously.

 Tom Gjestson announced the items to be discussed at the budget workshop to be held May 6, 1999 at 9:00 a.m.

11. Public Comment

Pete Macfarlane asked if Council has done anymore on getting a public address system for the Pitts Center? Mayor Wood said Chief Brazell has been working on this. Chief Brazell reported a system would be installed on a trial basis at the next workshop and Council meeting.

Elsa Edwards thanked Councilman Campbell for his leadership in organizing the Town's 20th Anniversary celebration. He did an excellent job and everyone gave him a big round of applause.

Robin Morgan stated she read Jack Bradley's "Jet Ski" report and that he did a great job. Mayor Wood thanked her and said he agreed with her comment.

12. Mayor's Agenda-none

13. Council's Agenda

Councilman Sutherland announced Richard Drucker of the Institute of Government will be here on July 12 for a formal workshop to be held for the Planning Board and the Board of Adjustment and anyone else who would be interested.

The Dare County Tourist Bureau has set aside \$10,000.00 for fireworks for each municipality to be used for fireworks for the millennium celebration. The Town of Southern Shores will join the Town of Kitty Hawk and use the Kitty Hawk pier as the place to display the fireworks.

Councilman Sutherland thanked everyone who showed interest regarding the questionnaire in the Town newsletter about day/night Council meetings. The meetings will stay the same (4 night meetings: March, June, September and December).

Page 5
Council Meeting
May 4, 1999

Council Agenda cont'd

The Dare County Tourism Board will hold their monthly meeting at the Pitts Center on May 20 at 8:30 a.m. The topic of discussion will be their FY 99-00 budget.

Councilman Pitts submitted a resolution for NCDOT to ask for feasibility study and cost analyses to be done for minor traffic light adjustments at three separate locations in Town. Councilman Pitts made a motion to approve the resolution as presented. Mayor Wood seconded. Approved unanimously.

Mike Hejduk stated it has been proposed to the State legislature that the electric company may add a \$1.00 surcharge to your local utility bill to acquire funds to place electrical lines underground

Andy Cagiano reported a large pothole on the corner of Bayberry Trail and E. Dogwood.

Councilman Campbell reported there were 40+ citizens who were on the 20th Anniversary celebration committee. Falcon Cable video taped the parade and the tapes will be available soon. Four hundred and ninety-six people attended the picnic. Over 200 people took the boat tour in spite of the weather. Sufficient funds were made to cover all the expenses for the purchase of the souvenir items and he has a multitude of thank you notes to write.

Councilman Campbell reported there is iron in the water that is being used for watering the lawn. It hasn't been good for the grass or the building areas it is spraying. He has contacted a company that is willing to use a preventative product in an experimental way for a low cost to the Town. Councilman Campbell made a motion to install a device at the water pump for \$800.00. If however, this installation doesn't work there will be a maximum charge of \$150.00. Councilman Pitts seconded. Approved unanimously.

Dan Shields remarked there is a chemical that can be sprayed on buildings for iron removal. Councilman Campbell stated this is one such product.

Councilman Campbell reported the matter of disposing of the excess Town flags and soft drinks from the 20th Anniversary celebration needs to be addressed and the committee is looking into donating them to the Town for disposition as Town officials see fit.

Councilman Kennedy reported the order of new garbage cans (100) came in but no wheels were shipped; they will be sent later.

Councilman Kennedy stated the Town's multi-use path needs to be repaired in some areas. Grass has grown in the middle of the path.

Council Agenda cont'd

Councilman Kennedy remarked the Ginguite Woods Subdivision sign may be in the right-of-way. Tom Gjestson asked Mike Hejduk to look into this and do a follow-up.

Councilman Kennedy asked Police Chief Brazell if anyone has volunteered as crossing guards at Kitty Hawk Elementary School? Chief Brazell said he had no response.

It was discussed that the traffic pattern at the school is very congested and needs to be reviewed. Councilman Campbell suggested the Dare County Board of Education needs to be contacted regarding the traffic congestion for the safety of the children.

Robin Morgan stated more school buses are needed but the D.C. Board of Education recommended to the parents that they drive their children to school in lieu of buying more buses.

Mike Hejduk stated a school improvement committee has been established to look into these issues.

14. Town Manager Agenda

Tom Gjestson reported the new computers and software are on-line and so far are under the approved amount by several thousand dollars. Today will be the first day of training for the financial program and again on May 11.

Police Chief Brazell reported he has contacted someone about the lights at the flagpole but he recommends the flags are taken down at night.

