

MINUTES
TOWN OF SUNSET BEACH
Regular Called Meeting
June 29, 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 MEETING 6:45 pm

Parker introduced two changes to the agenda. Add Item 9f- Land Purchase for the second fire station and Item -10c year end budget amendment.

Mayor Klein added that NC Dept. of Engineer Spencer Rogers presentation, was being moved up after the Proclamation for Muscular Dystrophy was read, due to time constraints.

DeVita stated they had a couple of incidents on the beach involving golf carts and skateboards. They had discussed it before but they really needed to address the ordinance. The Town provided wheelchairs for those that are handicapped, but people are driving golf carts 6-8 blocks to the west end. There is a potential liability.

Mike Isenberg, Town Attorney, stated he was still rewriting this ordinance but had looked at various towns and their ordinances, and they ran the whole gamut of little use to none and he needed guidance from Council on what exactly what it was they wanted.

Council discussed the fact that bikes were okay but any motorized vehicles were not allowed. Isenberg reminded them that they could not regulate state roads so the carts were allowed on state streets.

DeVita stated they had another big problem which was the skateboarders. They were using town property for jumping hazards and destroying it in the process. Isenberg said many towns made it illegal to skateboard on town property, sidewalks and main roads. They could always make it illegal to skateboard on town property. Council agreed that he should draft common language and send it to them.

Watts said there was a tremendous amount of complaints about parking on the beach. They needed to clarify with Chief Massey on where they can park to help everyone understand what is public and what is private.

Council briefly discussed life guards and the use of them on Sunset. Steiner said they had visited this topic many years ago and took no action because once you start using them there is a greater liability. Our insurance would go up and there were other significant costs and potential problems. We had always been without them and did not feel it necessary to start now. Council concurred and no action was taken.

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. PROCLAMATION FOR MUSCULAR DYSTROPHY

Mayor Klein read a proclamation declaring July MDA month for the town. He then introduced Meghan Hart, with the MD Association. She presented a plaque to the fire department for their help in “filling the boot” with donations. They collected 2,500 in 4 hours.

4. Spencer Rogers- NC Dept. of Engineers- (moved up from Item 10a)

Mr. Rogers stated he was a NC engineer involved with Sea Grant, a program affiliated with NCSU. It has been around for 45 years. He then began a presentation on jetties and terminal groins. He gave the definitions for each, which was: jetties were built basically to make dredging easier. Groins look smaller but were used for shoreline stabilization. In 2002, they became illegal, (if the law was not already in place for a particular area) but have recently been proposed as a possible solution for stabilization.

Groins were sand traps that function to reduce or reverse erosion. The biggest causes of erosion were jetties which traps sand on one side. But a terminal groin on the east end of Ocean Isle Beach would not likely harm Sunset Beach. The impact of a groin on the east end of Ocean Isle was on the backside rather than further down. It was hard to judge the impact if they decided to erect one, but he expected they would have to make a convincing case to get a variance for a terminal groin. In his discussion of Inlets he stated that Madd Inlet would never again be open during our lifetime. Hurricane Hazel caused a breach and redirected it in 1954, and it has slowly been closing up since then. Little River was the dominant Inlet in this area and had no impact on Sunset.

After the presentation, Watts asked if they needed to plan to dredge both inlets.

Mr. Rogers stated the biggest way to get into trouble was to dredge one channel in favor of another. They risked historically damaging it and if dredging was to be done *both* should be done, not one. It wasn't likely to happen but Tubbs Inlet has inlet erosion problems and he wouldn't rule it out, ever.

Council thanked Mr. Rogers for his presentation.

5. PUBLIC HEARING COMMENTS ONLY:

Carol Scott, 1214 E. Main St, was not in favor of any terminal groins. See written comments hereby incorporated by reference and made parts of these minutes.

6. MINUTES OF REGULAR CALLED MEETING JUNE 1, 2009 AND SPECIAL CALLED BUDGET MEETING JUNE 10TH, 2009

Motion by Watts to adopt minutes with wording correction by DeVita, Seconded by Sherrill, Motion carried.

7. PUBLIC HEARING:

a. Adoption of FY 2009-2010 Budget and Tax Rate

Mr. Parker read the budget message and a statement of thanks for all involved.
No other comments.

b. Amendment to #151.213 MB-1 (Mainland Business) Dimensional Requirements.

