



Town of Southern Shores

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Recessed Council Meeting
June 14, 1999
7:30 p.m.-Pitts Center

1. Mayor Wood called the recessed meeting to order at 7:30 p.m.
2. Charlie Meyer led the pledge of allegiance.
3. Mayor Wood asked that a moment of silence be held for the Sillis family on Hillcrest Drive who lost everything in a fire over the weekend. No one was injured but Mayor Wood asked that we do what we can to help them.
4. Mayor Wood turned the meeting over to Tom Gjestson, the Town Manager. Mr. Gjestson thanked everyone for coming to meet the new police lieutenant and the promotion of Officer Buchanan.

Mr. Gjestson announced that Police Officer Terry Buchanan has been promoted to the position of sergeant. Officer Buchanan has been with the Town since 1996. Chief Brazell read the certificate of promotion and Officer Buchanan's wife, Melanie, pinned on the sergeant bars while his sons looked on.

Mr. Gjestson stated after an extensive search for a lieutenant, Sheila Merriman of Hope Mills, N.C. was selected. Mr. Gjestson stated out of 10 applicants interviewed and 3 finalists, she was selected. Her experience and education makes her more than qualified for the position, not to mention the great comments she received from her past supervisors. Mr. Gjestson introduced her husband Will and two sons, Matthew and Mark. Chief Brazell appointed her by reading the State certificate of appointment. Carrie Gordin, Town Clerk, administered the oath.

Mayor Wood announced the present sound system is on a trial basis and he hopes this will help the audience to hear.

5. Public Hearing-Personal Watercraft (PWC)

Mayor Wood called the public hearing to order for Personal Watercraft. He explained this is to receive citizen input on the subject of personal watercraft. Council will listen, there is to be no arguing or discussion with Council. Council will make no decisions at this time but may make proposals at the June workshop. It may be July or August before any amendments or ordinances are made.



Public Hearing (PWC jet skis) cont'd

Mayor Wood explained anyone wishing to speak needs to sign up and everyone will be given 3 minutes. He asked that each one give their name and address and no speaker will be recognized a second time until everyone signed up has spoken.

Mayor Wood called Jack Bradley to the floor. Mr. Bradley explained the original personal watercraft ordinance approved in 1990 stemmed from a fatal jet-ski accident in Town. The ordinance was amended in 1996. Mr. Bradley has continued his efforts to make the public aware of the dangers and the environmental concerns brought on by the use of jet-skis and their owners. He submitted a brief on recommendations to amend the current personal watercraft ordinance, which was instrumental in leading to this public hearing. He also recommended to Council approve an ordinance that the Town exercise its powers within its extraterritorial jurisdiction according to N.C. Gen. Statute 160A-176.2. and 160A-360. He also circulated aerial photographs of Ginguite Bay showing how dangerous it is to run personal watercraft in the narrow waterway. Mr. Bradley fully supports banning personal watercraft on Ginguite Bay.

Guy Hellwege, Commodore of the Southern Shores Boat Club, reported on Memorial Day weekend 8 cars with 12 jet-skis came to the marina. He gave them a copy of the Jet Ski ordinance. Having conversation with them he learned that realtors are encouraging people interested in where to go with their jet-skis to come to Southern Shores. He stated it has been reported that the Virginia Beach area has banned jet skis.

Joe Smith read a letter he presented to Council. He stated he has been a resident of Southern Shores for 13 years and a frequent user of the marina facilities. He has been the Power Fleet Captain for the boat club for the past 7 years. He told of 2 incidents involving jetski operators having near misses with him as he was entering the marina at idle speed in his boat. He continued by saying the residents and property owners of the Town have the right to use the SSCA Marina but he does not feel it should be used as a launch pad for PWC. He has learned that jet skis have been banned in other coastal areas. He stated it was recently published in the local newspaper that Dare County has the second highest number of boating accidents in the state and PWC accidents are a major contributing factor. He stated preventive measures are in order now to avoid an emergency later.

Hal Denny stated he has owned property in the Town since 1963 and has been a resident since 1993. He has been president of the SSCA, vice-commodore of the boat club, and been on several boards within the Town. He stated the Town has always been a family oriented community and he is dedicated to keeping it that way.

Public Hearing (PWC) cont'd

He wanted to give the operators of the jet skis the benefit of the doubt in showing they were responsible but he has found they show little respect for others.

They show no regard for others or water safety. He recommends maximum restrictions and maximum enforcement and he would recommend banning the use of jet skis totally. He thanked Jack Bradley for his diligence and doing a good job on the report.