Tom Gjestson recommends Council approve Ed Lawler to continue testing the water for fecal coliform for another 2 months.

Tom Gjestson reported the Dare County Tourist Bureau would provide the Town with up to \$5,000.00 in matching funds for a town brochure. Councilman Pitts moved that the Town Manager work with the Tourism Board on the brochure for a matching amount not to exceed \$5,000.00. Councilman Sutherland seconded. Approved unanimously.

Pat Storey suggested that the Town and the SSCA work together on a booklet for new Town property owners like the D.C. League of Women Voters directory. Tom Gjestson stated the Town has a "new owner" packet that is given out at Town Hall when new property owners come in.

15. Town Attorney's Agenda

Tom White stated the Sexually Oriented Business ordinance is a slow on-going process. Robin Morgan and Mr. White met with Mr. Stepanovich of the American Center for Law and Justice to review the submitted draft ordinance. More work remains to be done, however.

The Planning Board has a very large black book compiled by the Town of Nags Head that all of Council needs to be familiar with. Council is the legislative body and needs to keep an open mind and hear all the information before any decision is made. No blanket statements should be made regarding this subject from Council.

A series of public hearings will need to be held regarding this issue for input on the effect on property values and tourism from the rental companies and residents. The secondary effects will need to be reviewed before any decisions are made

Mayor Wood asked if the series of public hearings could be held in conjunction with the Council's regular meetings? Mr. White suggested these public hearings be separate meetings. Mayor Wood stated the County has made a statement that close adjoining areas cover the issue of adult entertainment and is not designating an area for this sort of business. Mayor Wood asked if Southern Shores could take the same position? Mr. White said he would make no comment on this.

16. Announcements-none

Councilman Campbell made a motion to adjourn at 10:30 a.m. Councilman Pitts seconded. Approved unanimously.

17. Councilman Campbell motioned to adjourn the meeting at 10:30 a.m. Councilman Pitts seconded. Approved unanimously.

ATTEST:

Respectfully submitted:



Mayor



Town Clerk

Town of Southern Shores

6 Skyline Road
Southern Shores, NC 27949-3600
252-261-2394
252-261-0778
Fax 252-261-0452

TOWN OF SOUTHERN SHORES RESOLUTION

WHEREAS, vehicular and pedestrian traffic at the junction of Juniper Trail and US 158 continues to increase;

WHEREAS, pedestrian traffic at this intersection has no safe way to cross the intersection from north to south and vice versa;

WHEREAS, traffic going north on NC12 has difficulty making a left turn at the intersections of Chicahawk Trail and NC 12 and at East dogwood Trail and NC 12;

THEREFORE, BE IT RESOLVED by the Town of Southern Shores that the NC Department of Transportation (NCDOT) be requested to:

- A. Make a feasibility study and cost analysis of installing traffic control buttons that would stop all traffic at the Juniper Trail/US158 intersection long enough for pedestrians to cross.
- B. Make a feasibility study and cost analysis of installing a left turn arrow for northbound traffic on the traffic signal presently in use at the intersection of NC12 and Chicahawk Trail.
- C. Make a feasibility study and cost analysis of installing a left turn arrow for North bound traffic on the traffic signal presently in use at the intersection of NC 12 and East Dogwood Trail.

BE IT FURTHER RESOLVED, that NCDOT notify the Town of Southern Shores of its acceptance/denial of the requests made in this resolution.

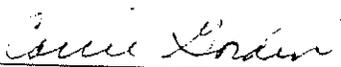
BE IT FURTHER RESOLVED, that if NCDOT agrees to make these studies that the Town of Southern Shores be informed of the results, as soon as possible after completion.

This the 4 day of May, 1999


Dick Wood, Mayor

SEAL

ATTEST:


Carrie Gordin, Town Clerk





Town of Southern Shores

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MORATORIUM ON TELECOMMUNICATIONS TOWERS

WHEREAS, there is a rapid expansion of telecommunications facilities within Dare County, North Carolina and municipalities within the county; and

WHEREAS, there are significant land use concerns related to the placement of such towers, some being as follows:

1. The protection of residential neighborhoods by the minimizing of adverse impacts of towers;
2. The encouragement of the location of towers in non-residential zoning areas;
3. Encouraging the joint use of towers in order to minimize numbers of towers;
4. The avoidance of damage to structures and property surrounding tower sites due to structural tower failures, particularly in hurricane prone areas;
5. The minimization of visual impacts through zoning mechanisms; and
6. Considerations of public health and safety in relation to such towers.