Curtis, Building Inspector explained the amendment, adding it was mainly a housekeeping issue.
No other comments.

c. Amendment to #150.105(c) Subdivision Improvement Agreements

Curtis explained this outlined guidelines developers need to follow. It gave the town assurance on the infrastructure being done.

No other comments

d. Proposed Amendments to Zoning Fees

Parker stated he had reviewed this many times and compared ours to other towns of relative size and found ours to be much lower than the surrounding communities.

No other comments.

Public Hearing closed.

8. REPORTS:

a. Administrator- Parker moved item 8f up to discuss the land purchase for the second fire station and the possible grant application for an open ended amount. The cost could vary to 1.3-1.4 million or could be substantially less. The town had undertaken this project for a couple of years and had budgeted \$300,000 for two years. If the grant is not awarded, the town will have to pay for the whole thing. He inquired what Council wished to match toward the cost of the station. He was thinking the \$600,000 in the line item going toward the cost. Watts asked why not spend about half on the land then spend \$300,000 on the match.

After discussion, Motion by Sherrill to match the grant by \$300,000, Seconded by Steiner. Motion Carried.

c. Police- see report attached. Dep. Chief Smith reported the police dept. had 440 calls for June.

d. Public Works – report attached.

e. Building Inspections- report attached

f. Fire- report attached.

9. OLD BUSINESS:

a. Adoption of FY 2009-2010 Budget and Tax Rate

Motion by DeVita to adopt the FY Budget and 0.09 cents tax rate, Seconded by Sherrill. Motion Carried.

b. Amendment to #151.213 MB-1 (Mainland Business) Dimensional Requirements.
Motion by Watts to adopt 8- b, c and d as proposed. Seconded by DeVita. Motion carried.

c. Amendment to #150.105(c) Subdivision Improvement Agreements

d. Proposed Amendments to Zoning Fees

e. Amendment to Sewer Ordinance 52.03 (tabled from June 1st meeting)
Isenberg asked Sherrill if his wording took care of his issue and Sherrill responded it did not. He still disagreed. Isenberg stated that unfortunately they had no choice but to adopt it. When they went into contract with the County and turned over the water system and proposed sewer, the Town agreed to adopt the County policies as well.
Motion by Steiner to adopt amendment to #52.03, Seconded by Bobinski.

Ayes- Steiner, Bobinski, DeVita, Watts

Opposed- Sherrill

Motion carried.

f. Land Purchase Contract for Fire Station #2

Isenberg added that if everything doesn't test out right then can always get out of the contract by August 15th.
Motion by Watts to accept contract with MAS Properties for the 1.7 acres and authorize Mr. Parker to sign on the towns behalf, Seconded by Steiner, Motion Carried.

10. NEW BUSINESS:

a. Spencer Rogers- Discussion on Hardened Structures

Mr. Rogers gave presentation at the beginning of the meeting, before the public hearing.

b. Action on Proposed Changes to Pay Plan

There was discussion about the proposed changes. Parker stated they had discussed this at various times. This was just to update to what was put in place several years ago. The plan had not been updated with COLA increases over the years. He made some changes, such as reversing the order of Maintenance. 1 & 2, creating Firefighter 1 & 2 and altering the ranking of positions based on his experience in Human Resources and with comparative pay plans which included the NCLM study. He stressed that no current employee's salary would be affected. They all already fall within these ranges.

Steiner had issue with the maximums on some positions. After more discussion, Motion by Watts to accept Changes, Seconded by Bobinski. Motion passed.

c. Year End Budget Amendment

Donna Rogers, Finance Officer, presented the year end budget amendment to complete the budget and bring it in balance.

Motion by Steiner to adopt budget amendment, Seconded by Sherrill. 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)*

Councilman Watts informed all that he would not be seeking reelection this November. He thanked everyone for their support and said he had enjoyed serving these last four years.

Betty DeBarr spoke on the garbage cans on the island and how she felt it was the owners/renters responsibility to make sure they were put back in place. See written statement incorporated by reference and made part of these minutes.

No other comments.

12. ADJOURN

Motion to adjourn by Watts, Seconded by Sherrill. Motion carried.

Adopted this _____ day August, 2009.

TOWN OF SUNSET BEACH

Mayor Ron Klein

Attest:

Kim Cochran, Town Clerk

