



**MINUTES**  
**TOWN OF SUNSET BEACH**  
**Regular Called Meeting, Public Hearing & Work Session**  
September 10, 2007  
6:45 p.m.

**Members Present**

Mayor Ron Klein  
Councilman Ron Watts  
Councilman Bob Bobinski  
Councilman Lou DeVita  
Councilman Len Steiner

**Members Absent**

Councilman Carl Bazemore

**Others Present**

Linda Fluegel, Town Administrator  
Mike Isenberg, Town Attorney  
Kim Cochran, Town Clerk

**6:49 PM Work Session**

The town administrator had a couple items to be added to the agenda.

1. Add under new business the Oath of Office for Donna Rogers to be named Budget Officer/Finance Officer.
2. Under New Business add item i. Amendment to zoning ordinance #151.212 Special Uses Permissible on Appeal for MB-1. Call for a public hearing.

Steiner asked Fluegel if the town had settled with the builder on the fire dept. roof. Fluegel responded no, they had a new contact person at Chancel and they were going to put a new system on top but she had heard nothing since.

She also informed all that Larry Crim had gone through surgery well and was recovering. Mayor Klein informed all that Councilman Bazemore was ill and being treated in an Asheville hospital and would be there several weeks.

He updated the residents on the administrator's position...they had received 74 applications. Council had started objectively with management experience, education, etc....they had worked through these and come up with 10 applicants for the next stage. This was a series of three questions to be asked of each and they would go from there.

Watts reported that WWAY-TV had been at Sunset Beach Monday to Thursday last week and done a great news piece.

Fluegel reported that D.O.T. would open bids on September 18<sup>th</sup> for the bridge.

### **7:03 pm. TOWN COUNCIL MEETING**

#### **1 & 2. CALL TO ORDER AND PLEDGE.**

Mayor Klein called the meeting to order and led the Council in the pledge of allegiance.

#### **3. MINUTES OF REGULAR CALLED MEETING AUGUST 6, 2007.**

#### **MINUTES OF EXECUTIVE SESSIONS ON MAY 7<sup>TH</sup>, 2007, JULY 2<sup>ND</sup> AND AUGUST 6<sup>TH</sup>, 2007**

Motion by Steiner to adopt minutes as presented. Seconded by DeVita, Motion Carried.

#### **4. PROCLAMATION THANKING SUNSET BEACH FIREFIGHTERS FOR THEIR HELP IN THE FIGHT AGAINST MUSCULAR DYSTROPHY**

Mayor Klein read a Proclamation marking September as firefighter appreciation month. Amy Pollack with the local Chapter of the Muscular Dystrophy Association presented them with a plaque. They collected over \$1800.00 for the association in one weekend.

#### **5. PUBLIC HEARING:**

##### **a. Amendment to Sign Ordinance #151.112**

No comments.

**Public Hearing Closed.**

#### **6. REPORTS:**

**a. Administrator** – Fluegel introduced Carol Santivicca, with the Town Celebration Committee, whom was here to give the final report on the event taking place September 29<sup>th</sup>. See Report which is hereby incorporated by reference and made part of these minutes.

**b. Police**-see report attached.

**c. Fire Department** – See report attached.

**d. Public Works:** See report attached. John Hancock informed Council the new Ford 750 for leaf and limb pickup had come in. It had 3-4 times the hauling capacity of a regular dump truck.

**e. Building Inspections:** see report attached

#### **7. NEW BUSINESS:**

**Two Appointments to the Planning Board**

Motion by Watts to reappoint Leon August, to appoint Bob Perry as regular member and appoint William McDonald as an alternate member. Seconded by DeVita. Motion Carried.

**a. Resolution Authorizing the Disposition of Personal Property by Private Sale**

Motion by Steiner to adopt Disposition Resolution, Seconded by Bobinski. Motion carried.

**b. Mutual Police Assistance Agreement between Ocean Isle and Sunset Beach**

Motion by Watts to adopt Assistance Agreement, Seconded by DeVita, Motion carried.

**c. Resolution Requesting Right Turn Lanes at Intersection of NC #904 and Georgetown roads.**

Motion by Steiner to adopt Turn Lane Resolution and send to Dept. of Transportation, Seconded by DeVita. Motion carried.

**d. Planning Board Recommendations:**

- i. Amendment to Chapter #151.211; 216 &241 Permitted Uses MUD Design Guides.
- ii. Amendment to Chapter #151.146 Permitted Uses to allow for offices for routine operations of resorts and golf courses.
- iii. Amendment to Chapter 151.010 (refers to prefabricated dwelling units; trailers, etc.)

Motion by Steiner to call for a public hearing on October 1<sup>st</sup> for items i, ii, &iii above and item i. below entitled "Text Amendment to MB #151.212" that was added to New Business, Seconded by Watts. Motion carried.

**e. Resolution Requesting Post Office to Change Zip Code Boundary**

Motion by Watts to adopt Zip Code Resolution, seconded by DeVita, Motion carried.

**f. Resolution Requesting Donald J. Curtis be Appointed to the State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors**

Motion by Steiner to adopt Resolution for Jeff Curtis to be Appointed by the State, Seconded by DeVita. Motion carried.

