

**MINUTES**  
**TOWN OF SUNSET BEACH**  
**Regular Called Meeting/Public Hearing/Work Session**  
**November 2, 2009**  
**6:45 p.m.**

**Members Present**

Mayor Ron Klein  
Mayor Pro-Tem Len Steiner  
Councilman Lou DeVita  
Councilman Ron Watts  
Councilman Bob Bobinski  
Councilman Wilson Sherrill

**Others Present**

Mike Isenberg, Town Attorney  
Gary Parker, Town Administrator  
Kim Cochran, Town Clerk

**TOWN COUNCIL WORK SESSION/MEETING 6:50 pm**

Mayor Klein announced that David Lawrence, Attorney at the Institute of Government at UNC Chapel Hill, was retiring. They were setting up a "Distinguished Professorship" in honor of Mr. Lawrence and asked for a donation. Council discussed the many times Mr. Lawrence had helped Sunset Beach, among all other NC towns and was held in such high regard, he was even quoted by the NC Supreme Court. They discussed a donation to go to the foundation. Item added as 10d to "New Business".

Parker advised Council that they would need to call for a Public Hearing on item **10b** Amendment to Bulkheads and Piers.

Mayor Klein sadly announced to those that did not know, former Councilman Carl Bazemore had passed away. There would be a memorial service for him Saturday at Seaside Methodist Church at 2:00 pm.

Council discussed the single application they had received past the deadline for the ABC Board vacancy. Council instructed Town Clerk to re-advertise and set interviews for November 18<sup>th</sup> at 3:00 pm.

**Klein announced they would be going into Executive Session at the end of the meeting to discuss the evaluation of the Town Administrator.**

DeVita asked if the recyclers had come back with anything new? Parker replied he would get with Larry Crim and report back to Council.

Parker also informed all that the County had said any leftover monies from SBWSA would be made available as assistance for hookups for those with low/moderate income.

7:00 pm

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

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

**3. ADD EXECUTIVE SESSION REGARDING PERSONNEL MATTERS TO AGENDA AND ITEM 10B DAVID LAWRENCE” DISTINGUISHED PROFESSORSHIP” FUND.**

**4. PUBLIC COMMENTS ON AGENDA ITEMS ONLY:**

Richard Tesch, resident, commented on the newly created Open Space District and hoped that Council had looked at this very carefully to prevent any mistakes with not having enough open space.

Dan Hargett, 37<sup>th</sup> St. stated he was delighted with the change in the Vehicles on Strand Ordinance, but could the language be changed to give it a more westward bent? 37<sup>th</sup> St. to 8<sup>th</sup> in a motorized wheelchair was a very long way to go.

**5. MINUTES OCTOBER 5<sup>TH</sup>, 2009**

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

**6. RESOLUTIONS OF APPRECIATION FOR THE SUNSET AT SUNSET COMMITTEE MEMBERS.**

Mayor Klein presented each member with a Resolution of Appreciation.

**7. PUBLIC HEARING:**

**a. Annexation of Parcel 2270003901, 1.6 acres site on Old Georgetown Rd. belonging to the Town of Sunset Beach**

No comments.

**b. Rezoning of Parcel 2270003901 from County R-7500 to Mainland Business-1.**

(Certification of notices sent by clerk attached-for info only)

No comments.

**Public Hearing closed.**

**8. REPORTS:**

- a. Administrator- None
- b. Police- see report attached. Chief Massey announced there would be a gathering at the Seaside Station POA building at 1:00 pm in Observance of Veteran’s Day.
- c. Public Works -see reported.
- d. Building Inspections-report attached
- d. Fire- see report

**9. OLD BUSINESS:**

**a. Annexation of Parcel 2270003901, 1.6 acres site on Old Georgetown Rd. belonging to the Town of Sunset Beach**

Motion by Steiner to annex the 1.6 acres, Parcel 2270003901 and stated it met the requirements of G. S. 160A-58.1(b) as follows:

- a. the nearest point on the proposed satellite corporate limits is not more than three (3) miles from the primary corporate limits of the Town of Sunset Beach;
- b. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another city than to the primary corporate limits of the Town of Sunset Beach;
- c. The area is so situated that the Town of Sunset Beach will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. The area is not a subdivision; and e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Sunset Beach.