Dan Purcell lives on Ginguite Creek. He has a floating dock and kids who water ski. His concern is that the existing ordinances be enforced. He reported what he believes to be a danger to navigation in the bay. There is a galvanized pipe with a sign warning that reads "NO WAKE". He doesn't believe it is a true buoy and someone needs to inspect it.

Don Godwin has lived on Ginguite Creek for 16 years. He has a boat and a jet ski. He has had no problems with boaters or jet ski operators. He expressed his concern that bans are placed on something that isn't the true cause of a problem. He gave an example that people die from car accidents but we can't eliminate cars. He commented that some powerboats are just as noisy as jet skis. He commented that Council needs to be careful in any changes they decide to make.

Bob Kenan lives on Woodland Drive. Mr. Kenan thanked Mr. Godwin for his support of jet skis and he stated he was impressed with Jack Bradley's report. He submitted 3 pages of remarks to Council on the subject. Mr. Kenan stated that a lot of the impact issues Mr. Bradley stated in his report were not true. Mr. Kenan stated that manufactures differ in jet ski design and that all jet skis are not so noisy. He stated he could ride his jet ski with a 9 gallon fuel tank for 3-4 hours and use a quarter of a tank of fuel. He does not believe this causes pollution. He does not believe PWC's are more dangerous and he opposes any additional restrictions on Ginguite Bay. He does not object to a minimum age requirement of 16 years or even a license use fee of \$25.00 but he feels there is discrimination against PWC's. He stated he offered recommendations in 1996 regarding the drafting of an ordinance for the use of jet skis but was not contacted. He is against any new restrictions being imposed without input from experienced PWC operators. He implored the Town Council to realize the town is no longer just a retirement community but a family community. Council needs to work to enhance everyone's quality of life, rather than diminish it for some, to satisfy others.

Charlie Meyer lives on the sound and has observed a new resident behaving in an unsafe manner using a PWC. He believes the locals are not the ones causing the problems. He believes the weekly renters are coming here and abusing the rights. He feels the PWC operators are too close to land and are behaving dangerously.

Public Hearing Personal Watercraft (PWC) cont'd

Ralph Zeiss, President of the Martin's Point Homeowners Association, stated in 1996 the motion was made to Martin's Point residents to be included in the Town's PWC ordinance and was defeated. He stated the report by Jack Bradley brings up many issues to be considered.

Jean Snow resides on N. Dogwood. She presented Council with a letter which asks them to address 5 issues to be considered regarding PWC's. She feels the noise should be curtailed. She explained a boat goes someplace and then returns but a PWC zips around and around in the same place. She believes they are harmful to the environment and the wildlife. She told of an instance where baby Ospreys died because jet ski operators had no regard for them and scared the parent birds away. She said the operators did not observe the 100 yd. limit.

George Bingaman stated one of the reasons he moved to Southern Shores was for the bird sanctuary. He told how he got the phone company to donate 3 poles to help provide a nesting place for the Ospreys. He recommends that any changes to the ordinance be posted in many areas and visible to PWC operators and to protect the fish and shellfish by requiring PWCs to be environmentally safe.

Tom Franchi of Martin's Point stated he is concerned that Southern Shores can pass an ordinance that affects his backyard. He owns a jet ski and trains his personal operators to be safe operators. He stated the Town shouldn't single out one type of boat and place restrictions on it. He also stated the Coast Guard Auxiliary is on patrol to aid boaters and they will stop to remind you to be safe operator. He doesn't want Council to tell him what to do with his property.

Tom Hartman, President of the SSCA, stated the SSCA has taken no stand on this issue but times are a changing and with that restrictions come. Irresponsible users are the ones that make it bad for everyone. You must educate them to be responsible and enforce the ordinances that are in place. Work to the middle for the common good. He is in favor of a town permit for PWC users but enforcement is the key.

James Wilkinson expressed his agreement with Mr. Hartman. Council should enforce the ordinance already in place and if it is not effective then fine-tune it if needed. Don't add more laws. He does not want to be banned from the bay and be forced to use the sound.

Public Hearing Personal Watercraft (PWC) cont'd

Sylvia Valentino submitted a petition to Council signed by 42 Martin's Point residents. It stated that they are in support of Jack Bradley's report and petition Town Council to include the Martin's Point shoreline in any legislation regulating jet skis, using its extra-territorial jurisdiction.