**g. Resolution of Consideration for the Remainder of Sunset Lakes Subdivision**

Motion by Steiner to adopt Resolution of Consideration, Seconded by Bobinski. Motion carried.

Fluegel interjected and read a letter from Don Eggert informing them of a meeting on the 18<sup>th</sup> at 9:00 here at town hall about the bike paths Council had been working on and planning for.

**h. Administer the Oath of Office to Donna Rogers as Budget Officer/Finance Director for the Town**

Donna Rogers took the oath of office as Budget Officer/Finance Director for the Town

**i. Text Amendment to MB #151.212 –see motion above under Planning Board**

Recommendations.

**8. OLD BUSINESS:**

**a. Amendment to Sign Ordinance #151.112**

Motion by Watts to adopt Amendment to Sign Ordinance, Seconded by Steiner. Motion carried.

## **9. PUBLIC COMMENTS:**

Robert Mulcreeky inquired if the Town had to pay for the proposed new roof Chancel was putting on the fire dept. Council replied no. He also asked if the three questions Council would be asking the 10 applicants could be made public. Isenberg said it could and Fluegel asked Mr. Mulcreeky to phone her the next day and she would give them to him.

Bill Elling, Shoreline Woods had a complaint about the police department and what he felt was the lack of patrolling. He was referencing the increased vandalism that was taking place on Shoreline east. He also asked where the 2.4 million for the boat ramp was coming from. Mayor Klein told him it was coming from the future development fund which was set up for that reason. This was a one time opportunity and they felt it shouldn't be passed up. He also informed the residents that the county and state would be contributing quite a bit also to help out with the endeavor. There was so little water access in this part of the county it was needed badly.

Richard Cerrato, Twisted Oak Lane, stated he had two complaints. One was Councilman Bazemore's resident status and the other was the Town's hiring practices. See attached written statement which is hereby incorporated and made a part of these minutes.

Vickie Kay, Shoreline Dr. W, spoke as a neighbor of Councilman Bazemore's and stated emphatically to all that the Councilman lived there. She spoke to them and saw them often.

Mayor Klein then said that he also, had spoken to Councilman Bazemore's neighbor in Ocean Isle Beach. They said that he stayed there occasionally to keep up the landscaping, gardening, etc in it's present condition (as all yards had to be kept.) but that Mr. Bazemore did not stay there full time. The Council had all the information, would investigate and would come to a decision publicly.

Charlie Nern, 647 Oyster Bay Dr. complained about people spreading lies and half truths about the town.

Carol Santivicca, Bonaparte II thanked council for the proposed boat ramp. She asked Council to keep in mind how badly the town needed a park.

Christine & Greg Drasheff, Millslough Lane, complained about the trash and debris and vandalism around town, and what they felt was an explosion of it in their area. They also complained about the poor service they received from the police department and the lack of patrolling in their area of town. Mr. Drasheff inquired where the money for the boat ramp was going to come from. Was the Future Development not general fund monies, and had they looked into the cost of maintaining the canals as it was a recurring cost? Mayor Klein stated yes they had, which was why they were working with Fish and Wildlife.

Walter Sidell, asked if the Town was aware of all the crime that was happening? He didn't live here but had to come down as someone had broken a window in his house. He and his wife Doris requested a street light as it was very dark on their street and felt it would help deter vandalism and crime. Mrs. Fluegel told Mrs. Sidel to write her a quick request after the meeting and she would get back with her if it met requirements.

Bob Gallick asked where the money for the boat ramp would come from. He knew it had been in the papers in the past months, but wanted to know why Council didn't share a good rationale with the residents? Why didn't they tell them at a meeting and explain it all. Mayor Klein stated that yes, it had been in the papers and been brought up a several meetings prior to signing the contract.

Watts asked for a few seconds to speak on the proposed boat ramp. He stated they had looked at both properties for the ramp and the park and had negotiated prices. The purchase price for the waterway lot was simply too high. Water access was high priority in the land use plan and a high priority for the state. He said he would be surprised if they didn't get back at least 50% from the state and local governments. He felt they were going in the right directions. Water was the main attraction here and the ramp would be for visitors as well as residents. There was no question the current council would like to have a park, but the lot they looked at for a park was a very small lot, it simply wasn't big enough. They would prefer something larger;

maybe in the future someone would set land aside for this need. In the meantime they had asked Dept. of Transportation to deed over the stationary part of the bridge to the town as a sort of "mini-park" for future festivities.

Barbara McCoy, Shoreline DR. thanked Council for trying to purchase the boat ramp. She was an avid kayaker and had no place to put in or take out here.

Mike Isenberg, Town Attorney, stated since they had received a challenge as to the residency of one of their Council, he wanted to make sure they knew their legal duty. Council they could NOT pass this investigation to a third party (i.e., an arbitrator). They would have to investigate the complaint and make a public motion with a decision as to if there was a vacancy on the board. Whatever evidence satisfied the Council would suffice.

After no further action, the meeting adjourned.

**Adopted this \_\_\_\_\_ of October, 2007.**

**Attest:**

**TOWN OF SUNSET BEACH**

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Kim Cochran, Town Clerk

Mayor Ron Klein