AND WHEREAS, the Town of Southern Shores Land Use Plan and Zoning Ordinance do not adequately address these lawful and legitimate concerns and the Planning Board and Town Council need adequate time to properly study these concerns and formulate appropriate land use plan provisions and zoning ordinance regulations which will govern location, placement and standards for Telecommunications Towers;

NOW, THEREFORE, The Town Council of the Town of Southern Shores does hereby ordain as follows:

1. For the purposes of this moratorium the **Telecommunication Towers** is defined as any structure designed and constructed for the purpose of supporting one or more antennas, including without limitation, self-supporting lattice towers, guy towers, or monopole towers. The term also includes radio and television transmission towers, common carrier towers, cellular telephone towers and similar structures. The term also includes any antenna or antenna array attached to the tower structure. The term does not include a private communications mast as an accessory use to a residence, which has been approved pursuant to section 4.11 of the Town Zoning Ordinance.
2. The construction, installation, building and relocation of Telecommunications Towers during the period of this moratorium is prohibited: and



Telecommunications Towers Moratorium

3. During the period of this moratorium Town Officials and Boards, including the Zoning Administrator and Planning Board, shall not accept or process any site plan, building permit application, or conditional use application for a Telecommunications Tower either as a principal use or as an accessory use on any lot or structure. This provision does not prohibit any person from submitting a proposed Land Use Plan or Zoning Ordinance Amendment for consideration by the Town; and
4. Nothing in this moratorium shall be interpreted to prohibit the installation of communications antennas on an existing public water tower or of the construction of towers owned by the Town, the Southern Shores Volunteer Fire Department or Dare County which are used solely for fire, emergency service and governmental public service communications.
5. This moratorium shall be in full force and effect from the date and time of its adoption and extend for a period of six months expiring at the adjournment of the first regular meeting of the Town Council the seventh month after adoption.

Adopted this the 4th day of May, 99.



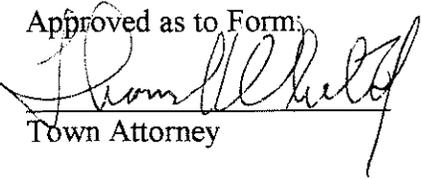
Mayor

ATTEST:



Town Clerk

Approved as to Form:



Town Attorney



Notice is hereby given that the Southern Shores Town Council will conduct a PUBLIC HEARING on Tuesday, May 4, 1999 at 9:00 a.m. at the Pitts Center.

The purpose of the PUBLIC HEARING is to consider a six month extension for the Moratorium on the placement of Telecommunications Towers in Southern Shores.

Telecommunications Towers is defined as any structure designed and constructed for the purpose of supporting one or more antennas, including without limitation, self-supporting lattice towers, guy towers, or monopole towers. The term also includes radio and television transmission towers, common carrier towers, cellular telephone towers and similar structures. The term also includes any antenna or antenna array attached to the tower structure. The term does not include a private communications mast as an accessory use to a residence, which has been approved pursuant to section 4.11 of the Town Zoning Ordinance.

A copy of the complete proposed moratorium is on file at the Town Hall during regular working hours.

The public is hereby urged to be present for the PUBLIC HEARING. Any person desiring to be heard on the proposal as stated should appear at the time and place above specified.

Submitted by:
CARRIE GORDIN
Town Clerk

4-15,25c

NORTH CAROLINA
DARE COUNTY.

AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared

Susan M. Simpson, treasurer.....

....., who being first duly sworn, deposes and says: that he (she) is of The Times Printing Co., Inc., engaged in the publication of a newspaper known as THE COASTLAND TIMES, published, issued, and entered as second class mail in the Town of Manteo, in said County and State; that he is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in THE COASTLAND TIMES on the following dates:

April 15, 25, 1999.....

.....; and that the said newspaper in which said notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Sections 1-596 and 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This 5th day of August, 1999.....

Sworn to and subscribed to before me, this 5th day of August, 1999.....

Patricia A. McCleeny
Notary Public

My Commission expires: Aug. 12, 2000.....