Cheryl Byrd, Dare County Commissioner and resident of Southern Shores, stated she was glad Mr. Bradley submitted his document. She feels there needs to be a middle ground in this debate. She supports the 16-year age limit and a license of some sort. She doesn't feel the canals are a problem because of the "NO WAKE" zone already posted. But because of irresponsible people, limitations on access to the shoreline are needed. If Council changes the ordinance it should be marked properly so everyone is aware of the new rules. She also stated that the noise from any kind of boat could annoy someone. She continued by saying Mr. Bradley's report has raised many issues to be considered.

Jack Rose lives on Ginguite Bay and stated his concern is that the ordinance already in place is not being enforced and enforcement is the key.

Larry Welker, resident of Southern Shores and SSCA Marina Manager, stated the problems discussed are not caused by the locals but the weekly renters. The locals can't even get a parking space at the marina for the renters.

Greg Solesbee, resident of Southern Shores and Volunteer Fire Chief, stated he was glad to hear Commissioner Byrd's comments. He would like to see the Town and the County require a license for all motor vessels of any size. He only remembers one jet ski accident in Town but he has been called to many boating accidents. He asks that Council not discriminate against one type of vessel, make the water safe for everybody.

Ursula Zdziarski lives on the soundside and she sees lots of boats and jetskis. She stated that some people say jet skis should not be compared to boats; as stated before it is like comparing a go-cart to a car. The attitude of the people needs to be changed. She would like Council to strengthen the ordinance where needed and a 400 yd. shoreline limit may be a way but she urges Council to not adopt half way measures to appease some and please no one.

Paul Watson read a letter written by his mother to Council. It was suggested jet skis should not be over regulated and that if necessary it should include boats also. He stated he is a safe boat/jet ski operator and his father trusts him to be so.

Public Hearing Personal Watercraft (PWC) cont'd

Lynette Leonard, Martin's Point resident, reported she has a boat and a jet skis did \$500 worth of damage to her boat tied to the dock. She would like to see cooperation between the County, the Town, and the Marine Fisheries in regulation of jet skis.

Mayor Wood asked for any other comments from the floor. Hearing none he declared the public hearing closed at 8:55 p.m. He thanked everyone for their comments and stated Council will do the best they can.

Mayor Wood then called for a short recess. He called the meeting back to order at 9:12 p.m.

6. Mayor's Agenda-none

7. Council's Agenda

Mayor Wood asked Council if they had any other items to be discussed. Each said they would wait for the workshop.

8. Town Manager's Agenda

Tom Gjestson submitted the proposed FY99/00 contract between the Town and the Volunteer Fire Department for Council's approval. Councilman Pitts made a motion to approve and the Mayor to sign the \$151,500 contract with the Volunteer Fire Department. Seconded by Councilman Sutherland. Approved unanimously. Councilman Campbell asked if the Town is reestablishing a reserve fund. Mr. Gjestson said yes, in an amount of \$45,000.00.

Mr. Gjestson reported to Council that the sound system being used is the second one to be used on a trial basis thanks to Chief Brazell. This system with the eight microphones is \$2,000.00. Councilman Sutherland made the motion to approve up to \$2,500.00 for the purchase of the sound system. Councilman Campbell seconded. Approved unanimously. Chief Brazell stated a recording system could be purchased at a later time for an additional amount. The recording system would be approximately \$600.00. Mr. Gjestson remarked that a recorder could be purchased locally.

Mr. Gjestson reported the Institute of Government has requested that Council approve a match to the Town's annual membership dues of \$151.00 as a contribution to the renovation and expanding of the J.P. Knapp building in Chapel Hill. This building is the one used for all municipal government schools across the state.

Page 7

Recessed Council Meeting-Public Hearing- Personal Watercraft

June 14, 1999

Town Manager Agenda cont'd

Councilman Sutherland made a motion to match the annual membership dues of \$151.00 to be given to IOG to be used for the remodeling of the J.P.Knapp building. Councilman Pitts seconded. Approved unanimously.

Mr. Gjestson requested Council approve up to \$1,800.00 for office equipment of a copy machine and computer scanner. He explained that a copy machine is needed in the Pitts Center since there are night meetings held there and it is inconvenient to open Town Hall after hours to make copies if needed. He also explained there might be an additional hookup fee for the scanner but he will have that information later. Councilman Kennedy made a motion that not more than \$1,800.00 be spent on the purchase of a copy machine for the Pitts Center and a scanner for the computer system. Councilman Sutherland seconded. Approved unanimously.

Town Attorney Agenda-none

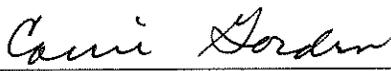
Mayor Wood made a motion to adjourn the meeting at 9:20 p.m. Councilman Pitts seconded. Approved unanimously.

ATTEST:

Respectfully submitted:



Mayor



Town Clerk