Seconded by Watts. Motion Carried.

**b. Rezoning of Parcel 2270003901 from County R-7500 to Mainland Business 1.**

**(Certification of notices sent by clerk attached-for info only)**

Motion by Watts to rezone Parcel 2270003901 on Old Georgetown Rd. from County R-7500 to Mainland Business-1;and found it is consistent with the Sunset Beach Comprehensive Land Use Plan and the Mainland Business One allows for similar uses as the county R-7500 and the MB-1 dimensional requirements best fit this tract considering its shape and layout. Seconded by Steiner. Motion carried.

**c. Review of Motorized Vehicles on the Strand Ordinance**

Parker said at the prior meeting the Council had adopted the language but had since then been rethinking this. He Inquired what Council had in mind, such as appropriate equipment, speed limits, access ways to strand, etc? Isenberg reminded Council the handicapped permits are issued by STATE law and the operator would have to be a handicapped person with a mobility impairment. After discussion on subject, Council agreed to adopt and adapt language as needed. Motion by Watts to adopt the revised amendment to vehicles on strand as written but delete 8c regarding seasonal dates. Seconded by Steiner. Motion carried.

**10. NEW BUSINESS:**

**a. Call for Public Hearing to Re- Zone Sea Trail Golf Course Areas from Mainland Residential -3 to Open Space-1District; Re-Zone Sandpiper Bay Golf Course Areas from Mainland Residential -3 to Open Space- 1 District; and Oyster Bay Golf Course Areas from Mainland Residential -2 to Open Space-1 District.**

Motion by Watts to call for a public hearing on December 7<sup>th</sup> for items a.Rezoingg (above) and b. Amendment to 150.334 (below)Bulkheads and Piers, Seconded by DeVita. Motion carried.

**b. Amendment to Section #150.331 Maintenance of Docks, Piers and Bulkheads.**

**c. Resolution Authorizing Staff to Solicit Architect Proposals for Design of Fire Station #2**

Motion by Watts to Authorize Donna Rogers to advertise for Architect proposals for Fire #2 design.Seconded by

Steiner. Motion carried.

**d. Discussion of sending donation to sponsor the David Lawrence “distinguished Professorship” fund.**

**Motion** by Watts to donate \$500.00 to fund, Seconded by Steiner. Motion carried.

**11. PUBLIC COMMENTS:** *(This is an opportunity for citizens to make comments on a matter on the agenda, or on any matter of concern, but there is no dialogue with Council at this time, nor is it an opportunity to engage in questions and answers. If you wish to have an item placed on the agenda for discussion, please contact the Town Clerk)*

Roy Cundiff, 598 Kings Trail, asked why the town wasn't moving forward on bike paths. The plan had been adopted years ago, and felt we should not wait until sewer was in. He felt it was needed now and he would donate his time for bike safety classes, adult safety and safety tips.

No other public comments.

**12. EXECUTIVE SESSION REGARDING A PERSONNEL MATTER (REVIEW OF EVALUATION OF TOWN ADMINISTRATOR).**

**Motion** by Steiner to go into executive session to review the performance of the Town Administrator, Seconded by DeVita. Motion carried.

**Motion** by DeVita to return to open session, Seconded by Bobinski. Motion carried.

No action taken.

**13. ADJOURN**

**Motion** to adjourn by Sherrill, Seconded by Bobinski . Motion carried.

Adopted this 7nd day December, 2009.

**TOWN OF SUNSET BEACH**

*Mayor Ron Klein*

Attest *Kim Cochran*, Town Clerk