Town of Southern Shores

6 Skyline Road
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AN ORDINANCE TO AMEND THE TOWN ZONING ORDINANCE OF THE TOWN OF SOUTHERN SHORES

BE IT ORDAINED, by the Council of the Town of Southern Shores, North Carolina that the zoning ordinance of the Town of Southern Shores be amended as follows:

PART I. Amend Article VI. General Provisions, Section 6.01 Off-Street Parking Requirements, C2, Minimum Parking Requirements, Public and Semi-Public Uses to read:

Clinic (Medical and Dental): Five (5) parking spaces for each doctor assigned plus one (1) parking space for each employee, but not less than (10) spaces total.

PART II. All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed.

PART III. This ordinance shall be in full force and effect from and after the 4th day of May 1999.

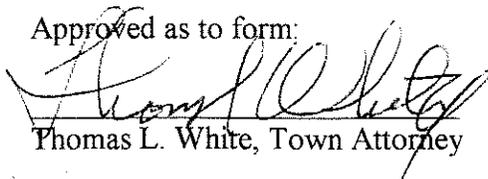
SEAL


Dick Wood, Mayor

ATTEST:


Carrie Gordin, Town Clerk

Approved as to form:


Thomas L. White, Town Attorney





Notice is hereby given that the Southern Shores Town Council will conduct a PUBLIC HEARING on Tuesday, May 4, 1999 at 9:00 a.m. at the Pitts Center.

The purpose of the PUBLIC HEARING is to consider amending the Town's Zoning Ordinance Article VI, General Provisions, Section 6.01 Off-Street Parking Requirements, C2, Minimum Parking Requirements, Public and Semi-Public Uses to read: Clinic (Medical and Dental); Five (5) Parking spaces for each doctor assigned plus one (1) parking space for each employee, but not less than (10) spaces total.

A copy of the proposed ordinance is on file at the Town Hall during regular working hours.

The public is hereby urged to be present for the PUBLIC HEARING. Any person desiring to be heard on the proposal as stated should appear at the time and place above specified.

Submitted by:
CARRIE GORDIN
Town Clerk

4-15,25c

NORTH CAROLINA
DARE COUNTY.

AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths, personally appeared

Susan M. Simpson, treasurer.....

....., who being first duly sworn, deposes and says: that he (she) is of The Times Printing Co., Inc., engaged in the publication of a newspaper known as THE COASTLAND TIMES, published, issued, and entered as second class mail in the Town of Manteo, in said County and State; that he is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in THE COASTLAND TIMES on the following dates:

April 15, 25, 1999.....

.....; and that the said newspaper in which said notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Sections 1-596 and 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This 5th day of August, 19 99

Sworn to and subscribed to before me, this 5th day of August, 19 99

Patricia A. McCleary
Notary Public

My Commission expires: Aug. 12, 2000



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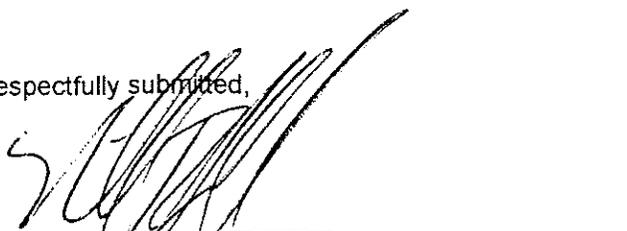
April 30, 1999

MONTHLY PERMIT SUMMARY

TYPE CONSTRUCTION	NO.	COST	FEES
SOUTHERN SHORES			
New	4	785,800.00	5,299.45
Add/Alt	6	374,500.00	2,702.35
Other	17	150,618.00	1,130.00
TOTAL SS	<u>27</u>	<u>1,310,918.00</u>	<u>9,131.80</u>
CUMULATIVE FY99	<u>238</u>	<u>15,031,699.28</u>	<u>111,077.98</u>
TOTAL HOMES SS	1824	(12 Certificates of Occupancy issued this month)	
MARTIN'S POINT			
New	0	-	-
Add/Alt	0	-	-
Other	1	11,007.00	50.00
TOTAL MP	<u>1</u>	<u>11,007.00</u>	<u>50.00</u>
CUMULATIVE FY99	<u>25</u>	<u>3,185,028.00</u>	<u>19,762.35</u>
TOTAL HOMES MP	151	(1 Certificates of Occupancy issued this month)	
CAMA PERMITS	0		-
PLAN REVIEW FEE	15		1,100.00
			* 100.00
TOTAL MONTH		<u>1,321,925.00</u>	<u>10,381.80</u>
			55.00
TOTAL YEAR		<u>18,216,727.28</u>	<u>136,444.38</u>

*Add to #3354

Respectfully submitted,


 Michael Hejduk
 Building Inspector

